

**VILLAGE OF SOUTH LEBANON  
REGULAR MEETING MINUTES  
FEBRUARY 18, 2016  
6:30 P.M.**

1. Mayor Smith opened the meeting at 6:30 p.m. with the Pledge.
2. Randall Atkins – Present                      Bill Madison - Present  
Jim Boerio – Present                      Steve Riley – Present  
Sue Johnson – Present                      George Teasdale – Present
3. Mayor Smith asked council to refrain from clicking pens, shuffling papers and having conversations during the meetings. He said it is hard to hear the tapes.
4. Mayor Smith opened the floor to the public: No one approached council. Closed floor to the public.
5. Mayor Smith presented the following minutes for approval:  
  
Special Meeting – January 4, 2016 – Motion to approve made by Madison, seconded by Boerio, all yeas.  
  
Special Meeting – January 6, 2016 – Motion to approve made by Boerio, seconded by Madison, all yeas.  
  
Regular Meeting – January 7, 2016 – Motion to approve made by Boerio, seconded by Madison, all yeas.  
  
Workshop – January 7, 2016 – Motion to approve made by Boerio, seconded by Madison, all yeas.  
  
Regular Meeting – January 21, 2016 – Motion to approve made by Boerio, seconded by Madison, all yeas.
6. Ordinance 2016-03 was presented authorizing the permanent appropriations for 2016. Fiscal Officer Louallen said additions this year under land and buildings it was appropriated \$500,000 to be used for rehab of school building. Mayor Smith explained that as the process comes before council and decisions are made we appropriated that amount so the project goes forward. Louallen said appropriation for a new maintenance building was included this year and is split between, general, water, and sewer funds. Jerry said the total appropriation is for \$250,000 and we are looking for land or a building already built. He said this has been a discussion for several

years. He said to clean up bike trail area we need to move our facility. Mayor Smith said we have new equipment and it has to sit out in the weather. Boerio asked about the fact only \$159,000 is put into line to cover street repair and we discussed that we need to put more into our streets. Mayor Smith explained that we have CVT money so we will have some additional funds. A motion to waive the reading rule was made by Boerio, seconded by Madison, all yeas. A motion to adopt Ordinance 2016-03 was made by Boerio, seconded by Madison, all yeas.

7. Mayor Smith held the third reading of Ordinance 2016-02 authorizing compensation for employees. A motion to adopt Ordinance 2016-02 was made by Atkins, seconded by Boerio, all yeas.
8. Ordinance 2016-04 was presented concerning utility shut off policy. Haddix said in 2013 council passed to abolish the utility review board and established a water shut off policy and it held the landlord's responsible for bills if renter moves. He said since they are not part of the deposit process, they can't be held responsible for the bills. He said this makes sure we are doing it the way it is supposed to be. Riley asked what the deposit is and if it is \$50.00 and Jerry said it is \$110.78 and that the \$50 is the reconnection fee if they are turned off for non-payment and is an incentive to not let it get to that point. Riley said we shut the water off and take the deposit and then charge them \$50.00 to turn on again. Jerry said yes. A motion to suspend the reading rule was made by Boerio, seconded by Atkins, all yeas. A motion to adopt Ordinance 2016-04 was made by Boerio, seconded by Madison, all yeas.
9. Haddix reported that we have several new developments coming in and in reviewing water and sewer details and we had adopted Warren County standards before but we need to update them. He said it makes some changes and specifies the items we use such as meters and fire hydrants and also adds radio reads to new construction. Ordinance 2016-05 was presented adopting the Warren County Water Standards. Atkins asked why it needs to be an emergency and the mayor said we have a development ready to start the process. A motion to suspend the reading rule was made by Madison, seconded by Boerio, all yeas. A motion to adopt Ordinance 2016-05 was made by Madison, seconded by Boerio, all yeas.
10. Administrator Haddix said the Regional Planning Representative and the alternate need to be appointed. Madison agreed to be the representative and Teasdale agreed to be the alternate. A motion to appoint Madison and Teasdale was made by Atkins, seconded by Boerio, all yeas.
11. Haddix said on January 11, 2016 we had a sewer backup and it went into Jasper Shepherd's garage and he had to clean it up. Jerry asked that council forgive \$267.89 of his utility bill. Jerry stated it has happened before and in the past we forgave his utility bill for the trouble. Atkins asked if our guys

cleaned it up and Jerry said after it froze up our guys did some of it. Mayor Smith said the village is at fault and when you have raw sewage that is caused by us it is our responsibility. Discussed the issue and the malfunction in the electrical system. Atkins asked if our insurance would cover and was told we have a \$1000 deductible. A motion to waive the bill was made by Atkins, seconded by Boerio, all yeas.

