

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
May 6, 2021
6:30 P.M.**

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

2. ATTENDANCE

Linda Allen – Present

Linda Burke – Present

Bryan Corcoran – Present

Maryan Harrison – Present

Bill Madison – Present

Rolin Spicer – Present

3. Mayor Smith opened the floor to the public.

Rich Bertagna provided an update on the Chamber of Commerce question regarding the Village of South Lebanon joining the Lebanon Area Chamber of Commerce and the possible name change of the Chamber. Per Bertagna, Angie Smith, the Director of the Chamber, stated that the Chamber liked the idea of South Lebanon joining but they would like the name to remain as the Lebanon Area Chamber of Commerce. Bertagna informed the Council that the Village would be a voting board member seat on the Chamber. Bertagna stated with Council's approval he would notify Director Smith of their decision. Director Smith did inform Bertagna that until a Council member is on the Chamber board, she would like for him to be a liaison between the Village and the Chamber.

Corcoran questioned the statement of having a voting member of the board and asked if there was such a thing as a non-voting member. Bertagna remarked that he did not know. He further stated that Director Smith had only said that they would like for him to be a liaison until they got someone on the board, further adding that they currently have 15 members on the board. Corcoran stated that he thinks it would be wonderful to have a voting member on the board but perhaps a non-voting business leader from the community might be a benefit as well. Bertagna replied that he thinks that would be a good idea and he thinks the Chamber would be open to it because they are pro-business, pro-growth, and this would be good for the community. He further stated that he would bring it up to the Chamber.

Madison asked if there is a Lebanon City Councilman on the Chamber to which Bertagna replied that the City Manager is on the board. Madison asked if there would be a conflict of interest if any of the Village Council were on the board further remarking that he would not oppose having someone outside of the Council, such as Bertagna, with business experience, living in the community on the board.

Andrew Meier remarked that he would investigate the possibility of any legal consequence regarding a possible conflict of interest.

Harrison voiced a concern with South Lebanon losing their identity in all of this. Bertagna stated that he did not think so; he feels like you would be in more danger of losing the identity if you do not have a Chamber of Commerce. Bertagna further remarked that having a Chamber of Commerce is a good sign to outside businesses that you are serious about building and growing the community.

Madison replied that he took it as Bertagna had told them earlier that it would be very expensive but not difficult to start their own chapter to which Bertagna agreed. Madison remarked that this would be a great first step for this community.

Bertagna remarked that the Lebanon Area Chamber of Commerce is very good and to join with them would be great and if in the future we wanted to spin off that would be doable.

Corcoran asked where the Chamber currently meets to which Bertagna stated at the Golden Lamb. Corcoran asked if some of the meetings could be held in South Lebanon to which Bertagna stated he believed so.

Harrison asked about the surrounding Chambers to which Bertagna remarked that there are numerous Chambers around the area such as the Little Miami Chamber of Commerce, the Maineville Chamber of Commerce, Springboro Chamber of Commerce. Bertagna stated that we are really like the only area that does not have one. Harrison again voiced concern for losing the South Lebanon identity to which Bertagna remarked that it is possible however he feels that the positive side outweighs that.

Burke remarked that we just need to take step one and go from there. She further stated that it is important to have someone from the Council on the board representing South Lebanon and a non-voting businessperson maybe on the board at large.

Mayor Smith stated that Lebanon and South Lebanon align closer because of their geographical locations, having a Chamber somewhere else could theoretically cause competition for business and with the Chamber here we could bring business here. Mayor Smith continued by stating that many residents from Lebanon shop in South Lebanon. Mayor Smith remarked that we would now have firsthand knowledge of anything coming and give our thoughts to attracting something.

Bertagna remarked that the Chamber was wanting to know what is happening in the Village that could be shared with them so they could include it in their planning.

Harrison asked if the Council would be able to have any say on who sat on the board to which it was stated that the Council would have to elect someone.

Mayor Smith asked Bertagna to explore the option of having non-voting board members to which Bertagna stated that he would.

A motion was made for Bertagna to move forward and work on the terms of the Chamber of Commerce agreement between Lebanon and South Lebanon and to bring something back in writing by Burke, seconded by Corcoran, all yeas.

A motion was made for Richard Bertagna to fill the voting position on the Lebanon Chamber of Commerce and represent the Village of South Lebanon if the Lebanon Chamber of Commerce agrees to the first motion by Madison, seconded by Burke, all yeas.

Steve Mahlman, property owner at 3954 Turtlecreek Road, Lebanon, stated that he is adjacent on 2 sides of his property to South Lebanon. Mahlman asked for a public records request on 3948 Turtlecreek Road, further adding that he has already made a request in writing. Jerry Haddix remarked that he is working on getting the minutes and zoning information as requested.

Brian Reynold, property owner at 741 Emerald Drive in the Wynstead community, remarked that every spring they begin getting door to door salesmen. Reynold stated that it is getting out of hand, in the last couple of weeks, he has been contacted by the same company four times in the last seven days, his neighbor has gotten knocks on the door after 9:00 p.m. from a company out of Blue Ash named Greenix Pest Control. Reynold was asking the Council to either add or enforce an ordinance against peddling or soliciting.

