

**VILLAGE OF SOUTH LEBANON  
REGULAR MEETING MINUTES  
SEPTEMBER 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. Guest: Tim Ackerman, Kings Local School District Superintendent – discussed the 4.96-mil bond issue on the ballot this November.
4. Mayor Smith stated that Administrator Haddix is not here tonight.
5. Mayor Smith opened the floor to the public.

Mayor Smith closed the floor to the public.

6. RESOLUTION 2019-39 A RESOLUTION AUTHORIZING THE VILLAGE OF SOUTH LEBANON TO PREPARE AND SUBMIT AN APPLICATION FOR THE OHIO PUBLIC WORKS COMMISSION CLEAN OHIO FUND GREEN SPACE CONSERVATION PROGRAM, AND DECLARING AN EMERGENCY

Burke asked if this is regarding the property on SR 48 and Dwire. Mayor Smith said yes. Boerio asked if the Seller of that property is on board with the numbers in this proposal. Mayor Smith stated that Haddix is handling this and to discuss it with him when he gets back next week. Mayor Smith said that Haddix prepared this based on the wishes of Council. Allen asked what if we are approved for this grant and the Seller won't take that price then can we use it elsewhere. Mayor Smith stated that Haddix prepared this information but there is a time limit to submit the application. Burke stated that we have been trying to do this for two years now and we need to move forward with this.

A motion to waive the three reading rule was made by Madison, seconded by Burke. 5 – yeas (Allen, Boerio, Burke, Corcoran, Madison) 1 – nay (Spicer). A motion to adopt Resolution 2019-39 was made by Madison, seconded by Burke. Vote: 5 – yeas (Allen, Boerio, Burke, Corcoran, Madison) 1 – nay (Spicer).

7. AUTHORIZATION OF INVOICES

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

8. AUTHORIZATION OF THE SOLICITOR'S INVOICE

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

9. ORDINANCE 2019-16 THIRD READING: AN ORDINANCE ADOPTING ZONING REGULATIONS TEXT AMENDMENT RELATING TO A CHANGE TO THE FENCE HEIGHT FOR PRIVATE SWIMMING POOLS

Mayor Smith stated that a letter from a resident in support of Ordinance 2019-Solicitor was received and a copy provided to Council. Solicitor Revelson stated that our Zoning Code states that if Council wants to deny or modify what was approved by the Planning Commission, a three-fourths vote is needed. In addition, a majority vote is needed according to the Ohio Revised Code (ORC) for the Ordinance to pass. Boerio stated as it stands today our Zoning Code calls for a six-foot fence, however, the International Property Maintenance Code (IPMC) that we adopted calls for a four-foot fence. Boerio asked Solicitor Revelson if we should keep the six-foot fence requirement, where does that leave us. Solicitor Revelson said it leaves us in the gray. Madison asked Solicitor Revelson if we can revise the national standard. Solicitor Revelson said yes but we need to see how this turns out before we decide to go back and fix it.

A motion to adopt Ordinance 2019-16 was made by Corcoran, seconded by Spicer. Vote: 1 – yea (Corcoran) 5 – nay (Allen, Boerio, Burke, Madison, Spicer). Solicitor Revelson stated this vote overturned what the Planning Commission did. Solicitor Revelson said we are back to the conundrum of the International Property Maintenance Code and our Zoning Code and he will get back with Council at the next meeting. Burke said as a Mom and Grandmom she has deep concern about lowering the fence height due to the Centers for Disease Control (CDC) statistics for children between the ages of 1 – 4 years that pool drowning is the number one cause of death and chooses to err on the side of caution when it concerns children. Mayor Smith thanked Burke.

10. Mayor Smith reported that a situation occurred on the property of Mr. Shepherd. Even though we have failsafes in place related to our sewer lift stations, one of the units failed and the sewer backed up into Mr. Shepherd's garage. Mr. Shepherd asked if we can forgive the utility bill and he will handle the cleanup himself. Mayor Smith said this is more than fair and recommends this to Council. When the new sewer system is completed, we won't have this problem. Burke asked when the new system is supposed to go in. Mayor Smith said the engineer is working on the final design. Allen stated that this has happened for years and Mr. Shepherd has always done the cleanup himself and this is only the second time that he has asked for forgiveness of the utility. Mayor Smith said a total utility bill is approximately \$84.00.



