

VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
JUNE 2, 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 opened the floor to the public: No one approached council.
4. Mayor Smith said the Memorial Parade went well and had good weather. He said we have five Revolutionary War soldiers buried here.
5. Mayor Smith presented Ordinance 2016-15 for the second reading authorizing the Community Center lease.
6. Mayor Smith said he checked on the Bishop easement and found the document and O.T. offered to give the village property but put a lengthy list of demands of what he wanted for the property. He wanted a four way traffic light intersection, egress, etc. He said he sees why the previous council looked at it the way they did, we were probably better off the way we purchased it. He did offer it but not free.

Haddix said there are two separate parcels for the Amburgy easements. One is parcel 15 and a temporary on the North side of the residence. He said the value is \$1,742.00. Jerry said the second parcel is 13 and on the south side of Mason Morrow Milgrove Road and is a permanent easement valued at \$22,242.00 but the Amburgy's negotiated and accepted \$24,840.00. Mayor Smith said this is one of the hold outs. Discussed the map Jerry provided showing both easements.

Resolution 2016-15 was presented authorizing the payment for the temporary easement for lot 15. A motion to suspend the reading rule was made by Madison, seconded by Boerio, Riley – abstained, all others yea. A motion to adopt Resolution 2016-15 was made by Boerio, seconded by Madison, Riley – abstained – all others yea.

Resolution 2016-16 was presented authorizing payment for the permanent easement for lot 13. A motion to suspend the reading rule was made by Atkins, seconded by Boerio, Riley – abstained, all others yea. A motion to adopt Resolution 2016-16 was made by Madison, seconded by Boerio, Riley – abstained, all others yea.

7. Mayor Smith presented Resolution 2016-17 authorizing a Ohio Public Works Grant application. Haddix said it was discussed to ask for OPWC money for Mason Morrow Milgrove and after discussing with the county engineer and the fiscal officer, he believes the village should ask for \$500,000 and for the match we can use TIF money. Jerry said he is looking at additional safety money available for the curve. Jerry said it will be available the middle of 2018 and the applications are due next Friday. A motion to suspend the reading rule was made by Atkins, seconded by Madison, all yeas. A motion to adopt Resolution 2016-17 was made by Madison, seconded by Atkins, all yeas.
8. Mayor Smith presented the following minutes for approval:

Regular Meeting – April 7, 2016 – motion to approve made by Boerio, seconded by Teasdale, all yeas.

Workshop Meeting – April 7, 2016 – motion to approve made by Madison, seconded by Teasdale, all yeas.

Regular Meeting – April 21, 2016 – motion to approve made by Boerio, seconded by Teasdale, all yeas.
9. Mayor Smith presented the invoices for approval. A motion to approve the invoices was made by Atkins, seconded by Madison, all yeas.
10. Mayor Smith stated Union Township was contacted about the boat ramp project for safety and they said it is not in their budget this year to participate. He said if there are no objections we will move forward with the project. He said it is good for commerce and is the only access for water rescue. No objections were given.
11. Mayor Smith said planning has approved the plans for the connection of Emerald Drive. He said they expedited everything and it is moving forward quickly. Boerio asked if there is a projected start date and Jerry said we need a permit to install sanitary sewer and that is probably a four week process and realistically it is probably a late summer project. Lengthy discussion was held on the project.
12. Fiscal Officer Louallen updated council on the payoff dates of OWDA loans with one paid off this year, one in 2017 and one in 2018. She stated this leaves only the recent one with low payment and paid off in 2043.

13. Haddix stated the Warren County Municipal League appreciation day is June 11th. He said he needs to know anyone wishing to attend by the end of the week.
14. Sgt. Boylan said it is summer and the department has been busy. He reviewed some of the calls.
15. Teasdale asked about the 45 mph speed limit on St. Rt. 48 and Jerry said he has not heard anything about that. Mayor Smith said the four way stop is implemented on Lebanon Road.

Teasdale said he read in the Cities and Villages about the drinking water testing and asked about the age of the water system in the village and do we test the water for lead at the homes. Jerry said the village does random testing throughout the village. Atkins said he has dropped them off at his house before and the testing is mandatory from EPA. Discussion held on homes, system and use of lead in years past.