Mayor Smith replied that this would be turned over to Andrew Meier, Village Solicitor, to do some research on.

Haddix responded that the Village does have a Transient Vendor ordinance and so if you see anyone that cannot provide their documentation call the Warren County Dispatch.

Haddix continued stating that he had received an email from one of Reynold's neighbors requesting that they add a Do Not Knock List to our Transient Vendor ordinance.

Mayor Smith asked if the Village already had an ordinance to cover this to which Haddix restated that it would need to be added to the Transient Vendor ordinance.

Madison remarked that he thought the ordinance required a vendor to first register with the Village, the Village would then screen the vendor, and once accepted they would be allowed to solicit in the Village. Haddix responded that they must apply, pay a fee, get a background check and it could be for a day or an entire year. Madison asked if the vendor in question had submitted an application to which Haddix remarked that he does not get the applications, but he is not aware. Madison asked how a resident would identify a person as being approved; Haddix stated that they receive an approval document that they must keep with them at all times as they go door to door.

Madison spoke to Reynold stating that the recourse would be for him to call the non-emergency Sheriff's Department number to report that and then an officer would come out and verify their due diligence. Mayor Smith gave the non-emergency number of 932-4080, Haddix gave the new non-emergency number of 695-2525, Jeff Boylan remarked that they both work.

Burke remarked that on Tuesday she had a solicitor at her door four times, the same guy.

Madison mentioned that Reynold should check with his Homeowners Association to see if they have anything regarding solicitation.

Mayor Smith remarked to Meier that the council could review the ordinance and see if it needs to be updated.

Steve Mahlman stated that he had originally requested public records back in November 2019 and he has spoken with many individuals since then with no luck and now he is here. Haddix stated that he would get the information to Mahlman.

Mayor Smith closed the floor to the public.

4. RESOLUTION 2021-15 A RESOLUTION APPROVING THE REPEAL OF RESOLUTION 2019-35 AND ORDINANCES 2019-14 AND 2019-15 PREVIOUSLY ADOPTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SOUTH LEBANON, OHIO AND REMOVING SPECIAL ASSESSMENTS FROM REAL PROPERTY LOCATED WITHIN THE VILLAGE OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

Haddix explained that when G.E. Credit Union was getting approved there was a proposal for property assessed clean energy financing. Haddix commented that they had gone through this with the developer and the Warren County Energy Efficiency Board. However, they pulled out of the financing at the last minute and subsequently the assessment was never removed from the tax bill and the taxes were collected from G.E. Credit Union after they purchased the property, and the money was sent to us so this will cancel it. This has gone through our bond council, the Energy Efficiency Board's legal counsel and this will allow us to send the money directly back to G.E. Credit Union without having to go back through the Auditor's office.

A motion to waive the three-reading rule was made by Madison, seconded by Burke, all yeas. By title only, Resolution 2021-15, a motion to adopt was made by Madison, seconded by Allen, all yeas.

5. RESOLUTION 2021-16 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A MEMORANDUM OF AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS WITH LCNB NATIONAL BANK, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Madison, seconded by Allen, all yeas. By title only, Resolution 2021-16, a motion to adopt was made by Burke, seconded by Madison, all yeas.

6. ORDINANCE 2021-9 AN ORDINANCE ESTABLISHING A NO PARKING REGULATION AND AUTHORIZING NO PARKING SIGNAGE ON VARIOUS STREETS, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Madison, seconded by Corcoran, all yeas. By title only, Ordinance 2021-9, a motion to adopt was made by Burke, seconded by Corcoran, all yeas.

7. AUTHORIZATION OF INVOICES

A motion to authorize the invoices for payment (\$46,872.99) was made by Madison, seconded by Burke, all yeas.

8. Mayor Smith stated that Boylan is doing a good job, and everything is going well with the businesses.
9. Haddix remarked that Waffle House does not have any actual dates yet however they have numerous contractors getting ready to start.
10. Mayor Smith stated that everything is back on track, however we have not heard anything from Chick-Fil-A. Mayor Smith commented that he has been meeting with different owners of properties for easements for the water and sewer development. Everything is going better than anticipated with the ODNR. Mayor Smith shared that Lowe's is going to donate a huge amount of supplies future clean-up efforts. Madison asked if Lowe's would possible have 2-way radios to which Mayor Smith commented that he was unsure. Mayor Smith commented that they did find some areas where the wind blows in the parking lot at Kohl's, like a wind tunnel, and blows all the garbage; we have been sending people to pick it up. He also mentioned that there is some garbage that appears to be dumped or stacked up from the business area and not that someone put it there, that needs to go.
11. Haddix mentioned that the landscaping company for along Corwin Nixon Blvd. has changed so by this weekend it should be all cleaned up or they will start the next phase of enforcement.

