

**CITY OF SOUTH LEBANON  
REGULAR MEETING MINUTES**

**August 4, 2022**

**6:00 P.M.**

1. Mayor Smith opened the meeting at 6:00 p.m. with the Pledge.

2. ATTENDANCE

Linda Allen – Present  
Linda Burke – Present  
Brenda Combs – Present

Maryan Harrison – Present  
Bill Madison – Present  
Rolin Spicer – Present

3. GUESTS

No guests present.

4. Mayor Smith opened the floor to the public.

No public comments.

Mayor Smith closed the floor to the public.

NEW BUSINESS

5. RESOLUTION 2022-31, A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE AMENDMENT #3 TO AGREEMENT WITH RUMPKE OF OHIO, INC. FOR SOLID WASTE COLLECTION AND CURBSIDE RECYCLING IN THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Burke, seconded by Madison, all yeas. By title only, Resolution 2022-31, a motion to adopt was made by Madison, seconded by Burke, all yeas.

6. AUTHORIZATION OF INVOICES

A motion to authorize the invoices for payment (\$639,005.63) was made by Burke, seconded by Combs, all yeas.

7. APPROVAL OF MEETING MINUTES

Regular Meeting – July 21, 2022

A motion to adopt the minutes was made by Burke, seconded by Allen, all yeas.

## 8. COMMUNICATIONS & REPORTS

### Mayor Smith

- a. Projects are moving forward however there have been some weather delays. There are 4-5 areas marked for repairs: Corwin/Nixon, Stonebrook, Riversbend, Historic District, and High Street. Some of these are sewer related while others are street repairs.
- b. We have received positive comments on the repairs along Zoar Road.
- c. We have laid concrete on another section of McKinley Street. There is still concrete to be laid on the corner to make it handicap accessible, and there is a spot by the bank and one behind the Municipal building leading from the parking lot to the back door; this will include steps with a handrail.

### Fiscal Officer Tina Williams

- a. Gave an update on the online utility billing program which has a target date of October 3, 2022 for going live. Sample bills will possibly be available to review at the next Council meeting.

### Administrator Jerry Haddix

- a. Highmeadow Subdivision, Phase 1, is now under construction. They are working on the sewer and have run into an issue; it is now under mitigation.
- b. We are still working on the finalizing of the Pauline Drive project and getting it ready for bid later this year.
- c. The Mason Morrow Millgrove Road improvements still has some final details to work out.
- d. Still looking for a secretary for the Charter Commission.
- e. The Charter Commission is moving along with the meetings beginning to occur on a weekly basis. They have begun to make progress with Andrew Meier, Catherine Cunningham, and Tom Pannett having a plan to get the Charter finished.

### Assistant Administrator Jeff Boylan

- a. The Water Department along with the Fire Department will be conducting fire hydrant flushing this month. Any rusty water that you may see should clear up quickly. Once the Fire Department gives him the dates and locations, he will pass them along.

Solicitor Andrew Meier

- a. The property on the corner of Corwin Nixon Blvd. and 48 that Mayor Smith had mentioned at the last Council meeting is currently being discussed as they try to come to an agreement for the donation of the property.
- b. An issue with Council Members attendance to Council meetings has been brought to his attention.

He would like some input from the Council regarding Ordinance 2019-13 which governs Council absences from regular council meetings. It references Section 731-13 of the Ohio Revised Code which is called Compensation and Bonds of Village Officers, Clerks and Employees. This identifies current terms and pay for certain members. Section 6 of the ordinance states that after 3 absences in a calendar year by the 2 elective offices of the Council and the elected office of the Mayor of the Village of South Lebanon there should be deducted a sum equal to 2% of such annual salary for each absence thereafter from a Council meeting. ORC Section 705.13 titled Salaries and Attendance of Members states that the Council has authority by ordinance to fix salary and that for each absence from regular meetings of the legislative authority, unless authorized by a 2/3 vote of all members thereof, there shall be deducted a sum equal to 2% of such annual salary. Absences for 10 successive regular meetings shall operate to vacate the seat of a member unless such absence is authorized by the legislative authority. In 2019 the Council changed the absence procedure from 1 to 3. Council does have the authority by 2/3 vote of all members to address the meaning of an absence and possibly excuse a particular absence, such as an illness.

The question for Council is whether they would want to consider excused absences as a reason for an exception to the ordinance that was previously passed. Or alternatively if absence means absence regardless of the reason and after 3 absences each successive absence will have 2% deducted from your annual salary.

Discussion ensued between the Council members.

**Motion was made to excuse 2 absences of Council Member Madison from 2022 Regular Council Meetings by Burke, seconded by Combs, all yeas.**

Discussion continued between Council members regarding amending Ordinance 2019-13 or handling on a case by case basis.

Meier will prepare an amendment to Ordinance 2019-13 Section 6 for the next Council meeting increasing the absences from 3 to 6 and handling the absences on a case-by-case basis.

Sgt. Corey Adams

- a. Nothing to report.

Bill Madison

- a. Questioned whether OUPS had previously marked the gas line that had been hit earlier in the day. Haddix stated that he was looking into the situation and would report back. Madison just wants to be sure that employees are following protocol.
- b. Discussed issues with land titles and easements in relation to his property.

Brenda Combs

- a. Nothing to report.

Linda Burke

- a. While working the voter polls on Tuesday it became apparent that speed limit signs need to be posted on Broadway Street.
- b. Asked if crosswalks were going to be painted to which Boylan remarked that he had just gotten the paint.
- c. The Municipal League Dinner will be on August 17, 2022 at 6:00 p.m. at the Opry House.
- d. The United Way Warren County kickoff will be August 23, 2022 at 12:00 p.m. at Armco Park Pavilion. The cost is \$10 per person.

Linda Allen

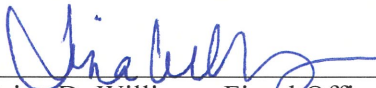
- a. Nothing to report.

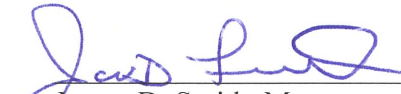
Maryan Harrison

- a. Voiced a concern for the kids riding motorized hoverboards dangerously around town. Sgt. Adams remarked that they should be following the same traffic laws as a bicyclist, further stating that the officers will be watching for them.
- b. Shared that there is a tree ready to fall on the bike trail by the Freight House (Browning Drive and Bayou Street). Mayor Smith stated that we will look into it.
- c. Stated that Ordinance 2012-5 is for the historic preservation of the town; she would like to see us move on it so that we are eligible for some grants to beautify the historic part of South Lebanon. Haddix stated that he would review it.

Rolin Spicer

- a. Nothing to report.
9. Mayor Smith asked for a motion to adjourn the meeting at 6:51 p.m. A motion was made by Burke, seconded by Spicer, all yeas.

  
\_\_\_\_\_  
Petrina D. Williams, Fiscal Officer

  
\_\_\_\_\_  
James D. Smith, Mayor

For an audio copy of the August 4, 2022 minutes of the City of South Lebanon Council regular meeting, please contact Fiscal Officer at [twilliams@southlebanonohio.org](mailto:twilliams@southlebanonohio.org).