

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
SEPTEMBER 18, 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 – Present
3. Mayor Lawhorn opened the floor to the public: None approached
4. Mayor Lawhorn presented minutes for approval:

Regular meeting – August 7, 2014 – Allen made the following changes to the minutes: Page 4, 7th line from bottom, word should be “none” not “no”. Page 5, line 19 from the bottom, word should be “he” not “she”. Allen said Sharon’s last name is spelled wrong on the next page and she was assured that was what was stated. A motion to approve with above changes made by Smith, seconded by Allen, all yeas.

Workshop meeting – August 7, 2014 – motion to approve made by Smith, seconded by Atkins, all yeas.

Regular meeting – August 24, 2014 – motion to approve made by Atkins, seconded by Smith, all yeas.

Special meeting – August 26, 2014 – motion to approve made by Allen, seconded by Smith, all yeas except Atkins who abstained because he was not at that meeting.
5. Mayor Lawhorn presented Resolution 2014-21 as an emergency to accept the amounts and rates as determined by the Budget Commission and certifying them to the County Auditor. A motion to suspend the reading rule was made by Smith, seconded by Allen, all yeas. A motion to adopt Resolution 2014-21 was made by Smith, seconded by Allen, all yeas.
6. Vidmar reviewed his memo concerning the village water tower. He stated after the inspection the tank is found to be in very reasonable condition and not in need of painting or repair at least for the next five years. Gary said that is wonderful news and contrary to our former engineer that was inspecting our tank. He said we won’t have to spend the entire amount of their contract price because it included preparing specifications and bid documents to repaint that tank.

7. Vidmar explained being presented is the next monthly payment application for the work performed during the month of August on the waterline and it has been inspected by Choice One along the way. He stated this payment has been certified by the engineer as well as himself. A motion to approve this payment was made by Atkins, seconded by Riley, all yeas. Mayor Lawhorn asked when that project will be completed and Gary stated by contract the completion date is October 14th and they are still on track.

Smith asked what caused the break, did they hammer or turn the water on too fast and bust the lines? Gary said the first break was by the contractor, we were unaware of the 2" line that existed, our drawings did not show that line. Gary said they repaired it and when the water was turned back on, there was a break in another location in that same line, due to water pressure. Smith asked was it due to the contractor turning the water back on and Gary said we turned the water back on.

8. Mayor Lawhorn presented an invoice for Bruce McGary in the amount of \$650.00. A motion to pay the invoice was made by Allen, seconded by Riley, all yeas.
9. Atkins stated on Section Street where they are working and leaving that hole open, he stated we might need to get some lights and leave around it instead of just cones. Gary stated it was paved. Atkins said in the future we need to have flashing lights around something like that, it was a pretty big hole.
10. Smith asked about the discussions from the last meeting about LANRM and said he needs an explanation as to when it went in and why did we need it and what prompted it to start? Gary stated first of all, it is disconnected, so it doesn't exist anymore. He said it was connected in 2013 while he was providing consulting services for the City of Loveland. Smith asked who paid for the services to install it and Gary said the City of Loveland. Smith asked for here in this village and Gary said yes. Smith asked for an explanation of what it was used for and Gary said it was a remote connection for emailing. Smith said for the City of Loveland, so you could theoretically work out of this office and Gary stated yes, which he had permission to do. Smith said looking at this memorandum from the mayor, from 8:00 to 4:00 you are prohibited from doing work for Loveland. Gary stated that memorandum was as of February 2014. Smith said so between 2013 and he has documents from the Village of South Lebanon itself, that you were working on projects as early as February 2013? Gary said he was an interim in February of 2013, he said he was a contractor working for both the communities of Loveland and South Lebanon. Smith said some of the words in this email that we have possession of, and you have been here a year and a half, it says to Tom Carroll, I am currently working out of my South

Lebanon office as much as possible. Smith said he is not going to go through all the document, but it is established that you have been working consistently from February of 2013 until now. Gary stated, he maintains, he had permission from mayor and this council, to perform services as a consultant for the City of Loveland from January 1st of 2013 and February of 2014 without constraints. Smith asked Mr. Lawhorn did he allow Mr. Vidmar to work during business hours? Mayor Lawhorn stated that was council, and if you read his memorandum to Gary in February of 2014, there were stipulations put in affect at that time of what he was allowed to do. Mayor Lawhorn stated prior to that, council had allowed him to continue to finish a project, without stipulations, in the City of Loveland. Smith stated Randall you were here, Atkins said he thought he was not supposed to do it on our time, when he was doing the contract for Loveland. Mayor Lawhorn said when he was on temporary, when he was interim, he was going back and forth and he was being paid hourly here and hourly there, or however he was being paid there. Mayor Lawhorn said after a contract was signed, Bruce McGary said it would have been the end of March, beginning of April of 2013. McGary said that was the first employment contract. Mayor Lawhorn stated council agreed to let him finish a project in Loveland. Mayor Lawhorn said council agreed. Smith said a project, he said that is well and good, a project, but when I get an email that basically is telling me there are 400 documents, between South Lebanon and the City of Loveland, that is more than one project. Mayor Lawhorn stated there was no restraints put on him by council when he was allowed to do that. Smith said then why didn't we send him to Loveland if we are going to pay him to do Loveland projects. Smith said everything he has read through here, he has done nothing but Loveland projects and that if we are paying him here to do those projects, that is very unreasonable and bad business practice. Smith said he could see someone coming on for a short period of time, wrapping up their projects, transitioning to a new job, but not for going on two years. Mayor Lawhorn said he had stipulations put in effect on February 20, 2014 so it hasn't been two years. Smith said so a year and almost seven months to be exact. Mayor Lawhorn stated that from February of this year you can't count because there were stipulations put on. Smith asked who was minding the store then, for that year? Mayor Lawhorn said Gary has done his job for the Village of South Lebanon and no one can say that he hasn't, period. Smith stated he is saying he hasn't. Mayor Lawhorn said Smith didn't know what he is talking about. Smith said apparently these documents spell it out crystal clear and Mayor Lawhorn stated Smith doesn't know what he is talking about. Smith said let's just take one comment out of these documents from Mr. Vidmar, in his own words, if you tell anyone I sent this email I will deny it please keep this source confidential. Smith stated, now who would write a comment like that in an email, telling someone he is willing to falsify something and not tell the truth. Smith said a professional, there is so much here, it is beyond belief, he said he has never seen this much communication back and forth and he has probably done a good job for

