

**VILLAGE OF SOUTH LEBANON  
REGULAR MEETING MINUTES  
MAY 15, 2019  
6:30 P.M.**

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

2. ATTENDANCE

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

3. Mayor Smith said that Ms. Sizemore is filling in for Fiscal Officer Armstrong tonight.
4. Guest: Kurt Weber, Chief Deputy Engineer, Warren County Engineer's Office – discussed the Warren County Transportation Improvement District's Heritage Area Transportation Plan. The plan includes improvements to State Route 63 between Union Road and State Route 741. Corcoran asked if Warren County's focus on this project will adversely impact other planned projects such as the Kings Mills Bridge. Mr. Weber said no. Corcoran asked if anything is planned for State Route 48. Mr. Weber said they are looking at possibility of a project South on State Route 48. Burke asked if that would include widening the bridge on State Route 48. Mr. Weber said no. The project they are looking at would be approximately a \$10M project and the bridge would be approximately \$35M. Mayor Smith thanked Mr. Weber for his time.
5. Mayor Smith opened the floor to the public.

Tom Norman, 452 N Section Street – Mr. Norman stated that there is a retention pond located behind his residence in Shepherds Crossing that has excessive mosquitos, tadpoles, and swamp creatures. He asked Council for help to mitigate the situation.

Mayor Smith closed the floor to the public.

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

Regular Meeting – December 6, 2018. A motion was made by Spicer, seconded by Burke, all yeas

Workshop Meeting – December 6, 2018. A motion was made by Burke, seconded by Corcoran, all yeas.

Regular Meeting – December 20, 2018. A motion was made by Boerio, seconded by Spicer, all yeas.

Regular Meeting – January 3, 2019. A motion was made by Corcoran, seconded by Burke, all yeas.

Workshop Meeting – January 3, 2019. A motion was made by Burke, seconded Spicer, all yeas.

Regular Meeting – January 17, 2019. A motion was made by Boerio, seconded by Burke, all yeas.

Regular Meeting – February 7, 2019. A motion was made by Burke, seconded by Spicer, all yeas.

Workshop Meeting – February 7, 2019. A motion was made by Boerio, seconded by Burke, all yeas.

Regular Meeting – February 21, 2019. A motion was made by Spicer, seconded by Corcoran, all yeas.

Regular Meeting – March 7, 2019. A motion was made by Burke, seconded by Corcoran, all yeas.

Workshop Meeting – March 7, 2019. A motion was made by Boerio, seconded by Corcoran, all yeas.

Regular Meeting – March 21, 2019. A motion was made by Burke, seconded by Spicer, all yeas.

Regular Meeting – April 4, 2019. A motion was made by Corcoran, seconded by Burke, all yeas.

Workshop Meeting – April 4, 2019. A motion was made by Burke, seconded by Corcoran, all yeas.

Regular Meeting – April 18, 2019. A motion was made by Boerio, seconded by Burke, all yeas.

7. Solicitor Revelson stated that due to the number of absences tonight by councilmembers we are limited to what legislation we can vote on according to the Ohio Revised Code (ORC). Solicitor Revelson said the only resolution that he sees we can vote on tonight is Resolution 2019-19. This resolution is a third reading and if everyone votes for it then it would pass. Solicitor Revelson stated that if Council wishes you can table the reading to the next meeting. Solicitor Revelson said we do not have enough councilmembers here tonight to waive the



three reading rule for an emergency resolution which requires three-fourths and we only have two-thirds present. Burke asked if the emergency resolutions can be tabled. Solicitor Revelson suggested making the emergency resolutions a first reading. Council can still discuss the resolutions, we just can't vote on them. Solicitor Revelson said at the next meeting, Council can waive the three reading rule if desired.

8. RESOLUTION 2019-19 THIRD READING: A RESOLUTION TO INITIATE A ZONING TEXT AMENDMENT TO SECTION 15.11.7 [PRIVATE SWIMMING POOLS] OF THE VILLAGE ZONING CODE

Corcoran made a motion to table Resolution 2019-19 until the next council meeting, seconded by Boerio, all yeas.

9. Administrator Haddix asked if Emergency Resolution 2019-20 can instead be done by a motion to set the public hearing for the zoning map amendment due to time constraints. Haddix said it needs to be published in 30 days and 40 days from the recommendation. Solicitor Revelson asked Haddix where that puts us on the calendar. Haddix said that June 20<sup>th</sup> is the quickest it could be published, which would put us one week before the 40 days. Solicitor Revelson said that Emergency Resolution 2019-20 can instead be acted on by a motion only. Solicitor Revelson stated according to Section 731.17 of the Ohio Revised Code (ORC) for an Ordinance or Resolution you have to consider all six councilmembers. However, approving invoices or minutes only requires a quorum. Solicitor Revelson said that Haddix is asking for Emergency Resolution 2019-20 to be done by a simple motion and not by resolution. Corcoran asked Solicitor Revelson if he had any legal objection. Solicitor Revelson said no because this is only setting a date.

A motion to set the public hearing date for the zoning map amendment of 5.001 acres on Turtlecreek Road to June 20, 2019 was made by Corcoran, seconded by Boerio, all yeas.

10. Mayor Smith asked Council how they wish to handle Emergency Resolution 2019-21, Emergency Resolution 2019-22, and Emergency Ordinance 2019-8. Corcoran stated that he would like to see a first reading done on them so that we are moving forward in the process. Solicitor Revelson agreed.

