

**VILLAGE OF SOUTH LEBANON  
REGULAR MEETING MINUTES  
JUNE 17, 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. GUESTS

Brenda Combs, event planner for the South Lebanon Historical Society, reported that there are a couple of updates to the agenda for the Purple Heart Ceremony and that the revisions will be sent out the day before the ceremony to Council and Administration; she went on to thank Councilmembers, Linda Burke and Maryan Harrison, for their help on the event. Mrs. Combs further reported on the July 4<sup>th</sup> event, noting that there will be 18 food trucks and 4 performance groups. Mrs. Combs also reported that there will be a food truck rally on August 14<sup>th</sup> from 4p.m to 8p.m. at Rogers' Field to benefit the Christmas in the Village charity. She concluded by thanking the Mayor and Councilmember, Maryan Harrison, for showing their support and helping at all events. Lastly she thanked Tony Ledford and his team for putting up 192 banners for Veterans and Council for always supporting our Veterans.

4. Mayor Smith opened the floor to the public.

Mayor Smith stated that anyone who wishes to address Council this evening will have 3 minutes to speak and should start by stating their name and address. He asked for no other comments while the person who has the floor is speaking.

Everyone who signed-in to address Council was called to the floor by Mayor Smith and given an opportunity to speak. Speakers at the meeting included Lori Viars from the City of Lebanon who was representing the Warren County Right-to-Life; Joshua Beckman from the City of Lebanon; Robin Kiley from Maineville; Mark Lee Dickson, Director of Life from Longview, Texas; and City of Lebanon Councilmember Adam Matthews.

All speakers expressed their support for the right-to-life for unborn children and encouraged Council to pass legislation to protect the unborn by outlawing abortions and declaring the Village a sanctuary city for the unborn.

Councilmember Allen asked Mr. Dickson if Section E(2) of the ordinance would apply to a resident who is working from home for an insurance company and as part of their duties they pre-qualify patients for medical conditions, including abortions. Mr. Dickerson responded that the ordinance is enforced by private individuals not by the City.

Mayor Smith thanked everyone for their time and closed the floor to the public.

#### NEW BUSINESS

5. Mayor Smith stated that a motion is needed to approve the repair of the McKinley Lift Station control panel. He stated that the generator would not quit running and that the repair was needed as an emergency. Haddix stated the repair cost is \$37,000 through Henry P. Thompson Co.

A motion to approve the cost to repair the McKinley Lift Station control panel was made by Madison and seconded by Corcoran, all yeas.

6. RESOLUTION 2021-24 AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH LCNB NATIONAL BANK TO BE THE DESIGNATED DEPOSITORY FOR VILLAGE FUNDS, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Madison, seconded by Burke, all yeas. By title only, Resolution 2021-24, a motion to adopt was made by Corcoran, seconded by Burke, all yeas.

7. ORDINANCE 2021-14, FIRST READING, AN ORDINANCE APPROVING ZONING MAP AMENDMENT UPON COMPLETION OF ANNEXATION AT 5379 ZOAR ROAD CONTAINED IN THE CREEDON ANNEXATION IN ACCORDANCE WITH SECTION 15.7.13 OF THE VILLAGE ZONING REGULATIONS

8. ORDINANCE 2021-15, AN ORDINANCE APPROVING AND ADOPTING THE WARREN COUNTY STORM WATER REGULATIONS WHICH INCLUDES EROSION PREVENTION AND SEDIMENT CONTROL, POST CONSTRUCTION STORM WATER RUNOFF CONTROL, AND ILLICIT DISCHARGE DETECTION AND ELIMINATION, AND DECLARING AN EMERGENCY

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

9. ORDINANCE 2021-16 AN ORDINANCE ESTABLISHING A NO PARKING REGULATION AND AUTHORIZING NO PARKING SIGNAGE ON MCKINLEY STREET, AND DECLARING AN EMERGENCY

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

#### 10. AUTHORIZATION OF INVOICES

A motion to authorize the invoices for payment (\$315,884.06) was made by Corcoran, seconded by Madison, all yeas.

