

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
DECEMBER 5, 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. Mayor Smith opened the floor to the public.

Scott Doughman, 260 E. Forrest Avenue – Mr. Doughman said that we recently had an election and there were winners/losers. Mr. Doughman congratulated newly elected councilmember Maryan Harrison. Mr. Doughman spoke to community participation and how important it is. Mr. Doughman said six years ago when Councilmember Holloway passed there was a change on council. He stated that this change seemed to be planned in advance. Mr. Boerio was appointed and that changed the voting block for a very long time and he highlighted examples that took place within 30 days of his appointment.

Mayor Smith closed the floor to the public.

4. RESOLUTION 2019-49 A RESOLUTION APPROVING AND AUTHORIZING THE FISCAL OFFICER TO TRANSFER FUNDS FOR FISCAL YEAR 2019, AND DECLARING AN EMERGENCY

Fiscal Officer Armstrong stated with the end of the year there are a few line items that are running low. Road salt is needed before the end of year so additional money needs allocated to that appropriation line item along with our Rumpke appropriations.

A motion to waive the three reading rule was made by Allen, seconded by Madison, all yeas. By title only, Resolution 2019-49, a motion to adopt was made by Madison, seconded by Burke, all yeas.

5. ORDINANCE 2019-24 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SOUTH LEBANON, STATE OF OHIO, FOR THE PERIOD OF JANUARY, 1, 2019 THROUGH DECEMBER 31, 2019, AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Madison, seconded by Spicer, all yeas. By title only, Ordinance 2019-24, a motion to adopt was made by Burke, seconded by Madison, all yeas.

6. RESOLUTION 2019-50 FIRST READING: A RESOLUTION SUPPORTING THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF STATE ROUTE 48 AND STONEBROOK WAY AND A CROSSWALK AT THE INTERSECTION OF STATE ROUTE 48 AND CORWIN NIXON BOULEVARD
7. ORDINANCE 2019-25 FIRST READING: AN ORDINANCE VACATING A PORTION OF PAULINE DRIVE
8. ORDINANCE 2019-26 FIRST READING: A 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

Burke stated that Solicitor Revelson provided information to us that we could discuss at tonight's meeting. Solicitor Revelson said yes. Solicitor Revelson stated that councilmembers received a memo from him outlining items discussed at the last meeting. Solicitor Revelson stated that he made two changes that were approved by the South Lebanon Historical Society; 1) specifying utility payments. The Village and the South Lebanon Historical Society are responsible for certain utility payments. 2) listing events as additional consideration that the South Lebanon Historical Society would continue to host. Solicitor Revelson said he also researched Councilmember Allen's question if public funds can be used to fund special interest groups or a variation of that question. Solicitor Revelson said his answer was provided in his memo. As stated in the memo, now is the time if Council wishes to make a change and this is the proper forum, publically. Solicitor Revelson stated if there are any changes made tonight, this would be the first reading "as amended". If there are any changes, a majority votes would be needed to make the change.

Burke made a motion to change the term of the lease from ten years to five years. The intent would be to renegotiate this at the end of the five years. Allen asked a question regarding the events listed. The lease will be voided if they are unable to host any of the events. People get sick and asked do we really want to put that in the lease. Allen suggested that Solicitor Revelson change that language. Solicitor Revelson suggested removal of the language stating should lessee fail to organize, host, and coordinate the events listed herein it should be considered a material breach. Solicitor Revelson asked if the Historical Society agrees with

this change. Ms. Combs said yes. Allen seconded the motion to change the lease term from ten to five years, all yeas.

A motion made by Allen to remove from lease the paragraph stating should lessee fail to organize, host, and coordinate the events listed herein it should be considered a material breach, seconded by Madison, all yeas.

9. Mayor Smith stated “as amended” ORDINANCE 2019-26 FIRST READING: A 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

10. AUTHORIZATION OF INVOICES

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

11. AUTHORIZATION OF SOLICITOR’S INVOICE

A motion to authorize the Solicitor’s invoice was made by Madison, seconded by Corcoran, all yeas.

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

Regular Meeting – September 5, 2019. A motion was made by Burke, seconded by Corcoran, all yeas.

Workshop Meeting – September 5, 2019. A motion was made by Allen, seconded by Spicer, all yeas.