11. RESOLUTION 2019-21 FIRST READING: A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND FISCAL OFFICER TO EXECUTE A DEVELOPMENT AGREEMENT FOR WYNSTEAD SUBDIVISION, SECTION 4 PHASE B, WITH GRAND COMMUNITIES, LLC, AND DECLARING AN EMERGENCY

12. RESOLUTION 2019-22 FIRST READING: A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A RECORD PLAT

FOR WYNSTEAD SECTION 4 PHASE B SUBDIVISION, AND DECLARING  
AN EMERGENCY

13. ORDINANCE 2019-8 FIRST READING: AN ORDINANCE AMENDING  
ORDINANCE 2019-6 RELATING TO PARKING RESTRICTIONS IN  
DOGWOOD TRAILS SUBDIVISION, AND DECLARING AN EMERGENCY

14. AUTHORIZATION OF THE SOLICITOR'S INVOICE

A motion was made by Corcoran, seconded by Burke, all yeas.

15. AUTHORIZATION OF ALL USUAL AND CUSOMARY INVOICES

Mayor Smith stated that due to Armstrong's absence he asked for a motion to authorize all usual and customary invoices. A motion was made by Boerio, seconded by Corcoran, all yeas.

16. Mayor Smith reported that the Veteran banners are installed with a few more to go up.

17. Haddix reported that next Tuesday, May 21, 2019 is the bid opening for the Lebanon and Zoar Road Resurfacing Project. Warren County opened their bid yesterday and John R. Jurgensen was the low bidder.

18. Haddix stated that he provided Council with the bid results for the old administration building at 99 N. High Street. Haddix asked Council to review the three bids to discuss at the next meeting. Corcoran asked the names of the three bidders. Haddix stated Health Continuum, LLC, Kings Local Food Pantry, and South Lebanon Historical Society. Haddix stated that Section F from the packet are the requirements and some of the bidders had exceptions to those items. Haddix said it is something to take into consideration and Armstrong and I will price out some of those items. Solicitor Revelson added that there will be a lease agreement for one of the three bidders or none because Council can reject all bids. Revelson said he would like a motion made at the next meeting to pursue negotiation with said party.

19. Corcoran asked the status of the design for the Veterans' War Memorial. Mayor Smith stated they are still working on it. Mayor Smith mentioned that our engineers are looking at a design for drainage, as well as, the elevation for the concrete of Veterans' War Memorial.

20. Mayor Smith stated that we met with a developer and engineers for the future maintenance facility on Mason-Morrow-Millgrove Road to mark the site and remove the topsoil and stockpile where needed for repairs in the community. In addition, excess clay from one of our construction sites in town will be brought to the future maintenance facility property. Haddix said the EPA permit was on the



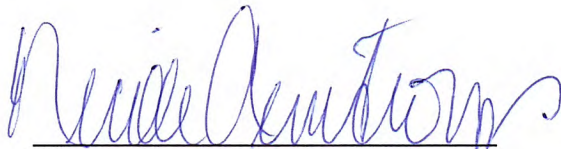
invoice list. Burke asked if we had the EPA impact studies. Mayor Smith said yes, and everything is good.

21. Burke asked the status of the Lebanon Road property for sod, grass seeding, or terracing that will help with drainage issues. Mayor Smith said we will reach out to the builder again. Haddix said he contacted the builder and he is supposed to do some work on it shortly.
22. Burke stated that she attended the Warren County Police Memorial today. There have been 6 to 7 fallen officers in Warren County since 1906. It was very moving and thanked all officers who put their lives on the line every day.
23. Boerio stated after hearing Mr. Weber talk about the Warren County Transportation Improvement District's Heritage Area Transportation Plan and the TIF funding available, asked if South Lebanon has TIF funding available for State Route 48. Haddix said any excess revenue goes back to the school district.
24. Spicer stated he has a problem that we promised the Historical Society a location for a while and we haven't delivered. They are paying bills to keep their historical artifacts in storage, and he asked if we can do something to help them. Mayor Smith mentioned a grant. Solicitor Revelson said a donation. Burke said the Historical Society does so much for our community. Discussion came from audience members that did not approach the podium to be part of public record. Burke asked if there is a way to consolidate all the moving parts to address this. Corcoran asked Mayor Smith if a motion can be made to allow Spicer, Haddix, and Mayor Smith to meet with the South Lebanon Historical Society to come up with a resolution. Corcoran asked if a motion needs to be made. Mayor Smith said he will talk to the Society along with Spicer and come back to Council with what was discussed. Mayor Smith suggested a \$1600 donation for 10 months of storage. Corcoran liked the suggestion of the two organizations discussing the possibility to share the space.

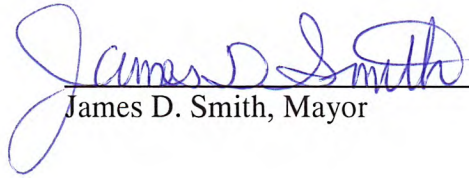
A motion was made by Spicer to grant the \$1,600 donation from the Village, seconded by Burke, all yeas.

Corcoran stated that he would still like to see the meeting take place. The \$1,600 is just a bridge measure.

25. Burke discussed the Women's Suffrage Celebration and encouraged everyone to join the Cincinnati Reds on July 6, 2019 to celebrate the Centennial of the 19<sup>th</sup> Amendment in Ohio.
26. Mayor Smith asked for a motion to adjourn the meeting at 8:05 p.m. A motion was made by Corcoran, seconded by Spicer, all yeas.



Nicole Armstrong, Fiscal Officer



James D. Smith, Mayor