

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
NOVEMBER 7, 2019
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. Guest: Maryan Harrison, 100 McKinley Street – Ms. Harrison introduced the idea of having a bench program. Ms. Harrison inquired to the City of Lebanon for information on their Memorial Bench Program. Citizens would purchase the benches and the Village would install them in designated areas along the river. Mayor Smith said there are some spots along the Bike Trail where the Village owns the property and thinks this would be a good idea for that. Ms. Harrison said that she was thinking more along the river. Corcoran asked Ms. Harrison if her vision is that an organization, as well as, a private citizen could purchase a bench. Ms. Harrison said yes. Mayor Smith said there would be a place on the left side of the boat ramp for a bench.

4. Mayor Smith opened the floor to the public.

Alexander Peredrey, property owner on Lebanon Road – Mr. Peredrey stated that he is planning on building a house and will need water. Warren County said this situation will need to be resolved with the Village. Mr. Peredrey asked when this will be resolved. Administrator Haddix asked Mr. Peredrey how many lots he is planning on building on. Mr. Peredrey said three. Mayor Smith said he will report on this later in the meeting.

Mayor Smith closed the floor to the public.

5. RESOLUTION 2019-46 A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND FISCAL OFFICER TO EXECUTE A DEVELOPMENT AGREEMENT FOR GRANTS FREDERICK SUBDIVISION, SECTION 2 PHASE B, WITH GRAND COMMUNITIES, LLC, AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Madison, seconded by Corcoran. Allen asked why this legislation needs to be done on an emergency basis. Haddix stated these need to be recorded. It was approved by Planning Commission and the work is 90% complete on the infrastructure. All yeas. By

title only, Resolution 2019-46, a motion to adopt was made by Madison, seconded by Boerio, all yeas.

6. RESOLUTION 2019-47 A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A RECORD PLAT FOR GRANTS FREDERICK SECTION 2 PHASE B SUBDIVISION, AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Madison, seconded by Boerio, all yeas. By title only, Resolution 2019-47, a motion to adopt was made by Burke, seconded by Corcoran, all yeas.

7. ORDINANCE 2019-21 AN ORDINANCE APPROVING AND ACCEPTING FOR PUBLIC MAINTENANCE GRANTS FREDERICK SUBDIVISION SECTION 2-A, IN THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Madison, seconded by Allen, all yeas. By title only, Ordinance 2019-21, a motion to adopt was made by Corcoran, seconded by Burke, all yeas.

8. ORDINANCE 2019-22 AN ORDINANCE APPROVING AND ACCEPTING FOR PUBLIC MAINTENANCE EMERALD DRIVE IN WYNSTEAD SUBDIVISION SECTION 5-A, IN THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Madison, seconded by Corcoran, all yeas. By title only, Ordinance 2019-22, a motion to adopt was made by Madison, seconded by Burke, all yeas

9. AUTHORIZATION OF INVOICES

A motion to authorize the invoices was made by Boerio, seconded by Corcoran, all yeas.

10. APPROVAL OF MEETING MINUTES PENDING NO CORRECTIONS OR ADDITIONS:

Regular Meeting – August 1, 2019. A motion was made by Burke, seconded by Corcoran, all yeas.

Workshop Meeting – August 1, 2019. A motion was made by Burke, seconded by Allen, all yeas.

Regular Meeting – August 15, 2019. A motion was made by Burke, seconded by Corcoran, all yeas.

Special Meeting – August 22, 2019. A motion was made by Boerio, seconded by Burke, all yeas.

11. ORDINANCE 2019-20 THIRD READING: AN ORDINANCE FINDING THE PROPERTY LOCATED AT 99 N. HIGH STREET BEING A PART OF THE PROPERTY COMMONLY KNOWN AS THE FORMER MUNICIPAL BUILDING IS NOT NEEDED FOR ANY MUNICIPAL PURPOSE, AND APPROVING A LEASE AGREEMENT WITH THE SOUTH LEBANON HISTORICAL SOCIETY AND AUTHORIZING THE MAYOR TO SIGN DOCUMENTS

