

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
MAY 2, 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.

Angelina Misyukovets and Alex Misyukovets, 801 Tamara Court – Ms. Misyukovets wanted to address the recently passed legislation of no parking on either side of the street in Dogwood Trails. Ms. Misyukovets stated this is difficult for their family as they currently have four cars and a brother that will soon be driving, which will close the door for us to have any visitors. Ms. Misyukovets said they went door-to-door to their neighbors to see if a better solution can be reached and she presented Council with a petition signed by individuals who agreed with her. Mayor Smith asked if their neighbors signed the petition. Ms. Misyukovets said yes along with individuals attending this meeting. Administrator Haddix showed Council pictures of the issue: cars lining the street multiple times a week and the streets are only 18 to 20 feet wide. Madison said when he looks at these pictures, he sees a family event or a party. Allen said Bible study. Madison said he asked the question before we voted on this if we had the community's support. Burke said she was under the impression that the neighborhood was in total agreement. Haddix stated yes, they are. Madison said we were told the Homeowner's Association (HOA) requested this. Burke said that was from the Stonelake HOA, which is why she asked if this ordinance should be separated into two ordinances. Haddix said this is not only a problem during these hours but also during the day and during snow events as our snow plows can't maneuver around cars on the street. Burke said she doesn't think we should say no parking on the street at all. Haddix said he believes the fire code states no parking on either side of street if the street is under 20 feet wide. Corcoran said he recalls before we voted asking if the community supports this. We were told yes, and this was brought to us at the request of the HOA. If this wasn't the case, Corcoran stated he voted with inaccurate information. Haddix said we could get the homeowners to come in. Corcoran said that he would like to hear from the people who live in Dogwood Trails. Mr. Misyukovets said he would like to make this as easy as possible so that we can still gather at our house but with this new law it makes it impossible to do so. Corcoran asked if Dogwood Trails has a HOA. Allen stated no. Burke stated we should be able to grant some relief once we have all the facts. Corcoran asked how often the

parking situation occurs. Ms. Misyukovets said every Wednesday night we have Connect Group meetings. Madison asked who has complained to the Village about this parking. Haddix provided the names of the individuals. Madison asked if this was documented. Haddix said he received the complaints verbally but could get written documentation. Allen asked if the Police received complaints. Sgt. Boylan said yes. Solicitor Revelson asked information about a Connect Group. Ms. Misyukovets explained it is Bible study. Corcoran asked the number of cars that attend the Connect Groups. Mr. Misyukovets said approximately fifteen. Burke asked about carpooling to help with the parking. Mr. Misyukovets said yes, we can do that. He stated we want to do anything we can to help but no street parking makes it impossible. Mayor Smith asked if the petition was only from their street. Ms. Misyukovets said it also includes names from the street below. Corcoran asked if we can wait to rule on this until we receive some additional information. Solicitor Revelson said that Ordinance is in the 30-day referendum period, so it hasn't taken effect. Corcoran said that he would like to receive some additional information and if there are individuals who are complaining then he wants to hear from them as well.

Oksana Misyukovets, 801 Tamara Court – Ms. Misyukovets explained in addition to Bible study her relatives and friends spend time at their house. With no parking on the street, they would have to find somewhere else to live.

Mayor Smith feels that Council will revisit this matter. Madison said he would like to separate the Ordinance and revote on it. Solicitor Revelson said we need to do this in writing and not by motion only. The Ordinance isn't in effect until the 18th so we can have the emergency legislation ready at the next regular meeting on the 16th or do a special meeting. Corcoran asked if this is done as an emergency at the next meeting will it go into effect immediately. Solicitor Revelson said yes. Council thanked the Misyukovets. Mayor Smith complimented them on their professionalism.

Mayor Smith closed the floor to the public.

4. Mayor Smith stated he has a prior commitment on May 16th and asked Council to move the council meeting to May 15, 2019.

