

**CITY OF SOUTH LEBANON  
REGULAR MEETING MINUTES  
February 16, 2023  
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 – Absent

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

3. GUESTS

Richard Bertagna – Lebanon Area Chamber of Commerce, introduced Mike Gliatti, Board President, who announced that there is a new Executive Director for the Lebanon Area Chamber of Commerce and she is from South Lebanon, Maddie Esposito.

4. Mayor Smith opened the floor to the public.

Mayor Smith notified the Public that they would have 3 minutes to make their statements. Further stating along with Meier, City Solicitor, that they would not be answering any questions tonight, the Public Hearing will be on February 23, 2023.

Allison Schneider – 4910 Woodhaven Court, South Lebanon – discussed her concerns and opposition to rezoning the property on State Route 48 from R-1 to B-2 and requested that it stay R-1.

Robin Wood – 499 Valley View Drive, South Lebanon – expressed her opinion that backyard chickens should be allowed within the city limits and the zoning code should be amended to allow it.

Jessica Bunce – 4972 Whispering Creek Court, Maineville – expressed her opposition to the rezoning of the property along State Route 48.

Kelly Burke – 984 W. Wind Cove, Maineville – objects the rezoning and discussed the possible entrance issues to the subdivision if the rezoning is granted.

Theresa Faulkner – 5391 Grand Legacy Drive, Maineville – opposes the rezoning of the property on State Route 48; her main concern has been the lack of communication with those who will directly affected by this possible rezoning.

Chad Goldstein – 5764 Piper Glen, Maineville – opposes the rezoning as he has concerns with the Zoning Board’s recommendation which listed that the rezoning would be consistent with the surrounding area however the surrounding area is all residential. As

for the City's Comprehensive Plan it would be better suited to put a hotel/convention center in the current Business District, closer to US 71.

Don Biedermann – 5444 Grand Legacy Drive, Maineville – discussed the South Lebanon Comprehensive Plan, which was amended in March 2019, showing the 10 +/- acres being planned as commercial. At that time none of the residents in his community were notified as they are the abutting property owners. With no commercial access to the property in question, it should not be zoned commercial. He also requested that if the zoning amendment is voted down that the city should revise its Comprehensive Plan to reflect this.

Rick Flamm – 5130 Vista Point Drive, Maineville – questioned what the difference is between a Public Hearing and this Council Meeting.

Meier stated that a Public Hearing is a process by which questions may be asked and the Council Members can engage in a discussion, individuals may make arguments as well. In the Council Meeting, like this evening, only public comments can be made.

Flamm urged the Council to not change the zoning on this property stating his concerns with crime, traffic, and the overall safety of the community among other things.

Vinny Travee – 4823 Stone Lake Drive, Maineville – shared his feelings against rezoning the property to B-2 further discussing the natural resources that make up the area.

Randy Bader – 5145 Grants Frederick, South Lebanon – discussed the lack of communication between the City with residents. Stating that he has had no response from service requests he has placed on the website since April 2022 regarding the safety of Zoar Road, as well as no response from the Mayor through email; other residents' have told him that they email Haddix regarding Zoning Permits and get no response. Further stating that the city is a business and the residents' pay the salaries so they should receive customer service. If administration does not know the answer to something just respond that you will be looking into it and will get back with us instead of completely ignoring us.

Mayor Smith asked Mr. Bader what his beef was and requested that he just get to it as he only has 3 minutes.

Bader stated that right off the highway there is a damaged road sign that looks embarrassing, adding that all the Veteran's Monuments are maintained very nicely but the rest of the city is not.

Mayor Smith asked if he was opposed to the Veteran's monuments to which Bader stated he is not. Mayor Smith followed up asking why he would bring it up to which Bader stated if we cannot get to the monuments why do the monuments matter. Mayor Smith asked if Bader had served to which he stated he had not but he had relatives that had served but that is not the point. Bader stated that the roads need to be in acceptable condition to get to the monuments.

Mayor Smith stated that this community has a history dating back to the revolutionary war. Bader asked if they had roads then, Mayor Smith responded that there were dirt roads. Bader asked if they maintained the dirt roads to which Mayor Smith asked him to wait until he was finished. Mayor Smith went on to state that this is the largest area for veterans, so this community takes pride in building a Veteran's Memorial and it's not okay for Bader to trash it with his emails.

