

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
JUNE 6, 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 asked for a moment of silence for the victims of the Virginia Beach shooting.
4. Mayor Smith opened the floor to the public.

Brenda Combs, South Lebanon Historical Society – Ms. Combs thanked the councilmembers who attended the Memorial Day Ceremony. She stated 350 people were present for the ceremony.

Tom Norman, 452 N Section Street – Mr. Norman stated that he would like Council to consider measures to remediate the issues of the swamp that is now in his backyard. Administrator Haddix said he went to Mr. Norman's residence and he will have our engineers look at it.

Mayor Smith closed the floor to the public.

5. History Channel D-Day video viewed to commemorate this date. Mayor Smith stated that one of our Veterans, Mr. Howard Halcomb, was honored today at Union Township Hall. He will turn 100 years old this year.
6. **ORDINANCE 2019-8 AN ORDINANCE AMENDING ORDINANCE NO. 2019-6 RELATING TO PARKING RESTRICTIONS IN DOGWOOD TRAILS SUBDIVISION, AND DECLARING AN EMERGENCY**

Allen asked if this ordinance is removing the language for Dogwood Trails so that it will only be for Stone Lake Subdivision. Solicitor Revelson stated this ordinance, as proposed, would remove the parking restriction, which would permit parking in Dogwood Trails.

A motion to waive the three reading rule was made by Allen, seconded by Madison, all yeas. By title only, Ordinance 2019-8, a motion to adopt was made by Madison, seconded by Burke, all yeas.

7. ORDINANCE 2019-9 AN ORDINANCE SETTING RATES OF COMPENSATION OF FULL-TIME NON-PROBATIONARY EMPLOYEES OF THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

Mayor Smith stated this ordinance should have been provided to Council last month because the compensation increase was effective this time last year. Allen said that she usually calls the City of Lebanon, City of Mason, and Village of Morrow to get their compensation to compare and they have been unable to provide it yet. Mayor Smith said we went with the Consumer Price Index (CPI) for the cost-of-living adjustment which is roughly 2.9 percent. Boerio asked where the percentage was attained from. Mayor Smith said the CPI. Boerio said he couldn't find anything greater than 2 percent. Boerio stated he doesn't feel that this needs to be an emergency and if we want to make it effective on a certain date, we can do so. Corcoran stated he would like to make this a first reading.

ORDINANCE 2019-9 FIRST READING: AN ORDINANCE SETTING RATES OF COMPENSATION OF FULL-TIME NON-PROBATIONARY EMPLOYEES OF THE VILLAGE OF SOUTH LEBANON

Haddix asked for clarification on the effective date. Burke stated that she is all for compensating our employees but agrees with Boerio that this isn't an emergency. When we do these emergency ordinances, we are setting a precedent and we are not able to do our homework which leads us into situations that we don't need to be in. Madison stated that the Ohio Revised Code (ORC) give municipalities the ability to do this on an emergency basis. Madison said that he looks at the content of the request and whether the public is being denied a voice and this doesn't meet that criteria. Allen said it is our responsibility with taxpayer's money to verify what is comparable elsewhere and not to overcompensate. Mayor Smith stated that the first reading is entered into the record; however, we need Council to give us an effective date. Mayor Smith said if Council would substantially change the ordinance on the third reading that the process would need to start over. Solicitor Revelson agreed. Boerio made a motion to amend to June 11, 2019, seconded by Corcoran, all yeas.

8. RESOLUTION 2019-23 A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A PRE-APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR A GRANT FOR THE MASON-MORROW-MILLGROVE ROAD PROJECT PHASE TWO IN THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Corcoran, seconded by Madison, all yeas. By title only, Resolution 2019-23, a motion to adopt was made by Boerio, seconded by Allen, all yeas.

9. RESOLUTION 2019-24 A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A PRE-APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR A GRANT FOR THE MORROW ROAD RECONSTRUCTION PROJECT PHASE ONE IN THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

Haddix said that this application is for reconstruction from Mary Ellen Street to Mary Lane including the water line. Burke asked the number of phases to this project. Haddix said two.