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

5. **ORDINANCE 2019-7 APPROVING AND ACCEPTING FOR PUBLIC MAINTENANCE EMERALD DRIVE AND WINDSOR COURT IN WYNSTEAD SUBDIVISION SECTION 3, IN THE VILLAGE OF SOUTH LEBANON AND DECLARING AN EMERGENCY**

Haddix said this section of Wynstead goes back to 2016. The inspection and the improvements were completed last year. The Planning Commission recommended acceptance upon verification of the completion of the punch list

items. This fell through the cracks and needs to be completed on an emergency basis. We currently maintain these streets, so the legislation formalizes this acceptance.

A motion to waive the three reading rule was made by Boerio, seconded by Madison, all yeas. By title only, Ordinance 2019-7, a motion to adopt was made by Madison, seconded by Boerio, all yeas.

6. AUTHORIZATION OF INVOICES

Allen asked for more information about the invoice to the Warren County Engineers Office for storm water fees. Fiscal Officer stated this is an annual invoice we receive from Warren County. Haddix stated South Lebanon elected in the past to be part of the Warren County Storm Water Management District through Warren County. Boerio asked if this is a fee. Haddix said for example Townships have this assessed on property taxes. Mayor Smith said the Village pays this outright, so our citizens don't have to on their property taxes. Boerio asked about the benefits we receive as a member of this district. Haddix said they inspect the storm drains in all the developments and a couple of years ago reimbursed us for street sweeping services.

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

7. RESOLUTION 2019-16 THIRD READING: A RESOLUTION DECLARING OPPOSITION FOR THE 133RD OHIO GENERAL ASSEMBLY'S AM. SUB. HOUSE BILL 62

A motion to adopt Resolution 2019-16 was made by Boerio, seconded by Burke, all yeas. Madison thanked Burke for bringing this to Council and stated that Municipalities need let our legislators know how we feel. Burke thanked Madison.

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

9. Mayor Smith reported that rain is hampering the contractors for Firestone, GE Credit Union and Siteworx.

10. TJ Maxx ribbon cutting will be this Sunday, May 5th at 8:00 a.m.

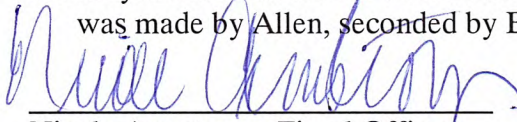
11. Haddix reported the we are advertising for bids for street repaving on Lebanon Road (Punkin Brown Hill) and Zoar Road for approximately \$100,000. Hamilton Township wasn't interested in working with us on this project and it will likely go through Warren County's paving program.

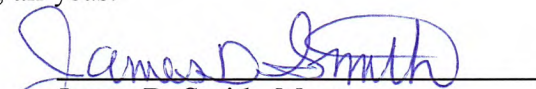
12. Haddix said we received a proposal for tree removal on Zoar Road \$3,500 for 56 trees. Mayor Smith said that these are the dead Ash Trees. Mayor Smith said he would like to proceed with this quote if no objection from council. No objections from Council. Burke asked if the trees would be left there. Mayor Smith said that we will go in once the weather dries out and pull some on them out.
13. Haddix reported that Rivers Crossing West, Section 2 construction drawings were approved at the last Planning Commission meeting.
14. Haddix stated that our Mason-Morrow-Millgrove Road Phase I Project, starting later this year, will require closing Mason-Morrow-Millgrove Road for approximately two weeks.
15. Haddix said that we received the bids for leasing the old administration building and we are currently reviewing them. The high bidder was Health Continuum LLC. The three bids received will be evaluated.
16. Mayor Smith said that Warren County is putting in a bridge by Peters Cartridge Company which will benefit South Lebanon and any future business in that area. Mayor Smith recommend to Council within the next twenty-four months a donation of \$25,000 toward the construction of the bridge. Haddix said this would come out of our County Vehicle Tax Fund. Boerio stated that we need to first understand the financing of the project before we jump in. Mayor Smith said over the next twenty-four months we can review it as this will benefit our community.
17. Sgt. Boylan referenced the parking issue that was discussed earlier. Boylan said he suggested in the past that several of our streets be addressed due to the widths of the streets and suggested that the Fire Department be involved in this.
18. Madison asked for more information on the bids received for leasing the old administration building. Haddix stated we received three bids. The Health Continuum bid \$775 a month plus utilities and interior building improvements, The Food Panty bid \$650 plus utilities and improvements, and South Lebanon Historical Society bid \$1 a month for ten years and no utilities. Madison said that he understands the monetary value but there is an unseen value that the South Lebanon Historical Society provides to this community which we should recognize. Allen asked the monthly amount paid for gas and electric. Fiscal Officer Armstrong said the gas and electric average is approximately \$425 a month.
19. Madison asked if Lebanon Road along with the sidewalks will be reconditioned this year. Mayor Smith said yes to Lebanon Road, but we won't be able to do the sidewalks. Madison asked if we have it in the budget to do the sidewalks for Lebanon Road. Mayor Smith said no. Madison said that there are a lot of people who use that access. Haddix said half are Township residents. Mayor Smith said