A motion to forgive the utility bill was made by Corcoran, seconded by Burke, all yeas.

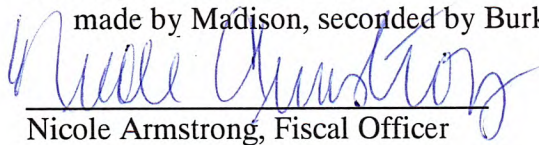
11. Mayor Smith said that Mr. Jordan is here to discuss a sidewalk project and he has been trying to get a sidewalk section replaced for several years and he is going to pay for all the concrete. We have done this in-house before but we don't have the staff to do this project. In addition to the sidewalk, there is a large curb section to replace and it will be included. Mayor Smith cost is approximately \$2,500 and the concrete is roughly \$1,500. Mayor Smith said Mr. Jordan is paying for a huge portion of this and said if there is no objection then we will move forward with the project. Fiscal Officer asked the location of the project. Mayor Smith asked Mr. Jordan to provide the information. Archie Jordan, 232 Mary Ellen Street. Allen asked Solicitor Revelson if she has a voting conflict on this since she lives on Mary Ellen Street. Solicitor Revelson said she can vote on this.

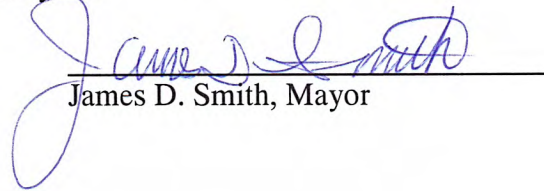
A motion to move forward with this project was made by Burke, seconded by Spicer, all yeas.

Mayor Smith said that Mr. Jordan is also going to ensure that the concrete dries without any issues so that the Village doesn't need to pay employee overtime since this is going to take place on the weekend.

12. Mayor Smith said that our Water Specialist, Phil Kaufman, will be gone for a week. Randall Atkins will be the Water Operator in his absence.
13. Mayor Smith reported that Firestone has started the outside brick work and they are roughly 28 days out to completion.
14. Mayor Smith stated we repaired the storm sewer on Lebanon Road in-house and saved approximately \$16,000.
15. Mayor Smith reported that the first layer of gravel was placed in Veterans Memorial Park and hopefully we will make the first concrete pour next week. Corcoran stated that it is important to mention how much of this work is being done in-house and by donation.
16. Sgt. Boylan reported that the Riverbluff Mobile Park Manager, Holly, resigned and she will be greatly missed. She has done an excellent job and we hope the new manager will as well.
17. Corcoran stated he was happy to see the grant legislation, Resolution 2019-39, and potentially having that area as a gateway to the bike trail.
18. Corcoran said that he has mentioned this before and would like to see a cross walk in the vicinity of Speedway to Rivers Crossing across SR 48.

19. Burke asked about the for-sale sign on the property next to White Castle. Mayor Smith said that is the developers marketing signage for the few lots that are left.
20. Burke asked if there is any further development on the issue that Mr. Norman is having with the retention pond. Mayor Smith said that Haddix has talked to the developer, but he hasn't heard anything back.
21. Allen stated the welcome sign coming off River Road and Shawhan Road is unreadable and a new sign is needed.
22. Boerio asked if the street lights on Corwin Nixon were fixed by the developer. Mayor Smith said no but we have contacted them. Mayor Smith said we are disappointed on the maintenance by the property manager and the Village has even done maintenance so that the community isn't affected like trimming the trees. Boerio stated that this has been going on for nine months and with winter approaching it's time for something to happen. Madison added that the retaining wall by Kohl's needs some repair.
23. Mayor Smith asked for a motion to adjourn the meeting at 7:42 p.m. A motion made by Madison, seconded by Burke, all yeas.

  
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Nicole Armstrong, Fiscal Officer

  
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James D. Smith, Mayor