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

10. RESOLUTION 2019-25 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH CHOICE ONE ENGINEERING FOR CONSULTING ENGINEERING SERVICES REQUIRED FOR THE MORROW ROAD RECONSTRUCTION PROJECT PHASE ONE, AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Boerio, seconded by Madison, all yeas. By title only, Resolution 2019-25, a motion to adopt was made by Madison, seconded by Boerio, all yeas.

11. AUTHORIZATION OF INVOICES

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

12. 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

Solicitor Revelson stated that this is to send to Planning Commission, and it will come back to Council for final approval. Corcoran provided to Council his research on pool fence height. The Ohio Revised Code on swimming pools, International Swimming Pool and Spa Code, U.S Consumer Product Safety Commission, and Warren County Zoning Regulations all specify 4-foot fences for pools. The zoning code in South Lebanon, Section 15.11.7, states that no fence height shall be less than 6-foot. In the event a retractable pool cover is installed, however, the required fence height may be reduced to no less than 4-foot. Corcoran said we do allow 4-foot pool fences in South Lebanon, with a retractable pool cover. With the change in fence height for private swimming pools, we will no longer have the variance requests coming to our Zoning Commission because we are different from other areas. Corcoran added, if there is a retractable pool cover, no one is ensuring that it meets the safety standard. Corcoran challenged Council to look at other technologies such as monitors and

alarms to address these issues absent of having a fence that is 6-foot in height, besides a retractable pool cover.

A motion was made by Corcoran, seconded by Boerio, 3 – yeas (Boerio, Corcoran, Madison) 3 – nays (Allen, Burke, Spicer). Vote: Tie. Mayor Smith voted, yea, to send to South Lebanon Planning Commission

13. Mayor Smith announced that the Siteworx facility groundbreaking will be Monday, June 10, 2019 at 12:30 p.m.
14. Haddix reported that Tuesday, May 21, 2019 was the bid opening for the Lebanon Road (Punkin Brown Hill) and Zoar Road Resurfacing Project. Barrett Paving was the low bidder.
15. Mayor Smith stated that our first council meeting in July is Thursday, July 4, 2019 and it will need to be rescheduled due to the holiday.

A motion to change the meeting date to Tuesday, July 2, 2019 was made by Burke, seconded by Corcoran, all yeas.

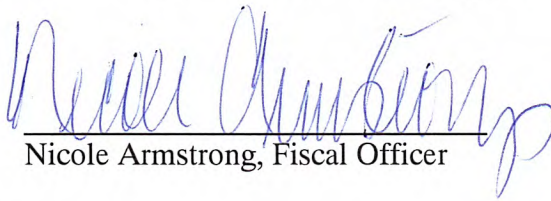
16. Haddix stated that the bid opening for Mason-Morrow-Millgrove Project Phase I will be July 2, 2019. There will be road closures associated with this project, but we will provide plenty of notice.
17. Haddix said that we received the preliminary plat for Riverside Subdivision, Phase 4, which is an extension of Trovillo Drive. This will be going before the South Lebanon Planning Commission shortly. The total lot count with this phase is 180 lots.
18. Ohio-Kentucky-Indiana Council of Governments (OKI) will hold a Public Hearing here on June 18, 2019 for the sewer provision by Warren County for Peters Cartridge Factory and Irwin Property.
19. Mayor Smith said that we met with the South Lebanon Historical Society and the bidders regarding the 99 N. High Street building. Mayor Smith asked Solicitor Revelson to draft the agreements. We will need to separate the parcels with the Warren County Auditor. Madison expressed his strong opinion to have the Historical Society occupy the 99 N. High Street building because of all the good that they do for our community. Allen agreed that the work they do is monumental but not to forget the bid by the Food Pantry who provides great services to South Lebanon. Madison said that the South Lebanon Historical Society approached us from day one looking at this building and we have led them to believe that they were going to gain access to this building. Allen stated what was originally brought to Council was the South Lebanon Historical Society would occupy the South Lebanon Sheriff Post and the Sheriff Post would occupy the 99 N. High Street building. Mayor Smith said at the last meeting Council

