

VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
AUGUST 4, 2016
6:30 P.M.

1. Mayor Smith opened the meeting at 6:30 p.m. with the Pledge.
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| 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 Judge Loxely – Warren County Court – stated they changed court costs because they were lower than other courts so they were raised by \$20. He said they looked at how that is distributed and they raised computer fund by \$10. Judge Loxely said they wanted to keep up with technology. He said they see approximately 7000 cases a year and they are moving toward paperless. Judge Loxely informed council about the specialized docket for Warren County Veterans Court. He stated that Ohio is the fifth highest in the number of veterans that live in one state. He said in Warren County there are 15,000 veterans and they see them occasionally in the Warren County Court. He said the special docket was created and they can request to be on that docket. He explained that there is a plan put in place for treatment and they have to comply with that plan for a minimum of three to eighteen months and then successfully graduate. He said he calls them individuals with redeeming qualities. He said they had to raise their hand and be morally, physically and educationally qualified to serve in uniform to begin with. Mayor Smith asked if they are broken down by branch of service they were in and was told no. Judge Loxely said he determines who is a veteran and said a veteran in his view is someone that serves in the Reserves or National Guard and subjected themselves to possible active duty.

Judge Fisher – explained his special docket is the mental health docket. He stated every family has someone that has been touched with mental illness and we would like to help them become productive citizens. He stated they call it the success docket, we want to take the stigma away and deal with it. Judge Fisher said they have a dozen on the docket right now and of those three did not have a job and they do now. He said many would not take medications because they were in denial but they are all compliant with taking their medications. Judge Fisher stated the special dockets are at no extra cost to the county but is increase time for the judges and organizations. He said they are proud of that. He said law enforcement has worked very well to recognize people that could benefit from the special dockets. He said he and Judge Loxely are on call on weekends for these dockets so they can handle arraignments so they don't wait until Tuesday

to get before a judge. He said the Sheriff and the prosecutor were onboard for having this weekend on call. He said there is a prosecutor and deputies there bringing the individuals in.

Judge Fisher said the court is facing two issues, one being jail overcrowding. He said some cases require jail time and we will sentence them and they show up and get turned away and do not serve their time. He said Sheriff Sims is trying to get this issue addressed. Judge Fisher said the other issue is heroin, drugs are a big issue. He said we need to get people to want the help. Boerio said they indicated they are dealing with maybe ten or twelve people in the special docket and asked how many people in a year do they think they will encounter. Judge Fisher said if they have twenty to twenty five that is what we are willing to deal with and if we hit that number we could have a second docket. Fisher stated that with the special dockets they are more intense than regular probation and they actually meet with a judge twice a month and meet with the treatment team three times a week. He said regular probation you might meet with a probation officer once a month. Mayor Smith asked if they have stats as to numbers per branch and Judge Loxely said they do not have numbers but he said his assumption would be Army as the highest.

4. Mayor Smith opened the floor to the public:

Linda Allen – 265 Mary Ellen – she stated that she had a couple of residents call her lately and said the Ordinance 2016-04, the water ordinance, we have always had the 10% penalty and she knows that business is business but feels the \$50 penalty, you figure if you don't pay your bill by the 15th you have a 10% penalty and our bill is normally \$90.00, \$95.00. She said then if you don't pay your bill after that you assessed a \$50 penalty, which is almost 50%. She said you are paying a 60% penalty on your bill by the time you get your water turned back on. She said the bill is in essence too high and we have talked numerous times about lowering that bill, our sewer fund has over two million dollars in it and we have yet to find a resolution to bring in all that money and not give the residents relief. She said at some point we have to look at this sewer situation, we are bringing in a lot of revenue and is sitting there and shows we are bringing in more revenue than we are spending to keep it up. She said she is asking until that is remedied on the bill, the water and sewer are outrageous, she said for example one resident that called her is single, raising three kids and just got his house off the auction block. She said he gets his water shut off and he calls here on the 26th or 27th and was told there was a \$50 fee and he didn't have it. She said he has to wait until he gets it. She said for those that have to make that decision, they are struggling, \$50 is a weeks' worth of groceries for some people. She said she is asking to post pone that \$50 penalty until you can lower the sewer bill to give a relief for the residents. She said the \$50 penalty

is too much for people struggling that is a 60% increase. She said the people struggling are going to St. Vincent DePaul, the Food Pantry, or Salvation Army and have to have a shut off notice or shut off before they can get the help and the 60% could pay somebody else's bill.