#### 11. AUTHORIZATION OF SOLICITOR'S INVOICE

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

#### 12. APPROVAL OF THE MAY FINANCIAL STATEMENTS

A motion to approve the financial statements was made by Madison, seconded by Burke, all yeas

#### OLD BUSINESS

#### 13. RESOLUTION 2021-18, SECOND READING, A RESOLUTION ADOPTING THE 2021 VILLAGE OF SOUTH LEBANON COMPREHENSIVE PLAN

#### COMMUNICATIONS & REPORTS

14. Mayor Smith commented that the McDonalds ribbon cutting went well and that the grand opening exceeded expectations for the number of customers. He also informed Council that McDonalds made a \$1,000 donation to the Veteran's Memorial.
15. Mayor Smith commented on the amount of business going through Speedway and Starbucks and how expectations have also been exceeded for those businesses.
16. Mayor Smith reported that the Waffle House should be completed in the next two months or two and half months.
17. Mayor Smith asked Council to approve the purchase of cut stone for the Veteran's Memorial in the amount of \$5,446.90, noting the long lead time for the order and current funds unavailable from the Veteran's Memorial fund. Mayor Smith stated that any funds left over from the Veteran's Memorial donations will be turned into the Village treasury.

A motion to approve the expenditure was made by Corcoran and seconded by Burke, all yeas.

18. Haddix reported that extra Sheriff detail during the July 4<sup>th</sup> event will be provided by the County Sheriff's office upon approval by Council.

Motion to approve extra Sheriff detail at the July 4<sup>th</sup> event from 4 p.m. to 11 p.m. was made by Harrison, seconded by Burke, all yeas.

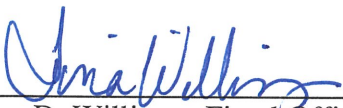
19. Haddix reported that the new municipal building sign is up and running and staff has been trained on the programming. Mayor Smith commented that the letters from the old Village sign will be donated to the Historical Society.
20. Haddix stated that the ball fields at Roger Park have received new dirt.
21. Haddix reported that we are still waiting on ODNR for the sewer project agreement; further stating that he is hopeful we can still bid out the project and start construction later this summer. Mayor Smith added that we have the concept drawing for the project, and it includes a brick and stone building to house the control units and electronics.
22. Haddix reported that Barrett Paving will be the contractor for the Lebanon Road Improvement Project and is scheduled to begin work in late July. The project will include all new paving from Pike Street to Target and a sidewalk along one side of the road.
23. Burke inquired if Haddix had contacted the County regarding the speed limit on Lebanon Road being reduced from 35mph to 25mph. Haddix stated that the change must go through the township because the road is located within the township and that Bob Napier, Union Township Administrator, will be contacting the County Engineer.

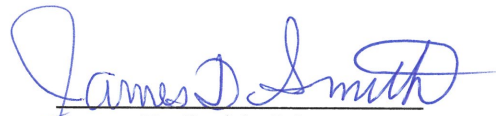
Madison inquired about the possibilities of annexing the road. Mayor Smith commented that we provide the water and sewer services along that section of the road; further stating that residence would receive a break in their utility bills if they were annexed into the Village. Mayor Smith stated that although the Village doesn't own the road, a decision to maintain it was made because of our utilities. Madison commented that the road will be a main route for pedestrian traffic from the Village to Corwin Nixon Road and the shopping center once the road is improved with sidewalks.

24. Mayor Smith reported that the agreements terms for the sewer and water connections for the River Creek Lofts and Redwood developments along Mason-Morrow-Millgrove Road have been wrapped up. He further stated that the development is a \$1.5 million dollar project and ground should be moving soon if not already. Mayor Smith also stated that the Village is working with the County to add turning lanes on Mason-Morrow-Millgrove by the bike trail.
25. Corcoran asked if there are any updates on the funeral home or the Hamilton Township Burger King. Mayor Smith said he heard that Burger King has pulled out and there has been no communication from the funeral home.
26. Boylan, Assistant Village Administrator, provided further details on the cause for the control panel failure at the McKinley Lift Station and the need for repairs. He stated that the sewer gases are traveling through the conduit and into the control panel and causing the copper wire in the panel to deteriorate.