Regular Meeting – September 19, 2019. A motion was made by Burke, seconded by Allen, all yeas.

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

Burke asked if this is cleaning up the language of the ordinance and asked if people are currently paying on exercised stock options. Burke clarified we are not raising taxes. Armstrong said correct. Burke asked for confirmation that we are not taxing retirement income. Armstrong said correct.

14. RESOLUTION 2019-48 SECOND 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

15. Administrator Haddix reported that tomorrow at 3:00 p.m. representatives from the City of Beavercreek will be here to recognize the Village and Union Township for assisting in the tornado cleanup efforts.

Haddix stated that next Wednesday is the Warren County Municipal League Christmas Party and they are looking to communities to contribute to the raffle. Haddix asked Council if anyone would like to take that responsibility let him know. Burke asked the number needed and value. Haddix said there is no set value and only one item needed. Burke volunteered.

The Swearing-In Ceremony for newly elected Village and Union Township officials will be held here on December 17, 2019. The doors open at 6:30 p.m.; ceremony starts at 7:00 p.m.

Haddix mentioned the first meeting in January is the 2nd and asked if Council would like to move the meeting. The first meeting in January will remain on the 2nd.

Haddix said that former Councilmember Teasdale is ill and asked about sending flowers on behalf of the Village. Corcoran volunteered to handle.

16. Mayor Smith stated that we have an issue that goes all the way back to when we were called the Village of Deerfield. We have some dedicated streets that weren't vacated. We will need to contact our engineer to resolve this. The problem is that a homeowner won't be able to transfer the title if they wish to sell until this is resolved. This affects the east side of Mary Ellen Street. Solicitor Revelson said we are vacating the streets in 1902 back to the homeowner. Mayor Smith said that we will need to have our engineer give us an estimate.
17. Sgt. Boylan reported on the horrific wreck on the interstate involving a wrong way driver between SR 48 & 123. Deputy Pangallo, South Lebanon Sheriff Post, and Deputy Vonahlefeld were the first on the scene. The driver and one of the two children died and the other child was in critical condition. Due to the condition of the child and the location of the crash, the deputies took it upon themselves to take the child to TriHealth Bethesda Arrow Springs so that Air-Care could take the child from there. Because of their quick action, the child who is at Children's Hospital is breathing on his own and trying to speak. Gifts are being gathered to take to this child. Sgt. Boylan stated that the deputies made a split-second decision that probably saved this child's life, which is the best we can hope for in this job. We are trying to honor them and recommending lifesaving

awards. Mayor Smith asked Solicitor Revelson to draft an accommodation to be sent to the proper agency on behalf of these two deputies.

Corcoran made a motion that we honor the deputies with the appropriate lifesaving award, seconded by Burke, all yeas.

18. Corcoran stated at the last council meeting there was some discussion after that he gave the impression of being disrespectful to Councilmember Burke. Corcoran said he doesn't know what he did to give that impression but that is not him.

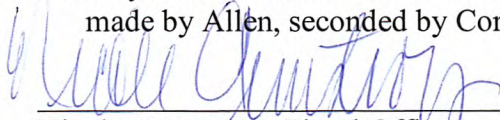
19. Burke thanked Corcoran for his comments.

Burke stated as she was driving down Lebanon Road (Punkin Brown Hill) into the Village she was almost hit. There are no center lines and asked that this be addressed.

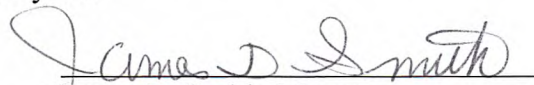
Burke said she is happy that the South Lebanon Historical Society has a home and never wanted that situation to develop into what it did. We should all be able to talk to each other respectfully, work as a team, and come together for compromises. Burke stated she has great love and respect for the South Lebanon Historical Society.

20. Allen mentioned a Christmas Bonus for the staff and asked that we get them set before Christmas. Mayor Smith stated we address this at the next council meeting.

21. Mayor Smith asked for a motion to adjourn the meeting at 7:17 p.m. A motion made by Allen, seconded by Corcoran, all yeas.



Nicole Armstrong, Fiscal Officer



James D. Smith, Mayor