Haddix stated that the 2016-04 didn't establish the \$50 turn on fee, that fee was actually established by Ordinance 2013-10. Allen said when you look at that ordinance, that didn't happen. She said in the minutes it was not discussed, Haddix said it may not be discussed in the minutes but it is in the ordinance. Haddix read an email from Gary Vidmar and Ann Herald and Vikki Stickelman. From Ann to Gary, August 20, 2013, she suggested an increase of the deposits. Gary responded to Ann thanking her for the suggestion and that he and Bruce were drafting a new set of water regulations and that he attached the amended version of the shut off policy to which he said he deleted the language that gave customers an additional seven days. Vikki responded to Gary on August 21st that she noticed on the amended version he said it is \$50 for turning water back on and we used to only charge that after hours and only \$10 during office hours and asked was that being changed. Gary responded that it will be \$50 during or after hours. Allen stated but that was not council, council never had that understanding. Haddix said the ordinance was passed on 8-15-13 and the emails between Gary, Ann and Vikki were on 8-21-13 and Linda said that is between Gary and Vikki and it was not implemented. Atkins said we did drop the sewer once when the water had to go up to balance the bill. Haddix said it abolishes the water review board and established the \$50 in ordinance 2013-10. Allen said if we didn't implement it from 13 to 16, can we not implement it until 17 and look at the sewer. Haddix said just because someone didn't implement it, it was on the books and should have been. Madison said he opposed the abolishment of the water review board and he agreed with the fact that the administrator would act in that capacity to work with the residents. He said he disagreed with not having something in place where a board could in these special circumstances, forgive these costs you are talking about. He thought it was a needed board in this community. He said his comments may not be on the minutes from that meeting but they are reflected in other discussions in meeting minutes. He said he still thinks we need to have that board. Madison said he does think the billing is excessive and council needs to look at that. Boerio said he suggested six or eight weeks ago that we devote a workshop to looking at this issue. Mayor Smith said we need to have a study done by a firm and once it is done then council will have the information to discuss the issue. Mayor Smith asked Jerry to explain how it all works. Haddix said bills are due by the 15th of the month and if not paid they incur a 10% penalty with an extension to get bill paid by the 26th of the month. He said at that time they can come and ask for an extension or help with other needs. He said there are 26 days to address any issues they may have paying their bills. He said if not paid then the water is turned off and to get water turned back

on it costs a \$50 turn on fee. Allen stated that we are paying Phil almost \$25 an hour and that is his job. She said after hours we had that penalty. Haddix said the policy put in place in 2013, he is positive was to get the people to pay before they get shut off so they don't have that penalty. Mayor Smith said the ordinance in 2013 established it and council can review it. Riley said if it was passed in 2013 and sat until 2016, what got this started. Haddix said when Speedy took over we went over all the ordinances and the rates and processes. He said we realized that this policy had not ever implemented. He said we made the changes in 2016-04 where it took out responsibility of landlords and that is all that was changed all the rest was passed in 2013. Lengthy discussion as to amounts to charge and how to set the policy. Atkins stated he thinks we need a firm to review our rates and give council recommendations to consider. Boerio asked that the firm come to council and review their findings. Lengthy discussion as to the process and solutions. Discussed that a firm would look at what is required to run the department and maintain the systems and give the recommendations to council to consider in their decision.

5. Haddix stated there needs to be appointments to serve on a tax review board. He explained two members are appointed by council and one appointed by the mayor. He said it cannot be an employee of the fiscal or tax office. Boerio asked about them reviewing documents that are not public record. Louallen said the fact that if the resident requests the review they are essentially giving permission for the board to look at their information. Haddix said he has three names of people who have agreed to be on the board, Matt Nolan, county auditor, Debra Fullen, owner of Clearcreek Tax and Darrell Tucker who lives in Stonebrook. Mayor Smith appointed Matt Nolan, Boerio made a motion to appoint the other two, seconded by Madison, all yeas.
6. Resolution 2016-25 was presented for the first reading to accept Trane's proposal to install electric and HVAC improvements to the old school building at the cost of \$584,026.00. Atkins stated this has to be read on three separate dates, can we read it again at the workshop. Mayor Smith said you can expedite with a super majority of council approving it. Atkins asked Jerry if we have enough time and Jerry said the next item is to hire an architect and he said the architect needs to be on board before we get too far into the project. He said the rooms need to be designed first before the placement of duct work. Riley asked if an engineer has said the building can hold all of this and the mayor said there was authorization some time back to have an engineer look at the building and they did and the report came back that it will work. Lengthy discussion on phases, costs, etc. Haddix said the second story is included in this because all this work needs to be done simultaneously and decreases the square footage cost of the upstairs renovation at the time it is done. Boerio asked if there are any grants we could apply for and Jerry said the only thing available is for handicap

accessibility, so if we put an elevator in that would be eligible. He said energy efficient lighting could be eligible for rebates from Duke. Boerio asked but nothing for rehabbing old buildings or historical buildings and Jerry said there is none to his knowledge. Madison asked if there is any information on the block and the village being able to put a footprint on the block. Discussed possibly purchasing property on the block as it becomes available. Madison said that would allow the village to have a village campus.