12. Haddix said he had sent council a memo concerning the return of the escrow amount of \$5559.40 to Alvin Bishop. He said we have a maintenance bond from the bank so these are eligible to return to Alvin. Riley said as much trouble as we had with Alvin it seems we should not return it. Madison asked the total amount that he originally put up and was told originally it was over \$300,000. Madison said so even though he gave us a hard time we used some of those funds and was told yes. Riley said he is shocked. A motion to refund the remaining bond money to Alvin Bishop was made by Madison, seconded by Boerio, Riley – nay, all others yeas.
13. Mayor Smith presented the invoices for approval. A motion to pay the invoices was made by Madison, seconded by Boerio, Riley – nay, all others yeas. Mayor Smith said he doesn't know what the issue is in paying the bills and Riley said he can't get past the \$33,000 to Cincinnati and the mayor stated you guys renegotiated the deal to add the \$33,000 that was paid off. Mayor Smith said if you don't vote to pay the bill then our businesses and residents would have no water.
14. Fiscal Officer Louallen reported that the village received a refund from the 2015 sheriff's contract in the amount of \$23,153.14 and goes back into the general fund.
15. Mayor Smith presented Resolution 2016-06 for a second reading for a contract with Rozzi's for fireworks for the 4<sup>th</sup> of July.
16. Solicitor Revelson said we repealed the sex offender ordinance and he said you cannot allow what the ORC prohibits and can't prohibit what the ORC allows. He said he is researching and may be able to have them register with the South Lebanon Clerk. He will continue to research and bring a new one to council.
17. Sgt. Boylan said the refund in his understanding is because of workers' comp being less. He said the heroin hotlines are burning up. He said the court dealing with drugs is frustrating. He said the commissioners have agreed to look at expanding the jail.
18. Riley thanked the guys for the snow removal and stated they did a great job. He asked if we have ordered more salt and Jerry said we should have delivery tomorrow.

19. Atkins said he has had complaints about water bills being estimated for months. Jerry said he thinks last year it was a software problem but he was not aware of it. Mayor Smith asked for names and we can check them out and Atkins said he would rather not give names. He said they said they came in to get answers and can't get any answers and they said they were estimated for months. Jerry said if they come in we can look them up and Atkins said they did but said Speedy is not up to date on them and couldn't answer them.

20. Boerio said on Mason Morrow Milgrove traveling west from 48 where you cross the bridge there are some pot holes opening up. Discussed pot holes and the need to get them fixed.

Boerio said we have a contract with Rumpke and they are not supposed to start work until 6:00 a.m. but they started work before 5:00 a.m. in Vista Pointe and asked Jerry to notify them.

Boerio asked if the village should contact our representative concerning HSB 302 and the mayor said we could pass a resolution in support. Paul said he talked with Catherine Cunningham last week and she does not feel confident that it is going to pass.

Boerio asked if Rob Wilson was returned to his status and pay scale because his discipline was to end on February 4<sup>th</sup>. He was told that Rob has resigned.

21. Teasdale said on St. Rt. 48 goes from 55 mph to 45 mph and back to 55 mph after you pass Kroger. He asked if we can give some thought to reducing it to 45 mph the entire way. Discussed studies that were done in the past and that they did not deem it allowable to reduce speed or put traffic light at Stonebrook. Jerry will contact and see if we can have another study.

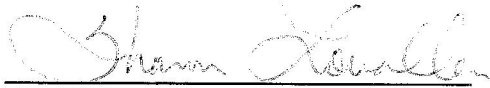
22. Riley said the berms on Mason Morrow Milgrove are high with the plowing and asked Jerry to look at them.

23. Mayor Smith said planning has approved a new subdivision with 127 units and it will be in two phases. Madison asked Jerry if we have any control over the price points of the homes. Jerry said as long as they meet our minimum standards of zoning.

24. A motion to go into executive session at 7:29 p.m. under ORC 122.22 possible litigation was made by Madison, seconded by Teasdale, Atkins – yea, Boerio – yea, Johnson – yea, Madison – yea, Riley – yea, and Teasdale – yea.

25. A motion to return from executive session was made at 8:00 p.m. by Atkins, seconded by Madison, Atkins – yea, Boerio – yea, Johnson – yea, Madison – yea, Riley – yea, Teasdale – yea.

26. A motion to adjourn the meeting was made at 7:01 p.m. by Boerio, seconded by Teasdale, all yeas.



Sharon Louallen, Fiscal Officer



James D. Smith, Mayor