

**VILLAGE OF SOUTH LEBANON  
REGULAR MEETING MINUTES  
NOVEMBER 15, 2018  
6:30 P.M.**

1. Mayor Smith opened the meeting at 6:30 p.m. with the Pledge.

2. ATTENDANCE

Linda Allen – Present  
Jim Boerio – Present  
Linda Burke – Present

Bryan Corcoran - Present  
Bill Madison – Present  
Rolin Spicer - Present

3. Mayor Smith opened the floor to the public.

Brenda Combs, South Lebanon Historical Society – We collected 1,085 can goods at the Music Festival and \$885 to donate to the Food Pantry.

Christmas in the Village will be December 15, 2018 in the gymnasium of the Community Center from 2:00 – 4:00 p.m. We have over 500 gifts for the children, hot chocolate, and cookies. The Mt. Zion Choir and a dance group will be performing. Corcoran asked if Christmas in the Village is also in conjunction with the Horse Parade. Brenda said yes. The Horse Parade starts at 5:00 p.m.

Carrie Bode 423 Creekborough Court – wanted to discuss issues concerning the gate, which was recently made operational. Ms. Bode would like to ask for help to facilitate a meeting between the two HOA's so they understand the impact of making the gate operational. We are a community of three interconnected neighborhoods and she would like to know why only two neighborhoods have access through the gate. She stated these are our taxpayer streets and the gate doesn't allow the to access the streets as intended. This has created a feeling of animosity in the neighborhood. Ms. Bode asked if any action can be taken to help the HOA presidents to understand to convenience a few has inconvenienced many. Mayor Smith said that he will defer this to council after our regular business and understands her concerns.

George Teasdale, Stonebrook HOA President – thanked Ms. Bode for her comments. Mr. Teasdale said that there are people who are having hardships because of this gate. Mr. Teasdale said that he informed the community about this before it was implemented. There have been some pluses to the gate but for a few people there are terrible minuses. Mr. Teasdale said they would like to collaborate with the other two communities and come to a resolution. One possibility would be to establish criteria for certain hardships to allow access through the gate. Mr. Teasdale said that he emailed Administrator Haddix and Mayor Smith to help facilitate this matter and Mayor Smith graciously said that

he would. Mayor Smith said that the Village will make our facility available for the two groups to meet.

Sue Girolami 5280 Fredericks Stand – Ms. Girolami stated that she is not from Stonebrook Subdivision but the gate inconveniences anyone who uses those streets as an entrance or exit. On a larger scale, from a legal standpoint, private roads constitute gated communities not public streets. Legally, we cannot be denied access to public roads. She would like to see this discussed on a larger scale and receive an explanation why she has been denied access to those roads. Mayor Smith said this is deferred to Council to discuss after our regular business.

Mayor Smith said that we have a Public Hearing for post annexation rezoning of 151 acres the River Corridor Annexation. The floor is open to the Public for comments.

For the record, Haddix stated the Public Notice was published in the Cincinnati Enquirer on October 14, 2018.

No comments from the public for rezoning. A motion to close the floor to the public made by Madison, seconded by Allen, all yeas.

4. **ORDINANCE 2018-19 AN ORDINANCE APPROVING ZONING MAP AMENDMENTS UPON COMPLETION OF ANNEXATION BY REZONING CERTAIN PROPERTIES CONTAINED IN THE RIVER CORRIDOR ANNEXATION IN ACCORDANCE WITH SECTION 15.7.13 OF THE VILLAGE ZONING REGULATIONS**

We are asking Council to waive the three readings to allow the Developers to expedite their project. To do this, five Councilmembers will have to support it. Mayor Smith said that he recommends this due to the funding involved in the Peters Cartridge Factory project. Haddix said this is confirming the zoning that was already in place in the Township. Burke asked if the US EPA gave the go ahead for this to be developed. Mayor Smith said there are two pieces to this the State of Ohio EPA and US EPA. Mayor Smith said he believes that it passed and we are now ready for the final piece. Mayor Smith asked Haddix for confirmation. Haddix said he has not received an official response that it is complete. Burke asked why we are waiving the three readings if we do not have confirmation because they cannot move forward with developing yet. We should go with the three reading process. Mayor Smith stated they have tax credits and there are deadlines and this is a recommendation to help speed up the process. Mayor Smith said that it is his understanding that they met the criteria for the EPA and now waiting for the releases. There is a huge investment in this project and do not want to call a special meeting just to speed up the process. Haddix said this is not the final step. The Site Plan still needs to go through Planning Commission. By approving this, it does not give the Developer the green light to start building. Allen asked how we can waive the three reading rule if we are not



doing this as an emergency. Mayor Smith said that there are three statutes in the Ohio Revised Code (ORC). The ORC give you the ability to do an emergency, waive three readings which requires five votes, or you go through the three reading process. Solicitor Revelson said the difference between an emergency and waiving the three reading rule is an emergency has an immediate effective date verses a 30-day referendum period. To waive the three reading rule a three-fourths majority is needed.

A motion to waive the three reading rule made by Corcoran, seconded by Madison. Vote: 5 – yeas (Allen, Boerio, Corcoran, Madison, Spicer) 1 – nay (Burke). A motion to adopt Ordinance 2018-19 made by Madison, seconded by Boerio. Vote: 5 – yeas (Allen, Boerio, Corcoran, Madison, Spicer) 1 – nay (Burke).