16. Riley asked Sgt. Boylan if we have a new officer in town that came from Morrow and Sgt. Boylan said he has been here since December, Matt Landrum. Riley said he has heard good things about him.
17. Boerio asked if we are holding any money from the developers at Vista Pointe and he asked because at the end of the cul-de-sac called Fawn Meadow, there were no houses built there and now one house has been built but the rest of the lots still belong to the developer. He said the guy who built the house there is Brian Van Jura and he is complaining about a drainage issue. Boerio said he has tried to work with the developer but has not been successful and wants to know if we are holding anything back and do we have any leverage with the developer, and he stated that is a private lane. He said he thinks the developer should be responsible and was wondering if we are holding money or have some leverage with the developer to get this issue taken care of. Haddix stated that last year when the village accepted the streets, part of that was withholding back some money as a maintenance bond but that would be to secure what is a public right of way. Mayor Smith said Jerry should go look at it.

Boerio asked if some of the things on the invoice list come off a spread sheet of some sort. Sharon said it is generated from the actual checks that are written and she creates the list. Boerio said some of these things are lumped together, and if it is possible to break things out instead of lumping them together. Sharon said if they are in one check they have to be listed as that one check per the auditors but she can be more descriptive. Sharon said for instance, the Lowe's invoice has about twenty to twenty five purchase orders that make that payment. After discussion she will make more descriptive.

Boerio said with the completion of Emerald Drive we will get out from under the problem that has existed for a long time of the vacation of Cochran Road. He said there is a related issue and that is the Zoar Road gate. He asked if it is possible, according to the documents that have been recorded there are three entities that can request the developer to complete construction of the Zoar Road gate. He said the entities are the village, Homestead HOA and Vista Pointe HOA. He asked would it be possible for these three entities to work together and send the developer a letter requesting that they finish construction on the Zoar Road gate. Mayor Smith said that would be up to council and the property we are talking about at Cochran Road, unfortunately it connects the Ritchey property and there will be no vacation in front of that property but around the horn and not cut off the Ritchey property. Boerio said he is talking about at Zoar Road. Mayor Smith said he is not prepared to answer something like that, council will have to look at that, some is private and some is public. Boerio restated the three entities that can compel the developer to finish the construction of that gate. Mayor Smith said on this issue, you have subdivisions that with this road going in, smooths out a lot of issues, and to push this issue there will be a huge amount of folks on both sides fighting it again. He said let this phase be completed and not add another component to it. Boerio said there are two pieces to the puzzle and the Zoar Road gate is the second piece. Mayor Smith said all residents would have to be considered and at the table before you do something like that. Madison stated he would have Emerald develop and if there is still a need have the solicitor to look at it before making a decision. Atkins said with that being on private property would we even have any authority? Mayor Smith explained the trading of property by developers that resulted in the private property where the gate would be. Madison said in recognizing it is private and an open thoroughfare and sets the precedence that it is a public access and asked for caution because we tried to restrict traffic, not close a road, and were taken all the way to the Supreme Court and they made it perfectly clear that no one can shut down a roadway and we need to look at the legalities of it all before making any decisions. Boerio said why don't we work behind the scenes and Paul can take a look at the legality of this thing and see where we are at.

18. Mayor Smith stated communication has been reestablished with Chick-Fil-A and are hoping for a face to face with them.
19. A motion to go into executive session under 121.22G, personnel was made at 7:26 p.m. by Madison, seconded by Teasdale, Atkins – yea, Boerio – yea, Johnson – yea, Madison – yea, Riley – yea, and Teasdale – yea.
20. A motion to return from executive session was made at 7:45 p.m. by Atkins, seconded by Madison, Atkins – yea, Boerio – yea, Johnson – yea, Madison – yea, Riley – yea, and Teasdale – yea.
21. Mayor Smith said we had an annexation a few years back that connected the village to 3C Highway and the owner is working to put a business there and we will have a business on 3C Highway.
22. A motion to adjourn the meeting was made at 7:46 p.m. by Atkins, seconded by Boerio, all yeas.



Sharon Louallen, Fiscal Officer



James D. Smith, Mayor