

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
MAY 15, 2014
6:30 P.M.**

1. Mayor Lawhorn opened the meeting at 6:30 p.m. with the Pledge.

2. Linda Allen - Present Sue Johnson - Present
Randall Atkins – Present Steve Riley – Present
Jim Boerio – Present James Smith – Absent

3. Mayor Lawhorn opened the floor to the public:

Sara Wilson – 375 W. Pike St. – stated she is here to speak on Karen Tritt inquiring about a community garage sale at the last meeting. Council member Allen said she would love to see that happen and contacted me the next day. Sara said the plan is to have June 7th from 9:00 a.m. to 5:00 p.m. She said she would like to see if council would waive the fee involved with them. Mayor Lawhorn asked Allen if she found out what council needed to do and Allen said they were going to do something different but it didn't work out. She said they have a flyer and Sara shared it with council. Mayor Lawhorn said he thinks it is a good idea and that other communities have them. He said he would ask council to waive the cost for that one day to have the community yard sale. He said Linda has the names of the HOA contacts to let them know about it. Allen said she needs to know if Wynstead has a separate HOA and Gary said he would give her the information for contact. Sara said she hopes this is the first annual. A motion to waive the fee for that day was made by Atkins, seconded by Boerio, all yeas. Allen asked should she abstain because she is involved and the mayor said no. Allen thanked John Moore for his work on the flyer.

John Moore – Fern Valley Way – said he had a few things to address and clarify with council. He said he has been brought to his attention that he has been called a negative person and crazy trouble maker by council and the administration. He said all because he wants to know the facts, why things happened the way they did, he wanted to know the truth and know the actions being taken against our administration, particularly our administrator for what he has done. John said there are a few reasons why he cares about this community and it is easy to understand. He said he was born here, grew up here most of his life and is proud of the heritage he has, being born and raised in this village. He said he had the opportunity of going to South Lebanon Elementary and having the same teachers that my parents had. He said he remembers growing up talking to the pillars of the community that shaped this village. He said the simple things they worried about then

should be the same things we worry about today, family, how the community is going to prosper and overall growth. He said when he became an adult he wanted to follow in their footsteps and make sure that things the correct way. He said his family has been here since the village was founded and held jobs in the community at the cannery and mushroom plant and served on council and a family member who served as police chief. He said that is what he is proud of, that is his heritage, his roots and he wants council to understand that is why he fights to make sure we are doing things the right way and we haven't. John said he went to the steering committee last Thursday and was disappointed, he got here a few minutes late but was told we really weren't welcome, that it was not a public meeting, which is contradiction in terms. He said it came from the county and even the people appointed to the committee have Loveland ties, even though they are residents of the village. He said the fine line was drawn, even the ex-mayor of Loveland said this, you have highlanders in four million dollar homes and you have lowlanders in the bottom part of the village and that is an insult. He said the people that built this village are the ones you are calling lowlanders, we are not bottom feeders and there are people in this village that have homes that may be forty, fifty dollar homes but they are paid for and they have more money in the bank than the people in million dollars homes with their mortgages. John said he watches council as they walk in to the meetings and the first of the month is comical, you sit down and pull out your envelope and look at your check. He said that check and envelope only comes to fifty eight cents but that check represents the people of this village, what we want, what we expect and what we need. He stated if you can't hold up to the ethics and moral aptitude and can't do the job, then step down. He said the mayor has appointed people before and he can do it again. John said there are a few of you that should already be out of here. He said two here he feels have moral aptitude, ethics, and respect for this village and that is Mr. Atkins and Ms. Louallen. He said Vikki, Ann, Molly all are great people and it shows when you come in and interact with them. He stated council needs to make the right decisions when it comes to this village, bottom line. You may only be here for two years but you can do a lot of damage. He said they did nothing with the documents he brought to council and probably went in the trash can. Mayor Lawhorn stated his time is up. John stated you guys need to take care of business and so I am not misquoted, here is a trash bag and what I have said so you can put the records in there for somebody that cares. Mayor Lawhorn stated again that his time was up.

Tom Hunche – 5294 Fredericks Stand – He said he received John's letter and he is quoting me on calling people the highlanders and lowlanders. He said the term he used was hillside group and the valley group, with no distinction as to who is who or who is what. He said we are all residents of this village and we all want to work together and make things happen. He said he thinks John needs a hearing aid and he said half the committee is from Loveland, well there are two people that are ex Loveland

people, myself and Gary and that amounts to 15%. Tom said he did not want to put anyone down nor did I say things in the terms that would put anyone down. He said a four million dollar home is a four million dollar home, it is not mine, I don't live in it. He said it does not make them have any more power than anyone else, everybody has one vote and one voice. He said Mr. Moore needs a hearing aid and he got under my skin.

4. Mayor Lawhorn presented the following minutes for approval:

Regular Meeting – April 3, 2014 – Allen stated that item number 4, the seventh line down, it says the solicitor stated nothing, this was directed to the mayor and not to the solicitor, so I think that the solicitor stated nothing should be stricken, that is more of an observation. Mayor Lawhorn said that is up to council and Allen said it was a comment to the mayor. A motion to approve minutes with that change was made by Allen, seconded by Boerio, all yeas.

Workshop Meeting – April 3, 2014 – motion to approve made by Allen, seconded by Boerio, all yeas.

Regular Meeting – April 17, 2014 – Allen said in item #6 she said Not Even an issue. Boerio said #9 he said Appropriate. A motion to approve minutes with the changes was made by Atkins, seconded by Riley, all yeas.

