

**VILLAGE OF SOUTH LEBANON  
REGULAR MEETING MINUTES  
JULY 18, 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 – Absent
Linda Burke – Present	Rolin Spicer - Present

3. Mayor Smith opened the floor to the public.

Mayor Smith closed the floor to the public.

4. RESOLUTION 2019-33 A RESOLUTION SETTING A PUBLIC HEARING ON THURSDAY, AUGUST 22, 2019, AT 6:30 P.M. AT THE VILLAGE ADMINISTRATION BUILDING TO CONSIDER THE RECOMMENDATION OF THE PLANNING COMMISSION IN ACCORDANCE WITH ZONING REGULATIONS SECTION 15.7.7 FOR A ZONING TEXT AMENDMENT TO CHANGE THE FENCE HEIGHT FOR PRIVATE SWIMMING POOLS, AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Corcoran, seconded by Boerio, all yeas. A motion to adopt Resolution 2019-33 was made by Boerio, seconded by Corcoran, all yeas.

5. RESOLUTION 2019-34 A RESOLUTION AUTHORIZING THE VILLAGE OF SOUTH LEBANON TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND DECLARING AN EMERGENCY

A motion to waive the three reading rule was made by Boerio, seconded by Allen, all yeas. By title only, Resolution 2019-34, a motion to adopt was made by Allen, seconded by Corcoran, all yeas.

6. AUTHORIZATION OF INVOICES

Allen asked on the invoice to TriTech Light & Sound if it is for a stage instead of state. Fiscal Officer Armstrong said correct. Allen asked Armstrong for clarification on the invoice to Warren County Treasurer for the property at 380 W. Pike Street and if that is the garage that was purchased. Armstrong said yes. Allen stated that she thought all back taxes are paid by the seller. Solicitor

Revelson said we were credited at closing for the portion she owed. Armstrong said this invoice is for real estate tax for 2018. We purchased the property in 2018 and we are responsible for the entire 2018 year and will then be able to apply for tax exemption status.

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

#### 7. APPROVAL OF JUNE FINANCIAL STATEMENTS

Boerio asked about the first item on the Receipt Detail Report in which we received almost \$33,000 from NAP Properties and asked for clarification. Armstrong stated that payment is from North American Properties. We receive semi-annual payments up to year 2024, according to our agreement related to Water's Bend Apartments. Mayor Smith said this is a fifteen year agreement that has been in place long before this Council's administration.

A motion to approve the financial statements was made by Boerio, seconded by Corcoran, all yeas.

#### 8. ORDINANCE 2019-10 THIRD READING: AN ORDINANCE APPROVING ZONING MAP AMENDMENT TO A CERTAIN PROPERTY IN THE VILLAGE OF SOUTH LEBANON, CONSISTING OF 5.001 ACRES FROM B-2 [GENERAL BUSINESS DISTRICT] TO MEP [MINERAL EXTRACTION AND PROCESSING DISTRICT]

A motion to adopt was made by Boerio, seconded by Corcoran. Vote: 5 – yeas (Boerio, Burke, Corcoran, Madison, Spicer) 1 – nay (Allen)

#### 9. ORDINANCE 2019-13 THIRD READING: AN ORDINANCE SETTING THE COMPENSATION OF ELECTIVE OFFICE FOR TWO (2) MEMBERS OF COUNCIL AND THE ELECTIVE OFFICE OF MAYOR OF THE VILLAGE OF SOUTH LEBANON FOR EACH FOUR (4) YEAR TERM BEGINNING JANUARY 1, 2020

Corcoran stated that he understands the intent of the graduated pay scale, which is to mirror it with the other schedule. Corcoran said he is against a graduated pay scale for Councilmembers and Mayor. It should be a flat rate for both, regardless of the number of terms served. The \$375.00 a month for Councilmembers is appropriate. However, he is in favor of an increase for the Mayor position, which is currently \$500.00 a month. Regardless of who is in the position, the Mayor does twice as much as Council and he would not be opposed to \$800.00 a month. Boerio stated that he is also not in favor of a graduated pay scale and agrees with Corcoran that the Mayor should be paid more. Boerio stated that the Village of Carlisle is the closest community in relation to population at 5,300 to 5,400 residents and Councilmembers make \$300.00 a month and the Mayor \$600.00 a



month. Boerio said he is not in favor of the Mayor making \$800.00 a month but said \$700.00 a month is reasonable. Boerio suggested that the Ordinance be amended to eliminate the graduated pay scale with Councilmembers paid \$375.00 a month, \$25.00 for special meetings, and no additional compensation for sitting on a committee. In addition, if a Councilmember misses more than 3 meetings in a calendar year, their annual salary would be reduced by two percent. Boerio recommended the Mayor earn \$700.00 a month, \$25.00 for special meetings, no additional compensation for committee meetings, and two percent reduction in salary after 3 absences. Allen asked Solicitor Revelson if the other 4 Councilmembers are on the graduated pay scale. Solicitor Revelson said yes, Ordinance 2013-21. Solicitor Revelson stated that it was not addressed before the election of the 4 Councilmembers. Allen asked if there is a way to include the other 4 Councilmember into this. Solicitor Revelson said no it has to be before the term takes effect. Boerio said that there is a way to do this, which is make the effective date of this ordinance January 1, 2022. Solicitor Revelson said he needs to review this. Burke said we should address this ordinance and then address the other ordinance later. Burke stated that she agrees with the suggestions made by Boerio. Solicitor Revelson confirmed that all Councilmembers are in agreement with the salary amounts suggested by Boerio and with more than 3 absences there would be a two percent reduction of annual salary. Mayor Smith said the reduction would start with the fourth absence. Solicitor Revelson asked for a motion to amend the ordinance according to the stated terms. Boerio clarified that this is only for the two councilmembers and mayor. Solicitor Revelson said yes.