12. Tina Williams thanked everyone for making her feel very welcome. She stated that she is proud to be a part of the community. She is looking forward to the growth and what she can bring to this position and take us to the next level.
13. Haddix remarked that Boylan has distributed the Property Maintenance Violations, a project that Boylan has taken on. Madison asked about taking the names off the list and just having the addresses to which Haddix stated they would do that.
14. Haddix commented on the sewer project stating that they would like to break ground this summer; further commenting that hopefully the EPA permit will be available in the next month. Mayor Smith shared that they have already had a pre-meeting with the EPA in advance of going to the ODNR so going back to the EPA should go smoother.
15. Haddix stated that June 9 will be the first Warren County Municipal League meeting of the year at the Mason Golf Center; J. D. Vance will be the speaker.
16. Haddix informed the Council that he added to the packet a request from a contractor for a property owner asking to connect to the county sewer. Haddix stated that he is recommending, based on past cases, that they deny this request. Mayor Smith responded that he agreed with Haddix and this would not be in the best interest of South Lebanon.

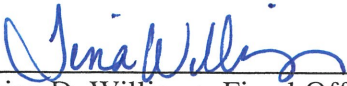
A motion to deny the request to connect to the county sewer was made by Madison, seconded by Burke, Allen abstained, all other yeas.

17. Sgt. Adams spoke on the ordinance concerning parking trailers on the street, stating that they will be giving warnings for the next thirty days and then begin with citations.
18. Boylan shared that when he met with the Fire Chiefs, they had suggested for our future developments that we adopt a fire code. Boylan also stated that he is still waiting on their feedback on what other streets should only allow parking on one side. Boylan remarked that he is trying to streamline the property maintenance process by beginning with a simple letter addressing what the problem is and then if he does not see any progress in a couple of weeks, he will send out a formal violation letter.
19. Madison spoke on the parking ordinance and the regulations with it. Madison gave an example of a 25' commercial trailer that is plated from Carroll County that is dropped off nightly and parked on the street and the full-size passenger truck drops it off and picks it up is plated in Kentucky. Boylan remarked that he understands that they live in the trailer park, and he has spoken to them about that. Madison remarked that it has been moving locations around town. Madison stated that he wants to have a discussion on whether a commercial vehicle belongs in a residential neighborhood. Harrison stated that if you live there and that is your vehicle and your spot you can park there however for someone to just drop off, we do not have anything to prevent this. Harrison continued stating that we must be careful going after commercial because that would be all commercial. Burke remarked that you are also talking about safety issues and if someone cannot get to a person in need that is a problem. Harrison stated that she does not think

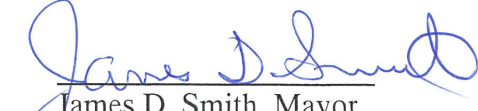
you can regulate it. Mayor Smith commented that anything off the truck route you can make a commercial run if you have a delivery to that facility or location. Madison stated that he has now been at the present location for three nights. Meier asked if when the commercial vehicle is parked is it attached to anything to which Madison remarked that it is a commercial trailer attached to a truck and they have Carroll County plates. Meier stated that he would investigate this.

20. Corcoran stated that at the beginning of all the Council meetings they honor the nation by saying the Pledge of Allegiance, his concern is that there are alternative ideologies being proclaimed throughout our communities that some hold near and dear to them as much as the American flag. Corcoran remarked that he fully supports our Pledge of Allegiance and there is no alternative to that flag.
21. Burke responded that she agrees with Corcoran. Burke also mentioned the island on Corwin Nixon Blvd. next to Target. Mayor Smith stated that he was about ready to do it himself and charge them for it to which Haddix stated that it is in the agreement that we can do that and then charge it back. Mayor Smith added that every Monday Chris Batchelder removes all the signs that are around and on poles to clean things up, not election signs.
22. Allen asked about the sidewalks down at Rogers Park by the ballfield and if there was any way to do that. Mayor Smith remarked that if they do some upgrades to the ballfields and fencing that would be the time to have someone look at it. Allen also asked about the War Memorial to which Mayor Smith stated they would be getting started on it this month.
23. Mayor Smith stated that he has spoken with some property owners that live out of state but who want to develop. They commented that they were amazed with the community and loved the atmosphere, adding that they felt safe, not congested but you have all the amenities you need.
24. Burke asked if there would be memorial bricks from donors at the War Memorial to which Mayor Smith remarked that there will be bricks in the front that you can buy for names like at the other park. Mayor Smith stated that hopefully the two developers who promised some funds will pay for the base and flags and then we will work the monuments.
25. Harrison echoed what Corcoran and Burke said adding that she was an “Army Brat” and has numerous family members in the military. Harrison stated that South Lebanon has been known as the most patriotic in Warren County, we show it and we should keep it.

26. Mayor Smith asked for a motion to adjourn the meeting at 7:32 p.m. A motion was made by Allen, seconded by Burke, all yeas.



Petrina D. Williams, Fiscal Officer



James D. Smith, Mayor

For an audio copy of the May 6, 2021 minutes of the Village of South Lebanon Council regular meeting, please contact Fiscal Officer twilliams@southlebanonohio.org.