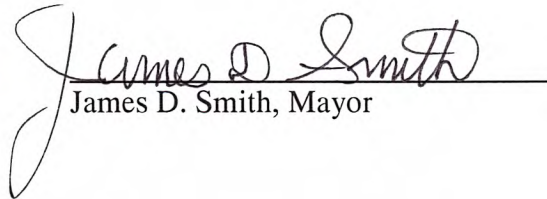
asked him to talk with the parties to come to a resolution and then have our Solicitor draft an agreement. Boerio asked Mayor Smith for clarification. Mayor Smith said he met with the Health Continuum and South Lebanon Historical Society and they agreed to share the 99 N. High Street building. Mayor Smith said Council asked him to meet with the parties and he did so now we need Solicitor Revelson to draft the agreement. Solicitor Revelson said he would like a motion to negotiate with the Health Continuum and South Lebanon Historical Society. Solicitor Revelson said that the rules state that you need to award the bid to the highest bidder, but it does not give guidance on what the high bidder entails. Solicitor Revelson said what he did find is that you can swap property, but you can't give it away for free. Solicitor Revelson said to properly do this Council needs to permit him to enter negotiations with the South Lebanon Historical Society and Health Continuum LLC.

A motion to allow Solicitor Revelson to enter negotiations with the South Lebanon Historical Society and Health Continuum LLC was made by Corcoran, seconded by Allen, 5 – yeas (Allen, Boerio, Burke, Corcoran, Madison) 1 – abstain (Spicer).

20. Corcoran thanked Mayor Smith for working with the Historical Society and Health Continuum LLC. He echoed the sentiments of Madison and what the Historical Society does for the community, you can't put a price on it.
21. Corcoran asked the number of individuals in the audience who live in Dogwood Trails. Allen said six. Corcoran said he voted in favor of removing the parking restriction, but he recalls that the Connect Group said they would work to help alleviate the parking issue. Corcoran asked that they need to do their part to be good neighbors.
22. Burke asked that the property owner on Dwire and State Route 48 be contacted to cut the grass. Burke asked if Haddix has done any further work on grants for that property as a gateway to South Lebanon and the Bike Trail. Haddix said he hasn't had a chance to investigate this. Burke asked if this can be done by the next couple council meetings. Haddix said yes.
23. Allen thanked for Village for allowing Superintendent Ledford to take our equipment to Beavercreek for the tornado relief effort.
24. Allen stated that she had a resident ask about a reduced water bill for individuals who wish to keep their water on but leave for an extended period of time. Mayor Smith said if you go out of town for any length of time that you should turn your water off and contact our utility office.
25. Boerio said he observed the street sweepers in action yesterday and they were not using water and need to be reminded to do so.

26. Boerio asked Haddix about the Lebanon Road (Punkin Brown Hill) Resurfacing Program, where it will start and stop. Haddix stated that Warren County will pave Hamilton Township's portion from Dwire to the Village Limits. Barrett Paving will pave from the Village Limits to the bike trail and any additional work will be done on Zoar Road.
27. Boerio followed upon what Burke mentioned about grants. There is a window of opportunity for the Clean Ohio Fund and they accept applications between June to September and asked what we need to do to make this happen. Haddix said that he could have something at the next meeting but needs to investigate what the match requirement is. Boerio stated it will help our request to incorporate this with the bike trail.
28. Spicer thanked the South Lebanon Historical Society for all that they do for our community.
29. Mayor Smith asked for a motion to adjourn the meeting at 7:49 p.m. A motion made by Corcoran, seconded by Burke, all yeas.


Nicole Armstrong, Fiscal Officer


James D. Smith, Mayor