that we will look at this for continuity. Haddix stated a big issue is there are utility poles in the way.

20. Corcoran said he has four children in Kings School District, and he received an informational video about their new district master plan which includes asking for additional money through a levy this November. They are asking for a new junior high school and bus barn on Mason-Morrow-Millgrove Road.
21. Corcoran reported the he attended the Day of Prayer at the First Baptist Church along with Mayor Smith. He stated this is an important event for our community to pray for our leaders and thanked the individuals who made it happen.
22. Corcoran mentioned that a year ago Boerio asked about looking into grant funding for promoting South Lebanon as a gateway to the bike trail and stated he would like to revisit this. It is a great opportunity to possibly receive funding from the State of Ohio to attract people to the bike trail here.
23. Corcoran thanked Ms. Combs for her contribution today at the First Baptist Church. He agrees with Madison that the South Lebanon Historical Society and everything that Ms. Combs has been involved with is key to the good things that happen in our community.
24. Boerio stated that he saw surveyors out on State Route 48 and asked Haddix for information. Haddix said it was the Ohio Department of Transportation (ODOT) and believes they were surveying the right-of-way.
25. Boerio said he was glad to see the Interstate 71 ramps being resurfaced and asked that we make sure that replacement of the damaged signs is part of this project.
26. Boerio stated that he is very sensitive to the issue brought up by our guests this evening and hopes that we can find a resolution but would like some additional details. Boerio asked Haddix if the street is 18 feet wide. Haddix said yes. Boerio asked if there is a minimum width in our zoning ordinances. Haddix said this street is prior to our subdivision regulations. Boerio asked about the possibility of widening the street. Haddix said it's Carrie Lane, N. Section Street, and Tamara Court. Boerio asked about the impact of the fire codes. Haddix said a couple of weeks ago an ambulance went down Tamara Court and if this happened on Wednesday night there could have been a problem due to the street parking. Boerio asked Haddix how this impacts the fire code. In the Ohio Revised Code (ORC) it indicates the street width regulation for parking on one side or two sides of the street. He believes if the street width is less than 22 feet then no street parking. Haddix said it would be a shame if something happened to someone due to the parking. Burke said it would also be a shame to not let people have their rights. Haddix said that we have a zoning code that states the regulations. Corcoran said there should be something that can be worked out.

27. Boerio stated that he appreciated Armstrong's efforts to catch-up the minutes. Haddix said with the amount of time involved transcribing the minutes he suggested that the recording be used as the official record like Warren County, which would expedite the process.
28. Spicer inquired about the status of the gazebo seats. Haddix stated the benches are ordered. Spicer asked about the construction of the building at Oeder's Park. Mayor Smith said that we have been unable to get to this and we need to see if the previous footer is still there which would save some money.
29. Spicer asked the time frame of renovating the upstairs of this building. Mayor Smith said there is still some money remaining from the Note, but we need to get some estimates.
30. Mayor Smith said we received the annual notification of liquor license renewals in our jurisdiction from the Ohio Division of Liquor Control and asked Council if there are any objections. Corcoran asked Mayor Smith who this is for. Mayor Smith said Target, Speedway, Family Food Mart, and Patel Convenience Store. No objections from Council.
31. Mayor Smith asked for a motion to adjourn the meeting at 7:41 p.m. A motion was made by Allen, seconded by Boerio, all yeas.


Nicole Armstrong, Fiscal Officer


James D. Smith, Mayor