

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
NOVEMBER 21, 2019
6:30 P.M.**

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

2. ATTENDANCE

Linda Allen – Present	Bryan Corcoran - Present
Jim Boerio – Present	Bill Madison – Present
Linda Burke – Present	Rolin Spicer - Present

3. Guest: Brenda Combs, South Lebanon Historical Society – Ms. Combs stated she is here tonight along with the board members of the South Lebanon Historical Society. The Historical Society is a 501(c)(3) in which all board and regular members are volunteers. All funds received from membership dues, donations, and activities are returned to the community. A list of community activities sponsored by the South Lebanon Historical Society was provided to Council. Ms. Combs asked that Council reconsider a lease agreement for the old administration building. Ms. Combs stated that the historical artifacts have been in storage since October 2018 and asked Council to bring back this matter for consideration.

Madison made a recommendation that Solicitor Revelson review and make any necessary amendments to the lease agreement and bring back legislation to this board. Mayor Smith asked for Council's position on this recommendation. Corcoran stated with the show of support here tonight for the Historical Society that we owe it to them to reconsider this matter. Corcoran suggested that the impressive list of events that Ms. Combs read be incorporated into the lease. The Historical Society would continue to provide these services to the community as a like-kind exchange. Corcoran seconded the motion made by Madison. Vote: 5 – yeas (Boerio, Burke, Corcoran, Madison, Spicer) 1 – nay (Allen). Mayor Smith stated the lease will come back that incorporates what Corcoran suggested. Solicitor Revelson stated that he understands this motion is to reconsider this matter, meaning add items to the lease. No objections were made. Ms. Combs thanked Council.

4. Mayor Smith opened the floor to the public.

Dr. Scott Doughman, 260 E. Forrest Avenue – Mr. Doughman asked to make a statement of significance to Council. He said that Boerio was put on council by appointment in trade for money from the Homeowner's Associations (HOA's). He is now leaving our Council with the potential liability of Federal violations regarding property on Lebanon Road (Punkin Brown Hill). Mr. Doughman said that Boerio has been part of secret meetings over his tenure, as well as, Allen. He voted to demolish the old Town Hall and this building and asked if those were the

right decisions. Mr. Doughman feels that this is an ongoing systemic pattern of abuse.

Mayor Smith closed the floor to the public.

5. ORDINANCE 2019-23 AN ORDINANCE AMENDING THE SOUTH LEBANON INCOME TAX ORDINANCE, ORDINANCE 2018-5, AND DECLARING AN EMERGENCY

Fiscal Officer Armstrong explained that South Lebanon Tax Ordinance needs to be amended to incorporate HB 166 and “Housekeeping” related to the definition of qualifying wages. Allen said that qualifying wages raises the issue of Stock Options. Stock Options are coded “V” on the W-2. Armstrong said yes, they are part of W-2 income. This is clarifying our definition. Solicitor Revelson stated that it is the recommendation of the Tax Department to include this as other surrounding municipalities do. Burke said this is cleaning up the language. Solicitor Revelson said this is taxing Stock Options. Burke stated that Stock Options are only taxed when they are exercised. Armstrong said correct. Solicitor Revelson stated HB 166 provides a new definition for pension and benefit plans. Burke confirmed that retirement income (social security, pensions) still aren’t taxable. Armstrong said correct. On the local level, you are taxed as you contribute as reported in box 5 of W-2 (Medicare Wages) and not when you retire. Solicitor Revelson said in HB166 the legislature created a definition for retirement benefit plan and changed the definition of pension, so we are incorporating that into our ordinance. Corcoran recommended three readings for this legislation to give anyone the opportunity to speak on this matter by addressing council. Solicitor Revelson stated we can do three readings but keep the emergency language, so it is effective immediately.

ORDINANCE 2019-23 FIRST READING: AN ORDINANCE AMENDING THE SOUTH LEBANON INCOME TAX ORDINANCE, ORDINANCE 2018-5, AND DECLARING AN EMERGENCY

6. RESOLUTION 2019-48 FIRST READING: A RESOLUTION APPROVING AND FURTHER AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE AN AGREEMENT WITH THE WARREN COUNTY SOIL AND WATER CONSERVATION DISTRICT

7. AUTHORIZATION OF INVOICES

A motion to authorize the invoices was made by Madison, seconded by Allen, all yeas.

