## VILLAGE OF SOUTH LEBANON REGULAR MEETING MINUTES FEBRUARY 19, 2015 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: No one approached council
- 4. Mayor Lawhorn presented the following minutes for approval:

Regular Meeting – January 8, 2015 – motion to approve made by Boerio, seconded by Smith, all yeas.

Workshop Meeting – January 8, 2015 – motion to approve made by Boerio, seconded by Smith, all yeas.

Regular Meeting – January 15, 2015 – motion to approve made by Boerio, seconded by Smith, all yeas.

- 5. Mayor Lawhorn presented Ordinance 2015-06 approving the rate of pay for the tax commissioner position. Motion to adopt the ordinance was made by Smith, seconded by Allen, all yeas.
- 6. Mayor Lawhorn presented a resolution concerning the St. Rt. 48 intersection project. Gary Vidmar stated we have moved into the right of way acquisition stage. He said this is agreeing for the village to acquire the necessary property for right of way. Gary said there has been an amendment to the Exhibit A and it eliminates references to the dollar value of the property and this is because acreage could change. A motion to suspend the reading rule was made by Smith, seconded by Boerio, all yeas. A motion to adopt Resolution 2015-02 was made by Boerio, seconded by Smith, all yeas.
- 7. Mayor Lawhorn presented Ordinance 2015-07 which approves the permanent appropriations for 2015. Sharon Louallen said there were minor amendments to a few of the funds because the system carried over small amounts in the salary line items and it needed to be deducted from the totals to be appropriated. She said this has been done and reviewed the changes with council. A motion to suspend the reading rule was made by Smith, seconded by Boerio, all yeas. A motion to adopt Ordinance 2015-07 was made by Smith, seconded by Boerio, all yeas.

- 8. Mayor Lawhorn held the first reading of a resolution authorizing a contract for Rozzi Fireworks to do fireworks the 4<sup>th</sup> of July. Mayor Lawhorn said he asked Union Township and they agreed to pay for half again this year and have already paid the money.
- 9. Mayor Lawhorn presented a resolution for the first reading concerning a MOU with Wolfpack, Ryan Carmack, Tony Ledford and Danny Taulbee.
- 10. Mayor Lawhorn presented an invoice from Warren County Planning in the amount of \$421.60 for approval. A motion to pay the invoice was made by Atkins, seconded by Riley, all yeas.
- 11. Mayor Lawhorn presented an invoice from Bruce McGary for additional services in the amount of \$1,115.00. Smith asked about the communications with the contractor and the solicitor, why did you have communications with a contractor. Bruce said the general contractor on the Lebanon Road and Pike Street water project, has gotten into a dispute with three subcontractors so we have been withholding money. Bruce said everybody is communicating and the next call is coming from their lawyers. Smith stated that means the sub-contractors have not been paid and Bruce stated they have now been paid except one. Bruce said he spoke with the bond company vesterday and they are willing to hold us harmless. Smith said that is his question, we are not going to be stuck with paying this twice. Bruce said his comments were, he is not getting his money unless we are sent a hold harmless without any reservation of rights and all we are giving him is what is not in dispute. He said they are about \$800 apart to settle the last sub-contractor. Smith asked about the repair and if we paid for it and Gary stated we paid for it because it was an emergency fix and we tracked that and they will be billed. Bruce said we still have retainage. Gary said the three contractors that did get paid, were paid with two party checks to ensure once the money was released to the general, he would release the money to the subs. Gary said he actually signed the checks and we handed them to the three vendors.

A motion to pay the invoice was made by Smith, seconded by Allen, all yeas.

12. Smith stated when you look at the road again, where there are laterals, he looked at them again and we have some more sinking. He asked Gary to look at those to make sure it is included in the bill, he said he wants to make sure we get it fixed and we are not held responsible. Gary said he wants to reinforce, we do have a maintenance bond.

- 13. Riley said he wants to thank the guys for the snow removal in town. He asked if any problems were expected concerning the right of ways. Mayor Lawhorn said the only one he thinks might be a problem would be O.T.'s property because it will be in probate. Discussion held on process.
- 14. Boerio said he would like to see an aggressive policy for repairing streets. He said we need some sort of schedule because we have a fair amount of streets that need repair. Gary said the engineer is working up a priority list.
- 15. Mayor Lawhorn asked council to review the bill list for approval. A motion to pay the bills was made by Atkins, seconded by Smith, all yeas.
- 16. Sgt. Boylan said things are going well and the guys did a good job clearing the streets.
- 17. Mayor Lawhorn asked for an executive session per 121.G12 to consider a promotion, demotion, or compensation of a public employee. A motion to go into executive session was made at 6:55 p.m. by Allen, seconded by Boerio, Allen yea, Atkins yea, Boerio yea, Johnson yea, Riley yea, and Smith yea.
- 18. Mayor Lawhorn stated there was no action taken in executive session A motion was made to return from executive session at 7:26 p.m. by Atkins, seconded by Allen, Allen yea, Atkins yea, Boerio yea, Johnson yea, Riley yea, and Smith yea.
- 19. Mayor Lawhorn asked if anyone on council has a motion arriving from executive session. Boerio made a motion to discipline Rob Wilson for repeated lateness. He said the disciplinary action would consist of demoting him by one pay grade and that we also inform him that any additional lateness will result in termination, seconded by Allen. Mayor Lawhorn asked if there was any discussion. Vote is as follows: Allen yea, Atkins yea, Boerio yea, Johnson yea, Riley yea, Smith nay.

Solicitor McGary asked that the mayor have council make decision as to who will sign the disciplinary form. A motion to designate the mayor as the signing person was made by Allen, seconded by Boerio, Smith – abstain, all others yea.

20. Mayor Lawhorn said Gary Vidmar, village administrator, has tendered his resignation and he will be leaving either the 1<sup>st</sup> or 2<sup>nd</sup> of April. He said he has accepted his resignation and asked that council would vote to concur with his acceptance. A motion to accept the resignation was made by Smith seconded by Atkins, all yeas.

21. A motion to adjourn the meeting was made at 7:29 p.m. by Atkins, seconded by Smith, all yeas.

Sharon Louallen, Fiscal Officer

Lionel Lawhorn, Mayor