5. RESOLUTION 2018-68 A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND FISCAL OFFICER TO EXECUTE CHANGE ORDERS #23 & 26B TO CONTRACT WITH KRAMER & FELDMAN, INC. FOR THE VILLAGE OF SOUTH LEBANON MUNICIPAL BUILDING RENOVATION PROJECT IN THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to suspend the three reading rule made by Boerio, seconded by Madison, all yeas. Resolution 2018-68, a motion to adopt made by Boerio, seconded by Madison, all yeas.

6. RESOLUTION 2018-69 A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A PROJECT GRANT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN THE AMOUNT OF \$150,000 FOR THE CONSTRUCTION OF THE ZOAR ROAD STABILIZATION PROJECT IN THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

Boerio said there is a minor correction needed to the resolution. In the first whereas clause, fourth line, the last word is “intersection” and he believe it should be struck. Haddix agreed. Mayor Smith stated Resolution 2018-69, as amended.

A motion to suspend the three reading rule made by Burke, seconded by Corcoran, all yeas. By title only, Resolution 2018-69, a motion to adopt made by Boerio, seconded by Allen, all yeas.

7. AUTHORIZATION OF INVOICES

A motion was made by Boerio, seconded by Allen, all yeas.

8. APPROVAL OF OCTOBER FINANCIAL STATEMENTS

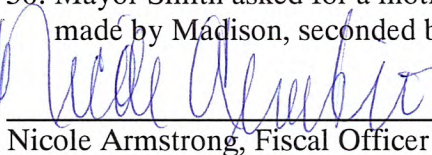
A motion made Madison, seconded by Corcoran, all yeas.

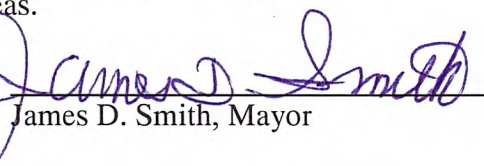
9. **ORDINANCE 2018-18 SECOND READING: AN ORDINANCE SETTING THE AMOUNT OF DEPOSIT REQUIRED FOR UTILITY SERVICE IN THE VILLAGE OF SOUTH LEBANON**
10. Mayor Smith reported that we have received the new dump truck. The truck bed is stainless steel, which will help with rust from road salt.
11. Mayor Smith stated that our Water Specialist, Phil Kaufman, replaced the water pipes coming in to the new Municipal Building. A difficult project that was done in-house.
12. Mayor Smith said that the new office cubicles for the Tax, Utility and Court Offices will be delivered in a week or two. Haddix said on December 6<sup>th</sup> or 7<sup>th</sup>.
13. Haddix reported that we are still working on video security and signage for the Municipal Building. The window shades will be installed in the next couple of weeks. Next week, we will go through a final punch-list with the contractor.
14. Haddix stated that we contacted the Warren County Engineer's Office regarding installing a convex mirror at the intersection of Morrow Road and Shawhan Road. They are going to study the traffic pattern since a portion is in the Township.
15. The Zoar Road Stabilization Grant Project is scheduled to start after Thanksgiving.
16. Haddix stated that line stripping down Mason-Morrow-Millgrove is done. Due to the road debris, the edge lines could not be done.
17. On Tuesday, November 27, 2018 at 6:30 there is a Special Meeting and Public Hearing for the Irwin Property Planned Unit Development (PUD).
18. Madison addressed the public who spoke tonight about the gate and provided a brief history. We understand your concerns and can open up our facility to provide a place to meet but legally this Council does not have the power to get involved in a private matter. Mayor Smith elaborated that the land on each side of the gate is publicly owned but the land the gate is on is privately owned by the Homestead HOA. Mayor Smith said that this is open for Council to discuss.
19. Corcoran said that we should let Solicitor Revelson review the document on gated communities provided by an audience member and also asked if there is anything that Council can do beyond providing a facility for a meeting. Madison said that certainly the Mayor can provide the facility but also help broker communication between the Home Owner Associations. Corcoran said that would be helpful. Madison reiterated that Council is sensitive to all concerns. Mayor Smith asked if



Council is agreeable to have Solicitor Revelson review the document provided by the audience member but also to see if there is anything legally that Council can do.

20. Corcoran expressed the need for a stop light outside Stonebrook Subdivision and the results of the traffic study.
21. Burke thanked the public for coming to the meeting and stated that Council hears their concerns.
22. Burke said that the sprinkler system at Riverside Subdivision was on last night causing freezing water on the roadway. Mayor Smith said we will contact them tomorrow.
23. Burke stated that there needs to be more lighting on Lebanon Road. Boerio said that there is at least one light on that hill not operational. Mayor Smith said to let us know when anyone sees a light out so that we can call it in.
24. Burke thanked Brenda Combs, South Lebanon Historical Society, for all her hard work with the Music Festival.
25. Allen asked that we budget funds to address some of the sidewalks in town.
26. Allen asked the status of a contract for the South Lebanon Historical Society. Solicitor Revelson stated that since we are leasing real estate that we would need to put it out for bid.
27. Allen asked if a bid was put out for a cleaning contract at the new building. Mayor Smith said no.
28. Boerio mentioned that we talked a month ago about trying to get a grant from the Clean Ohio Fund to enable us to purchase the property at the corner of Dewire Road and Lebanon Road. There is a Federal Program called the Land/Water Conservation Fund that we should look at for not only property on Dwire Road, but also to develop additional park land and take advantage of the bike trail. We need to take a serious look at these two sources of funding.
29. Boerio thanked the public for their comments concerning the gate. It is a difficult issue and agrees that Solicitor Revelson needs to review this and determine where we go from here.
30. Mayor Smith asked for a motion to adjourn the meeting at 7:34 p.m. A motion made by Madison, seconded by Allen, all yeas.

  
Nicole Armstrong, Fiscal Officer

  
James D. Smith, Mayor