27. Mayor Smith shared that in 1986 the City of Lebanon and South Lebanon merged to create the regional sewer system and was funded with a 75% grant due to the merger.
28. Boylan reported that the crew has finished up with the bucket truck rental and remarked that they were able to get a lot done, including the trees, while be safer. He further stated that we will be renting a bucket truck again in the fall.
29. Boylan reported that the property clean-up process is ongoing and can be a slow process. He stated that he has approximately 25 properties that he is working on.
30. Andrew Meier, Village Solicitor, informed Council that the rules for Council meetings are changing as of July 1, 2021. He stated that Council members will no longer be able to attend Council meetings by Zoom and that they must be present for their vote to be valid.
31. Meier commented that he has been asked by Council to render his legal opinion on two subjects; Council meetings opening with a prayer and on the guest topic this evening of passing an ordinance to declare the Village a sanctuary city. Meier explained that his legal opinion is client privileged and confidential, citing the Ohio Revised Code Section 121.22(G)(5) and asked Council to enter into executive session.
32. ADJOURN TO EXECUTIVE SESSION FOR PURPOSES AUTHORIZED UNDER SECTION 121.22(G)(5) OF THE OHIO REVISED CODE, TO CONSIDER MATTERS REQUIRED TO BE KEPT CONFIDENTIAL BY FEDERAL LAW OR REGULATIONS OR STATE STATUTES, TO WIT: THE COMMUNICATION OF PRIVILEGED LEGAL OPINIONS BY THE VILLAGE SOLICITOR TO COUNCIL.  
  
A motion to enter into executive session at 7:26p.m. was made by Madison, seconded by Allen, all yeas.  
  
A motion to exit out of executive session at 8:42p.m was made by Madison, seconded by Allen, all yeas.
33. Mayor Smith remarked that Council is going to have the Village Solicitor reach out to Mr. Dickson to see if the legal terms can be worked out to fit the Village's situation and he will also consult with our general legal council from Columbus on the details.
34. Madison inquired of Haddix where the Village stood with the Warren County Community Services partnership for free wi-fi within the community. Haddix replied that free wi-fi services are being provided at the park. Madison further asked if there was a sunset on the agreement and Haddix replied that he believed it was for two years.
35. Corcoran thanked Brenda Combs and the Historical Society for donations at the Village clean-up that helped make it a success. Corcoran expressed his appreciation to all those in attendance at the meeting and thanked them for sharing their opinions and beliefs with Council and remarked that he philosophically shares the same beliefs. Corcoran further commented that because Council will be doing additional research on the topic it should not be discouraging.

36. Burke thanked all those in attendance at the meeting and stated that she is philosophically onboard 100%. Burke shared her disappointment but stated that the issue is not over and that Council will be doing more research and hopefully be back very soon to pass an ordinance. Burke also thanked the Village Solicitor and Mr. Dickson for their guidance.
37. Allen concurred with the statements of Corcoran and Burke and shared that she was involved with the closing of the clinic in Sharonville.
38. Allen inquired about the pothole behind White Castle. Mayor Smith stated that it was filled today as an emergency on private property.
39. Harrison echoed other Council member comments thanking those in attendance. Harrison encouraged those in attendance to not give up hope, stating we will get it done.
40. Spicer also thanked the audience for coming out and voicing their opinions and sharing their passion. Spicer further stated that this is not over.
41. Burke thanked Council member Spicer, a young single man, for caring about this issue. Burke also thanked audience member, Joshua Beckman, another young man who supports this issue.
42. Madison stated that he supports this issue and thanked everyone for coming.
43. Mayor Smith asked for a motion to adjourn the meeting at 8:51 p.m. A motion was made by Madison, seconded by Allen, all yeas.

  
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Petrina D. Williams, Fiscal Officer

  
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James D. Smith, Mayor

For an audio copy of the June 17, 2021 minutes of the Village of South Lebanon Council regular meeting, please contact Fiscal Officer at [twilliams@southlebanonohio.org](mailto:twilliams@southlebanonohio.org).