7. Ordinance 2016-09 was presented for participation in the State Purchasing Program. Haddix said any municipality that participates needs to have this ordinance and there is a \$100 fee. A motion to suspend the reading rule was made by Madison, seconded by Teasdale, all yeas. A motion to adopt Ordinance 2016-09 was made by Boerio, seconded by Madison, all yeas.
8. Mayor Smith presented the invoices for authorization. Atkins asked about the Clemson Nelson invoice and where we are with the manual. Jerry said he has the draft back and will bring to next meeting but Paul will review as well. A motion to approve the invoices was made by Atkins, seconded by Boerio, all yeas.
9. Mayor Smith presented an invoice from Solicitor Revelson for services above his contract. Atkins asked about the tax research. Paul said it was clergy member in village that questioned his wages as taxable. He said the other one was concerning credit from another taxing municipality for another resident. A motion to approve the invoice was made by Atkins, seconded by Madison, all yeas.
10. Mayor Smith said Site Worx was awarded the bid for the Wynstead development so August 15th is the tentative start date.
11. Mayor Smith said we have a sewer pump down and have an estimate of around \$30,000. Haddix stated that Allied is probably the only one in the area that is able to do this. Atkins said there are a couple more who can do this and we need more quotes on this. Haddix said Flight was going to sub it out to Allied. Discussed issues with sewer maintenance. A motion to authorize no more than \$29,825 for the pump repair was made by Madison, seconded by Atkins, all yeas.
12. Mayor Smith announced that Sharon is going to retire next year in January. He said she has been around a long time and other communities call her for advice and sometimes you don't realize the asset you have until someone retires. He said he has worked with her for many years and she fills in the departments when we have people leave or issues come up and she takes it upon herself to make sure that everything runs and knows the entire system. He said she has had good audits and there are housekeeping issues that are

normal and that is the work of the fiscal officer. He said it is the mayor's appointment with council confirmation. Discussed the process and qualifications needed for the position.

13. Solicitor Revelson stated that he reviewed and redacted in the Ohio Checkbooks and then received the file to double check and found nine that did not stay redacted and after the meeting he will send back with redactions again. He said going through a couple thousand checks finding the right redactions was not an easy task.

Paul said we have one easement for the St. Rt. 48 project that we have had discussions on and they want way too much money. He said there is another one that is being difficult and may need to file on. Madison asked if this process is handled locally, the appraisals, etc. and Haddix said the right of way acquisitions is subbed out and then TID handles the contracts.

14. Haddix said the speed study on St. Rt. 48 is completed and based on that they are recommending 45 mph from Ridgeview Lane, in front of Kroger, down to Dwire Road. He said they then recommend reducing from Dwire Road to the northern St. Rt. corporate boundary to 50 mph. Discussion held concerning Stone Brook light request and decision to request that study again was made. A motion to request this change was made by Atkins, seconded by Madison, Riley – abstained, all others yea.

Haddix said the boat ramp project will start next Monday and it is a one to two week job.


Jerry said the Ilene sewer project bids will be opened next Tuesday. He said Cochran Road paving could be next week or the following. Jerry said the High Street bid openings will be August 30th. He said our new maintenance employee starts next Monday.


Jerry said the Warren County Municipal League meeting will be August 17th and will honor Pat South, retiring commissioner.

Jerry said the signs are up on St. Rt. 48 for the upcoming project, so that should start soon.

15. Madison asked about the parking for the street cleaning and the fine for not removing your vehicle. Sgt. Boylan said they give one warning and then they get a ticket. Discussed issues with parking and street sweepers. Teasdale said he has only seen the street sweeper once in Stone Brook and asked for Jerry to check and make sure they are still on the list.

16. Riley asked Jerry if he was contacted about the stop bars and striping on St. Rt. 48 and since it is our light we are responsible for the stop bars. He said there was a red light out yesterday and was told it was fixed. Riley said our ball fields need dragged and cleaned, we have a lot of families using them. Riley said there is a sign covered on St. Rt. 48 and he thinks that piece of road is being dedicated to one of our local soldiers. He said Site Worx needs to grade Mason Morrow Road, the water stands bad when it rains.
17. Atkins asked Jerry if he investigated the complaints he called in about the street sweepers and Jerry said he called Tony and he talked to them. Atkins said they are not using enough water and dust flies everywhere. Jerry said he is calling the main guy tomorrow.
18. Boerio stated one of the conclusions from the auditor was that the council should review financial statements and reports to ensure that the financial statements are free of misstatements. He said we have not addressed this and he made a motion that the council instruct the solicitor to prepare a resolution instructing the fiscal officer to prepare a monthly report of all expenditures including check numbers and the monthly payroll report showing which funds are being charged for payroll costs beginning the first regular meeting next month, seconded by Riley, all yeas. Fiscal Officer Louallen stated that council has to change the payroll breakdowns as well because they are wrong and she has to go by the ordinance until council takes care of that issue.
19. Johnson asked if Jerry checked out the sidewalk she mentioned last meeting and Jerry said Tony is taking care of it. She said she was called and told they are still speeding on Main Street late at night. Discussed other sidewalks that need looked at.
20. A motion to adjourn the meeting was made at 8:19 p.m. by Atkins, seconded by Teasdale, all yeas.


Sharon Louallen, Fiscal Officer


James D. Smith, Mayor