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

10. ORDINANCE 2019-11 SECOND 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 HEALTH CONTINUUM, LLC AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO SIGN DOCUMENTS

Solicitor Revelson said that there was a memo in the packet from the Health Continuum, LLC representative asking to postpone the second reading of this ordinance. Solicitor Revelson stated that a motion is needed to do this.

A motion to table Ordinance 2019-11 was made by Allen, seconded by Burke. 4 – yeas (Allen, Boerio, Burke, Corcoran) 1 – abstain (Spicer).

11. Solicitor Revelson asked for a motion to table Ordinance 2019-12 as they go hand in hand. Mayor Smith asked if we can proceed forward with the Historical Society. Solicitor Revelson stated if you rent just to the Historical Society that it will violate the highest bid rule. It is unfortunate but it is his opinion to table this ordinance also. Solicitor Revelson said if the Health Continuum backs out then

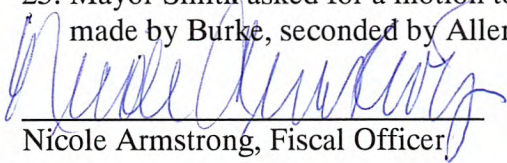


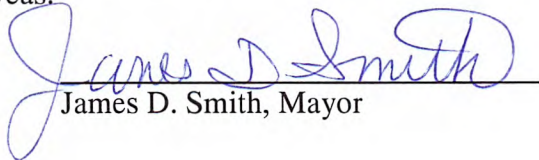
maybe we would reach out to the Food Pantry for the Health Continuum's portion. It isn't as much space as they originally wanted but they may want it. Burke said that when she was looking at the lease for the Health Continuum it states that they would take care of the HVAC system and wondered why the Leasee would take care of it when we own the building. It might be an incentive to the Health Continuum if the Village were to take care of the HVAC. Solicitor Revelson said he hasn't heard back from the Health Continuum as to what Council proposed to know if the \$775.00 lease amount is a problem. The Health Continuum needed to think about it. Mayor Smith said as Burke mentioned at the last meeting if the real estate taxes are implemented then the \$775.00 a month would help to absorb the cost. Solicitor Revelson said that is what he proposed to them but he hasn't heard back yet. Solicitor Revelson said once he finds out from their representative what her thoughts are or if there is a deal breaker for them then he will let Council know. Allen asked Solicitor Revelson when he hears back from the Health Continuum and if they can't do the lease then maybe we can get with the Food Pantry. Allen suggested that once Solicitor Revelson hears from the Health Continuum that we have a special meeting. Mayor Smith asked Solicitor Revelson if we can do a second reading on this. Solicitor Revelson said yes but feels that it still can't be approved. Mayor Smith said it could speed things up if an agreement was reached for the next meeting. Solicitor Revelson said yes.

**ORDINANCE 2019-12 SECOND 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 AND FISCAL OFFICER TO SIGN DOCUMENTS**

12. Mayor Smith reported that we met with the engineers regarding Lebanon Road (Punkin Brown Hill) and an additional drain was found coming down the hill. It was opened up to help with transferring the water. For the second drain by the sidewalk, we reached out to Siteworx to put in a new drain before Lebanon Road is repaved.
13. Administrator Haddix reported that the preconstruction meeting for the Mason-Morrow-Millgrove Road Phase I Project is Tuesday, July 23<sup>rd</sup> and we will have a better idea of the construction and road closure schedule.
14. Haddix said that he passed out information to Council. The developer of GE Credit Union is seeking a property assessed clean air financing for help with the construction of the building. The Village's bond council is currently reviewing the documents associated with this.

15. Haddix stated that he will have information for Council at the next meeting on the Clean Ohio Grant.
16. Mayor Smith reminded Council on July 31st the U.S. Environmental Protection Agency (EPA) will recognize Peters Cartridge for their work of returning a formerly contaminated site to a useful one. Mayor Smith stated a final agenda will be provided to Council.
17. Corcoran stated that he would still like to schedule a time to visit the lift stations for insight in to their operation.
18. Corcoran asked the South Lebanon Historical Society the length of time the Veterans Banners will be up each year. Ms. Combs stated that they will come down after Veterans Day and back up before Memorial Day.
19. Corcoran said that he mentioned some months ago that it would be useful to have a pedestrian crossing from the development by Speedway across SR 48.
20. Allen asked if we have heard anything further regarding the house on High Street and the water issue. Haddix said that the engineers are looking at it.
21. Allen asked Haddix if we heard from the developer at Shepherd's Crossing regarding an aerator for the retention pond. Haddix said he hasn't received a response back.
22. Spicer asked the status of the building at the ball field. Mayor Smith said our attention has been turned elsewhere but it hasn't been forgotten.
23. Mayor Smith asked for a motion to adjourn the meeting at 7:37 p.m. A motion made by Burke, seconded by Allen, all yeas.

  
Nicole Armstrong, Fiscal Officer

  
James D. Smith, Mayor