8. APPROVAL OF OCTOBER FINANCIAL STATEMENTS

A motion to approve the financial statements was made by Madison, seconded by Allen, all yeas.

9. Mayor Smith reported that Mason-Morrow-Millgrove Road is now open and commented on how nice it looks.
10. Administrator Haddix reported that we are in line for \$222,000 in funding from Ohio Public Works Commission (OPWC) for the next phase on Mason-Morrow-Millgrove Road which will take us to the Lebanon bike trail.
11. Armstrong stated the Village has a Tax Board of Review which was formed in 2015. The terms of the current members of this Board has expired. It is made up of three individuals who serve for a period of two years. Armstrong listed the requirements for the board members which are stated in the South Lebanon Tax Ordinance. Armstrong recommended to Council and Mayor Smith: Matt Nolan, Warren County Auditor, Dan Burke, City of Lebanon Auditor/Director of Finance, and Rick Quatkemeyer, Business Owner/Insurance Agent/Financial Advisor.

Corcoran made a motion to appoint Matt Nolan and Dan Burke to the Tax Board of Review, seconded by Burke, all yeas.

Mayor Smith appointed Rick Quatkemeyer to the Tax Board of Review.

12. Armstrong mentioned the employee appreciation Christmas Party is December 18, 2019 at the Golden Lamb.
13. Haddix stated that he will have the Community Development Block Grant (CDBG) application ready for the next meeting.

Once the new utility poles are installed on Mason-Morrow-Millgrove Road, the old poles will be removed, and the holes filled.

Haddix wished everyone a Happy Thanksgiving.

14. Madison thanked the South Lebanon Historical Society for their patience and everything they do for this community.

Madison wished everyone a Happy Thanksgiving.

15. Corcoran asked Haddix to look into a stop light at Stone Brook Way and SR 48. Haddix said the last he checked the Ohio Department of Transportation (ODOT) was doing a traffic study on SR 48.

Mayor Smith stated that a motion to reach out to ODOT would be appropriate. Corcoran made a motion to do this for the traffic light at Stone Brook Way and

SR 48. Corcoran asked that the cross walk at Corwin Nixon Boulevard and SR 48 also be incorporated. Boerio suggested a resolution. Mayor Smith asked Solicitor Revelson draft the legislation.

16. Burke asked that Councilmembers be included in the re-visiting of the lease agreement with the South Lebanon Historical Society and negotiations and feels that's where the breakdown was. Burke stated that we don't want to see the Historical Society go away. There has been a great deal of nasty comments and misinformation on Facebook and no one wants to harm the Historical Society.

Burke made a motion to amend approved minutes from the August 15, 2019 Council Meeting stating a properties worth of \$33,000 to \$333,000. Motion seconded by Allen, all yeas.

17. Allen asked Haddix if there is a way to upgrade our system to get our utilities and taxes paid online. Haddix said he doesn't believe the figures are there to justify. Allen asked if it could be reviewed.

Allen stated that no one wants to see the South Lebanon Historical Society leave or close. Allen asked Solicitor Revelson to review and determine if we can use taxpayer's money to fund special interest groups when you bring back the lease agreement. Solicitor Revelson said yes and he will look into it and report what he finds.

18. Burke stated she is a life member of the South Lebanon Historical Society and does not want to see anything happen to it but would like to see that they become financially independent. Burke said that she has checked into other Historical Societies in the area and they are all financially independent and do not ask for taxpayer money. When events are held the money raised should be stored in their coffers, which gives them more clout, to negotiate with Council. For example, they may not be able to pay for all the utilities but can pay half, so it gives them more of a standing with us and they do not continue to fight the same battles.