A motion to adopt was made by Madison, seconded by Spicer. Vote: 3 – yeas (Corcoran, Madison, Spicer) 3 – nays (Allen, Boerio, Burke). Mayor Smith cast a yea vote. Solicitor Revelson stated that according to Section 721.03 of the Ohio Revised Code (ORC) which says, no contract for the sale or lease of real estate belonging to a municipal corporation shall be made unless authorized by an ordinance, approved by a two-thirds vote of the members of the legislative authority. Solicitor Revelson said that the vote is 3 (yeas) and 3 (neys) and in his opinion the motion fails but will review it again. Solicitor Revelson stated that he believes the Mayor's vote does not break the tie and therefore 4 of the 6 (two-thirds) votes are needed for this to pass.

12. Mayor Smith reported that Firestone Complete Auto Care, 680 Corwin Nixon Blvd., has opened with a ribbon cutting early next year.

13. Sgt. Boylan reported that there were some vehicles broken into at the Water's Bend Apartments which is currently being reviewed by the Detective. Sgt. Boylan reminded citizens to remove valuables from their cars.

14. Haddix stated that Council received information about the roof repair at the Community Center. We received a couple of options from Garland/DBS who is on the State Term contracts list. They performed a thermal scan and found some wet insulation; however, it was not where the actual leaks are. One option is to repair the wet insulation for \$91,422 and the second option is to repair the areas where the leaks are for \$25,667. Haddix said that the entire roof will need replaced at some point. Haddix said that the contractor is confident that the \$25,667 would be an adequate temporary fix.

A motion was made by Corcoran to authorize the \$25,667 expenditure, seconded by Allen. Madison asked Haddix if this is his recommendation. Haddix said yes. All yeas.

15. Haddix stated that Council received information about the request of the Vista Pointe HOA President for three additional street lights in Homestead Subdivision. Haddix contacted Duke Energy and the cost of installation is just over \$14,000

and the monthly estimated cost is \$28.60. Haddix said that developers pay for the installation and we would pay the monthly streetlighting bill. Haddix said that would be his recommendation. Boerio asked if we are required to buy the lights from Duke Energy or can they be purchased from another company. Haddix said Duke Energy maintains the lights for free, however, he is not certain but if the streetlight poles are in the public right-of-way it probably is Duke Energy.

16. Haddix reported that Grandin Road is planned to be closed for two days on November 14th and 15th by Peters Cartridge Factory for water service connection.

Mason-Morrow-Millgrove Road should be open on Saturday, November 9, 2019.

Haddix stated that he has contacted Chief Napier at Union Township to see if they wish to jointly apply for a Community Development Block Grant (CDBG) for repaving and sidewalks on Lebanon Road. Haddix said if there are no objections from Council, he will proceed forward. No objections made.

17. Haddix reported that we requested water service for the development that is proposed to go in at the Ritchey Farm property. We met with the Warren County Water individuals and they took this to the Warren County Commissioners. Warren County stated that they want a master agreement for all water service that Warren County provides throughout the Village and any additional areas that might need Warren County water service. Haddix stated in order to service these new areas, Warren County is proposing that we sell all our parks along the river which is roughly 18 acres. Mayor Smith stated that Warren County is saying that they don't want to provide water unless we sell them our existing utility fields. Our existing sewer lift station would need moved so that Warren County can put well fields in that location. We had our engineers take a look at this and to move a lift station just 200 feet would cost millions. The lift station would need moved because a water well can't be near a sewer lift station. Mayor Smith stated that Warren County currently has well fields in the Village limits that you see from SR 48. Haddix said Warren County also has wells on the south side of the Village. Mayor Smith stated that we need to be prudent to keep this commodity for the benefit of this community. Mayor Smith said that every piece of park ground is involved in this. Haddix said that they would first do testing and if acceptable, purchase the land at market value. Haddix said we asked if Warren County would think about a long-term lease and we were told it must be a sale. Corcoran asked Mayor Smith if the Village has the option to purchase water from another source. Mayor Smith said yes from Greater Cincinnati Water Works. Corcoran asked how their rates compared to Warren County. Mayor Smith said approximately forty percent lower. Boerio stated in the existing water contract with GCWW there is a defined service area and only an extremely small amount lies south of the river and most of this activity is south of the river. When the contract was signed, there was a figure attached to the contract which shows the boundaries of the service area and the service area is generally north of the river. Boerio said he believes there is a clause in the contract that states that the service area may be