Loveland, but it is on our dime. Mayor Lawhorn said he has done a good job for South Lebanon too. Smith said in his own words, I do hours after work, so through the 8:00 to 4:00 we do some other municipality or private consulting, and do our work at the end of the day. Mayor Lawhorn said that is not a true statement. Smith said it came out of his own words. Mayor Lawhorn said that is not a true statement, sure he does a lot of stuff after hours. Smith said Mayor Lawhorn can defend him all he wants. Mayor Lawhorn stated Smith hasn't been here to see what he has done except when you got re-elected, you don't know what it was before. Mayor Lawhorn said he doesn't think Smith knows what is going on today, you know what is in your mind and that is about it. Smith stated Mr. Lawhorn needed to act professional. Smith said first of all this happened on your watch, Mayor Lawhorn said he knows it did, Smith said he wouldn't be proud of that fact. Mayor Lawhorn said he is satisfied with the job he has done for the economic development of the Village of South Lebanon, he has done as good as or better than anybody has before him. Smith said this has got to come to an end, he works for us, he works for Loveland consulting and the information here is crystal clear, what he is doing. Mayor Lawhorn said he no longer works for Loveland. Allen stated the project ran out of money for like six months. Mayor Lawhorn said yes and then came back in. Smith said so you are all aware of all this. Allen then stated we did okay the project and for him to finish it. Smith asked how many projects did you okay and Allen said we okayed the project that they were working on. Smith said when you look at these documents, provided by this community, these documents came from us and he didn't know they were here. Allen said she doesn't have those documents, Smith does. Smith said they were provided from the administration when the records request came. Allen said when they gave him the permission, she agrees to a certain point, but we gave him permission to finish that. Smith said you said one project. Allen said but they ran out of money, it says right in the Loveland minutes, when I went on there, I look at their videos, they talk about it. Allen said they ran out of money and then it started back a few months ago and she doesn't know how long it will be before it is completed, she said maybe they can give us an idea from Loveland. Mayor Lawhorn stated he is no longer working for Loveland, that six months is up and there was no new grant to work at Loveland, he is not working at Loveland. Smith said to make things crystal clear, unfortunately you've turned a blind eye to it, he said if you see something that is going wrong and you don't try to stop it, then you are supporting it. Smith made a motion to terminate the administrator, motion died due to lack of a second.

11. Smith reported on the parks and has reviewed the swings and they are being used. He said when the next phase is installed it will be a success. Mayor Lawhorn asked if he has a recommendation of a time to do the next phase and Smith said in the spring.
12. Allen asked about where Brown had the problem with the drain, at McKinley and King and she noticed they blacktopped around. She stated where the drain is it is a very large opening and asked if there will a grate or bar on there. Gary said he will look at it. Discussed it is not the grate but where it drains from.
13. Riley asked how much longer the contractor will be on Pike St. at the hill and Gary said they are about done with the main line and now will come back and make connections with the laterals. Riley asked if they are going have the hoe sitting on the hill more, he said it is a bad location by the auto parts store. Gary said it will be moved. Riley stated barrels around it would be better than cones.
14. Smith stated the Sheriff's Department has done a good job and has helped identify and issue a warrant for a theft at his home.
15. Atkins asked about the acquisition of property we have been talking about, are we going to discuss that or are we still working on that? Mayor Lawhorn said Dean has been in Columbus so when we do discuss it will be in executive. Atkins said we are still working with him and Mayor Lawhorn said yes as far as he knows.
16. Vidmar said there was a serious explosion that occurred this week and he wants to commend the public works department, Sheriff's Department, and fire department, for their quick action that led to no fatalities and no injuries and a quick extinguishing of the fire so there was no damage to any adjacent properties. He said he was told by a neighbor that actually Tony Ledford warned the other tenant in that building to get out, right before the explosion. Atkins stated it was after the explosion. Smith stated put the names in the record, who else there besides the superintendent and Gary said he would find out who was on that crew.
17. A motion to adjourn the meeting was made at 6:57 p.m. by Smith, seconded by Allen, all yeas.

Sharon Louallen, Fiscal Officer

Lionel Lawhorn, Mayor