

**VILLAGE OF SOUTH LEBANON
MINUTES
WORKSHOP MEETING
MAY 2, 2013
6:30 P.M.**

1. Mayor Lawhorn called the meeting to order at 6:30 p.m. with the Pledge

2. Linda Allen - Present	Glenn Holloway - Present
Randall Atkins– Present	Bill Madison – Present
Dean Evans – Present	Jeff Sturtevant – Present

3. Mayor Lawhorn opened the floor to the public:

Don Combs – 783 Mary Lane Extension – stated he came to ask the mayor and council to review Ordinance 2011-13 and 2010-01. He said Section I is hourly rates and Section II is salaries for administrator, fiscal officer, solicitor and he has no problem with either of those sections. Section III is council salaries and it does not affect the last three in office but he would like to bring it to your attention and ask that it be discussed in open meeting and not in an executive session. He said elected officials making up to \$24,000 for elected service I have a problem with. He said we are not a big community and he would like to see it reviewed and he thinks it is immoral.

Mayor Lawhorn said the law states 5 days before petitions are due for election, council has to set compensation for the incoming officials. So the council has to set salaries for the four seats that will be open.

Madison said the pay schedule voted on by council appears is for any one elected. He said that was the intent of council and stated we will go with Bruce's opinion.

Bruce stated first of all you may go into executive session to discuss personnel and that is your right. He said Don was here the 18th and mentioned he was going to talk about this. Bruce said the only difference between when this was adopted in 2007 and the one in 2011-13 is that the rates are in the body of the ordinance instead of an exhibit. He said the rates are the same. He said the rates themselves per 731.13 states compensation is set but does not guide on what the rates should be. He said it is up to council concerning the prior year service credit and there is no guidance and I am not aware of any legal opinions or ethic opinions that say they are unreasonable. He said the statute says the legislative authority shall fix compensation not later than five days before registration of candidates. We have 3 and 4 seat elections and 95 days before the election compensation has to be set.

Bruce said never forget the Ohio Ethics opinion specifically addresses the issue of a council person voting on compensation after an election. A council member voting on compensation after they are elected is a misdemeanor and serious stuff.

Mayor Lawhorn said by 7/18 council pay will be voted on by this council for four seats.

Don Combs said he does not think it benefits having a private discussion. Mayor Lawhorn stated that is up to council. Don stated some salaries are ridiculous to come to two meetings a month.

Holloway said he had no problem looking at it but when it was discussed we looked at surrounding areas and what they made. Combs stated he sat in on that discussion.

Madison said first of all we are a growing community and the wages were to draw professionals out of the community and again those amounts are after 20, 25, and 30 years of service and after giving their entire life to this community. He said the other issue is Don, you benefited well from this community and are a retired pipe fitter with a pension and asked for a two year contract as administrator for OPERS retirement and this village paid you handsomely. Combs stated he did not have a clue what OPERS he would get. Madison said the salaries were set to allow someone like yourself some type of OPERS and you gave years of your life to this community. Madison said he agrees in some areas and is not trying to give Don a black eye. Combs stated in 2007 he refused a raise that year. Evans said we are not here to support by income and I don't think millionaires will think that either.

4. Administrator Vidmar reviewed his memo. He said he is working with Rivers Crossing and involving the Port Authority, bond council, and ODOT to find a way to benefit from future TIF funds. He said the village will be firm because we are not here to finance the development for the developer. Mayor Lawhorn said we found the grant money for the project which relieves the developer and we are not going to lose three million over the developer's responsibility of \$500,000.

Gary said ad for Mason-Morrow-Milgrove Road is out and the grant is due early June and will be completed August 1st.

He said Choice One was given an updated water map and they will be studying the East//West water main project to see if some of that project has already been completed.

Gary said Woodknoll has their application and drawings complete but I have stopped work until we have a bond and a development agreement.

Gary said he is beginning property inspections and will be issuing violations.

5. Atkins asked about Speedway and Gary stated that public improvements have to be done first.
6. Solicitor McGary said in follow up of the regular meeting we had allowed council time to review my opinion and council needs to decide if they want to waive the client/attorney privilege. He said it is up to council if it is discussed at the table or go into executive. All council agreed it should be public record. Madison said the findings focused on if the village is responsible for repairs. He asked if there are violations by gating at the permanent gate site. Bruce said no, it is a private ingress/egress and only those granted have the right to use it. Bruce said the issue now is maintenance and the village has no responsibility to maintain or repair. He said you can force the HOA of Homestead to maintain and Vista Pointe has the same rights as the village to force Homestead to maintain as well. Bruce stated he does not know why council would want to get involved. Evans asked shouldn't the HOA own that and Bruce said he thinks eventually they will. Bruce discussed the 80% rule and that it is not in our subdivision regulations. Bruce stated the true trigger is the village accepting the streets. Madison said we tried to offset through Wynstead for Cochran Road traffic. Mayor Lawhorn said they are two years away from having that road complete and if that gate is closed they will go through Vista Pointe. Atkins stated that once the permanent gate goes up the temporary is to come down.
7. Holloway asked Sharon to send copies of the ordinances Don Combs referenced to council. Glenn also asked that the traffic light at Stone Brook be looked at again. He said the mayor says we have no say but the count was not done appropriately, they put the counter in Stone Brook and none on St. Rt. 48.
8. A motion to adjourn the meeting was made at 7:27 p.m. by Madison, seconded by Holloway, all yeas.

Sharon Louallen, Fiscal Officer

Lionel Lawhorn, Mayor