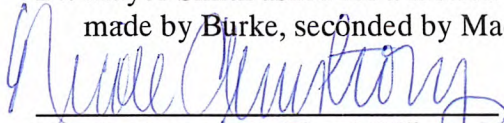
expanded. Mayor Smith stated we have done our due diligence and met with GCWW. Burke asked if Warren County would turn off water to the area that they are currently servicing. Mayor Smith said no. Mayor Smith said for anything new if this didn't work out, we might need to tie into GCWW. Allen asked if Warren County can come in to explain why they want to do this. Burke feels that our Village Administrator, Mayor, and Solicitor have given us the facts and we should stand firm and say no. Corcoran asked what the downside is with going to GCWW. Mayor Smith said there is no downside but in our earlier years we didn't have the mechanism to push water across the river. Basically, if we want Warren County to provide water service for the new developments, we need to give them the land for well fields and figure out a way to move a sewer lift station. Madison asked Solicitor Revelson regarding the well fields Warren County owns in the Village, can we surcharge them for the water that is pumped out of those wells. Solicitor Revelson stated that he will find out. Mayor Smith stated if Warren County wants to provide the water, we don't have a problem, but we purchased this land for one reason which is to safeguard this community for water, and we use the land for everything including parks. Haddix displayed a map of the land that they are asking for. Solicitor Revelson asked Haddix for clarification on the areas on the map. Mayor Smith stated if Warren County says no to service the new areas, then we need to fix the situation.

A motion was made by Corcoran for the Mayor to negotiate with Greater Cincinnati Waterworks for water service to these areas, seconded by Madison. Vote: 5 – yeas (Allen, Boerio, Burke, Corcoran, Madison) 1 – abstain (Spicer). Allen asked if the agreement will come back to Council or how this will work. Haddix said that we have already spoken to them. Mayor Smith said that we will wrap the details up but wanted to make sure Council was behind us.

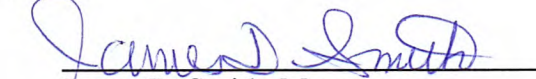
18. Mayor Smith reported that he spoke with Kurt Weber from Warren County Engineer's Office and the funding looks good for widening SR 48 from Montgomery Road to South Lebanon Elementary to five lanes; two lanes each direction and a center lane.
19. Haddix stated that Sgt. Boylan brought up the intersection of Corwin Nixon and SR 48 specifically turning right northbound on Corwin Nixon Boulevard. Sgt. Boylan explained the confusion drivers have at that intersection. Choice One was contacted to for a traffic study to justify no right turn on red. The Ohio Department of Transportation would also need to approve this.
20. Corcoran stated that he would like to see a crosswalk over to the Speedway area before the opening of GE Credit Union and other business because we will see more pedestrians trying to cross the intersection.
21. Burke said she wanted to speak about the South Lebanon Historical Society and is sorry that the Historical Society representative left the meeting. Burke said we need to all sit down and talk about this because we weren't all clear on what is

going on here. She hopes we can resolve this without hard feelings because the Historical Society does a lot for the community. We also need to figure out a way for the Kings Local Food Pantry to exist in this community because of the number of people they serve. Burke said she believes that we can work this out.

22. Burke congratulated Councilmember Madison, Mayor Smith, and Maryan Harrison on their successful and well-run campaigns. Burke thanked Allen for throwing her hat into the ring. Now we need to move on and work together.
23. Boerio commented that he believes that the problems related to the South Lebanon Historical Society, Kings Local Food Pantry, and the former municipal building can be resolved in a manner suggested by Burke. Boerio said this has been going on too long and it needs to be resolved. Boerio suggested a discussion with the Kings Local Food Pantry and South Lebanon Historical Society to resolve this issue.
24. Mayor Smith asked for a motion to adjourn the meeting at 7:39 p.m. A motion made by Burke, seconded by Madison, all yeas.



Nicole Armstrong, Fiscal Officer



James D. Smith, Mayor