5. Mayor Lawhorn presented Resolution 2014-11 as an emergency approving LPA agreement. Gary said TID was authorized to provide the management services for the intersection project on behalf of the village. This is authorizing a contract with ODOT and that we have the managerial capabilities to manage that project. He said the reason for the emergency is to keep the project going. Boerio asked if the village is undertaking anymore administrative services as a result of this, than it would have otherwise. Gary said no the TID will provide the majority of the services and they will provide a full time person to manage this project. Mayor Lawhorn said if we do not use Warren County TID, we would have to hire all those people before ODOT would consider this project. A motion to waive the reading rule was made by Atkins, seconded by Allen, all yeas. A motion to adopt Resolution 2014-11 was made by Allen, seconded by Riley, all yeas.
6. Mayor Lawhorn presented an invoice for Bruce McGary in the amount of \$885.00. A motion to approve was made by Boerio, seconded by Allen, all yeas.
7. Allen stated at the last meeting we discussed a day for the street sweeping and designated time and asked if we had found something compatible. She said we discussed trash day being on Thursday and asked if there is a way we can come up with a designated day to where everybody will know when to

move their cars. She said at the last meeting it was a pretty large discussion. Gary stated it has always been the same day. Mayor Lawhorn said he didn't see any signs. Allen said they came by her house and there were no signs. Gary said new signs were ordered and they have not arrived. Mayor Lawhorn said they were not out and it went good and no one seemed to have a problem. Gary said it is the first Tuesday of the month. Allen said they did it Monday. Gary said he has only been here the last year and there are times, like last year the operator of the equipment was off sick the day they were scheduled to clean the streets and the company failed to notify us, the fellow arrived the next day and did not notify us and that is when there was a conflict with the parking. He said that was a breakdown in communication on the part of the company. He said we thought we had that resolved and have created new signs that we think will be more clear as to when the parking is restricted because that was an issue the way the signs were written. Atkins said the biggest issue with the parking is people that have nowhere to park but on the street, they have nowhere to go and we can't be giving them tickets. Gary asked if there were any tickets issued and Allen said no because there were no signs. If we are not having a problem then maybe we don't need to put signs up and Riley stated he does not agree with that. Gary said the problem is if you don't put signs up then you will never be able to clean the streets. Allen asked if we can put it on our web site that it is the first Tuesday of the month and then we will start watching. Mayor Lawhorn said didn't you say they came Monday this week and Allen said yes. Gary said we will post it on the sign in front of the building. Allen said if you see it is not the first Tuesday of the month then let us know and then we can call the company. Gary said they sweep two days because they do half the community one day and half the community on the other day. Atkins said they are supposed to do one side of the village one day and the other side the other day and they don't always do that, they go up and back the same day. Riley said that is if they have the opportunity and if it was open he would sweep it. Gary said we will post it on our website and on the sign out front each month. Riley said the issue was with McKinley and he drove down it and looked and said he thinks there were a lot of empty spots on both sides and he thinks that people could get all on one side one day and move to the other side the next. Atkins said that is a one way street.

8. Mayor Lawhorn reminded everybody that the cleanup is Saturday from 8:00 a.m. and noon in the parking lot.
9. Mayor Lawhorn asked for an executive session under 121 G2, consider property purchase for public purpose. A motion to go into executive session was made at 7:02 p.m. by Atkins, seconded by Riley, Allen – yea, Atkins – yea, Boerio – yea, Johnson – yea, and Riley – yea.

10. Mayor Lawhorn stated there was no action taken in executive session. A motion to return from executive session was made at 7:26 p.m. by Atkins, seconded by Allen, Allen – yea, Atkins – yea, Boerio – yea, Johnson – yea, and Riley – yea.
11. Solicitor McGary said we finally completed our tax evader case that we had in mayor’s court. He said it started about two years ago and he reviewed the sequence of the court events. McGary said he finally changed his plea and entered a guilty plea. Bruce said he asked the judge to send him to jail for the maximum time on each case, which was six months for each case, but with the understanding, should he comply, the village would have no reason to oppose him being released. Bruce said he pulled every stunt in the world and the judge followed my recommendation except for the sentence of six months for each case was concurrent so it would have been a maximum of six months. Bruce said he got the judge to extend the report date to report to jail by one week. He said the week before he reported to jail he did file his returns for the three years we had prosecuted him for and in addition he filed 2012 and 2013 as well. Bruce said the day he was scheduled to report to jail he did pay in full. He said we got the taxes filed and paid and he was in jail twelve days and the judge reviewed last Tuesday and he was released. Bruce said he made a significant issue for the village that a tax payer cannot be allowed to not pay the village’s income tax because if that got out it would have a detrimental impact on the fiscal position of the village.
12. Sgt. Boylan reported that there was a bad crash yesterday and the female subject was impaired and ran into a guy at Corwin Nixon. He said the man ended up passing away. He said there was a wreck last weekend as well.

Sgt. Boylan stated Deputy Ritchey observed a vehicle known to be transporting heroin and passed the information on to county guys and thought they were going to pick some up. He said one of the guys spotted them in Red Lion headed toward Dayton. They watched them and when they came back in Lebanon they stopped them and got eighty to ninety caps of heroin. He said these are people we have been dealing with repeatedly.
13. A motion was made to adjourn at 7:33 p.m. by Allen, seconded by Riley, all yeas.

Sharon Louallen, Fiscal Officer

Lionel Lawhorn, Mayor