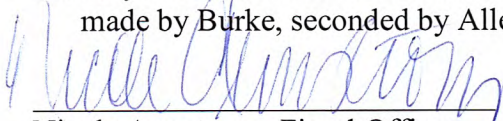
Ms. Combs asked for clarification about the taxpayer dollars which are being paid out. Burke said for the utilities. Ms. Combs said if the utility department is using part of the building and asked how you would be able to regulate which portion is for us and for the Village. Burke said that would have to be worked out. Burke stated that every 501(c)(3) that she has worked with and for has been independent. They pay their own rent and utilities. The Warren County and Lebanon Historical Societies do not receive any taxpayer money. Burke stated that we need to work together in a harmonious way. Burke said she believes in the Historical Society and has helped facilitate raising \$1,700 for the Banner Program, as well as, donating \$500 of her personal funds. Burke stated that she suggested putting the Historical Society display cases with their artifacts in this building and to hold their meetings in the conference room so that they do not have to pay anything, allowing them to become fiscally independent. Mayor Smith stated that Council

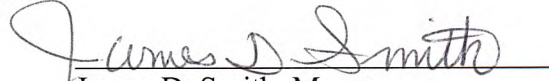
has been voted to allow this to be looked at again and now it is being debated again.

Nellie Montgomery, 2872 SR 123 – Ms. Montgomery stated that she is a former resident of South Lebanon and she and her husband own property in Union Township. She said she is a charter, lifetime, and board member of the South Lebanon Historical Society. Ms. Montgomery wanted to address some misconceptions posted on Facebook by an individual concerning the Historical Society. The first false statement is that we do not care about our South Lebanon Police Officers. We stand shoulder to shoulder with all the men and woman in blue and stand strong with all Police Officers and Firefighters. The South Lebanon Historical Society would be happy to help and assist them anyway possible. We are a patriotic group as shown through our Banner Program. The second false statement is that we are too good to use the Sheriff Post Building and therefore have no regard for the resident's safety in the Village. Ms. Montgomery said that was put on Facebook. Allen said yes but asked why that was. Ms. Montgomery stated that she is addressing Council and said Allen will need to wait. Ms. Montgomery provided the documentation to Council. Ms. Montgomery stated that the Sheriff Post was never up for bid. Ms. Montgomery stated that the comment saying the Historical Society does not care about the safety of the South Lebanon residents was the most hurtful and slanderous statement made by this individual. The third false statement is that we would cost the taxpayers \$30,000 for utilities for the term of the lease. Ms. Montgomery said since the Village will be occupying most of the building the utilities will be paid by the Village for their occupancy; therefore, only a small amount for our portion. Ms. Montgomery stated that we operate totally on membership fees, donations, and functions that we participate in. We are an all-volunteer Historical Society. Ms. Montgomery hoped that her statements cleared up the misconceptions viewed by many on Facebook. Ms. Montgomery stated that it is necessary for us to have a place to call home and not hallways. We need to be able to store supplies for events, a place to keep records and safely store donations and artifacts so they can be viewed. Ms. Montgomery said thank you for all the support that was given by the citizens and friends of South Lebanon. Allen stated that truthfully, we were told that the Police were going to be moved to that building and the Historical Society moved to the Sheriff Post, which is a fact. Madison asked for documentation of this because when you say "we" you include him. Allen said she did not know about this until Mayor Smith said that the Sheriff Post would move to the new municipal building and did not know until then. When the old administration building went out to bid to lease, we received three bids. According to the Kings Local Food Pantry, they were never contacted after negotiations with the highest bidder fell through. Council can only make decisions based on what we are told. Allen feels that the Sheriff Post should be moved upstairs to this building because they need a bigger space but don't know how long that will take.

19. Boerio wished the citizens of South Lebanon a Happy Thanksgiving.

20. Spicer thanked all the citizens who came to the meeting and voiced their opinion. It is good to see people interacting with their local government.
21. Madison stated from an elected official's perspective, he is very careful what he says to the public because it casts a light on this community, and he takes to heart the voters that elected him and community he represents. Madison asked Solicitor Revelson to review the Facebook comments to see if there has been any misconduct. If misconduct is determined, then further discussion needs to take place.
22. Mayor Smith stated in closing he would like to say that having the Police Department located in this Administration Building makes sense. The Police Department interacts with the Court Department, which is in this building, as well as, for their presence. The cost to renovate the old administration building would not be cost effective.
23. Mayor Smith asked for a motion to adjourn the meeting at 7:34 p.m. A motion made by Burke, seconded by Allen, all yeas.


Nicole Armstrong, Fiscal Officer


James D. Smith, Mayor