Bader continued stating that there is a guardrail on Zoar Road that has been damaged and looks like a knife. Bader continued that he has emails where he has told the city about this. Further stating that he finally contacted Warren County to tell them about it and they are fixing it. Mayor Smith stated that the County is not fixing any of our roads. Mayor Smith asked Haddix about the guardrails to which Haddix replied that we have a contract to repair the guardrails.

Bader asked why no one in the city is doing anything about the potholes, no lights on Zoar Road, people crossing the yellow lines because they cannot see the road. There is hardly any police presence in the neighborhoods up on Zoar Road yet hundreds of new homes are being built. He questioned what is going on next to the bike trail where it looks like they are clearing it out but Zoar Road is full of potholes that you cannot even maintain. Why are you allowing all this new zoning and residences when you cannot maintain the roads that we already have.

Mayor Smith closed the floor to the public.

Haddix commented that we have finally received a quote for the guardrail as it has been difficult to find contractors to get out there; it is being addressed ASAP.

Mayor Smith stated that we did a massive amount of repairs on Zoar Road last year and there are more coming this year. He reiterated that we have contracts for the guardrails, but we were having trouble getting contractors. Mayor Smith commented that this was a laundry list of stuff.

Bader commented that Mayor Smith did not respond to it, he just needs to respond.

Mayor Smith stated that Administrator Haddix speaks for the City on behalf of construction and projects. He continued stating that we will move forward with any kind of improvement on Zoar Road and as far as police protection we have some of the lowest crime rates in the area.

NEW BUSINESS

5. RESOLUTION 2023-09, A RESOLUTION INDICATING THE MUNICIPAL SERVICES TO BE PROVIDED TO 7.0165+/- ACRES OF REAL PROPERTY PROPOSED TO BE ANNEXED TO THE CITY OF SOUTH LEBANON, OHIO, FROM UNION TOWNSHIP, WARREN COUNTY, 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 2023-09, a motion to adopt was made by Madison, seconded by Allen, all yeas.

6. RESOLUTION 2023-10, A RESOLUTION REGARDING INCOMPATIBLE LAND USES AND ZONING BUFFER WITH RESPECT TO 7.0165+/- ACRES OF REAL PROPERTY PROPOSED TO BE ANNEXED TO THE CITY OF SOUTH LEBANON, OHIO, FROM ADJACENT LAND REMAINING IN UNION TOWNSHIP, WARREN COUNTY, 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 2023-10, a motion to adopt was made by Madison, seconded by Allen, all yeas.

7. AUTHORIZATION OF INVOICES

A motion to authorize the invoices for payment (\$147,009.79) was made by Spicer, seconded by Harrison, all yeas.

8. AUTHORIZATION OF SOLICITOR'S INVOICE

A motion to authorize the invoice for payment was made by Madison, seconded by Harrison, all yeas.

9. APPROVAL OF THE JANUARY 2023 FINANCIAL STATEMENTS

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

10. APPROVAL OF MEETING MINUTES

Regular Meeting – January 19, 2023

A motion to adopt the January 19, 2023 minutes was made by Allen, seconded by Madison, all yeas.

Regular Meeting – February 2, 2023

A motion to adopt the February 2, 2023 minutes was made by Burke, seconded by Harrison, all yeas.

## 11. COMMUNICATIONS & REPORTS

### Mayor Smith

- a. The property on Zoar Road, adjacent to the bike trail, is being cleaned up to hopefully put in an additional 18-20 parking spots; landscaping will be added as well. A photo was shown on the screen of the location. Explanation was also given on reconstructing the curb in order to soften the turn and adding a crosswalk down to the bike trail. Further stating that we have also been cleaning up around the barn on the other side of the bike trail for future parking. At some point there will also be restrooms added in the area along the bike trail.
- b. Shared that the Veteran's Memorial had primarily 51 donors and there were 3 of them, all Marines, that were put together and were able to get funding from places such as Lowes, McDonalds, Duke Energy, and the City. This community is over 200 years old and we wanted to honor it with Veterans that have fought in every single war since the Revolutionary War, in fact some are buried right here in front of this building, ex: General Sutton. This is the oldest community in Warren County. General David Sutton founded this community, he was the Commander from the War of 1812. We owed it to our Veterans to do something extraordinary. The city takes pride in maintaining every single piece of its property. Anything that we purchase that looks bad we manicure it. We try to keep it clean and set an example for everyone else. We do major cleanups, which there is another setup for April 2023. There will be a pavilion added to the Veteran's Memorial. It was remarkable to see 600 people show up for the dedication. Most people in this town are connected to Veterans and I was proud to be a sponsor of it and this Council endorsed it; we take it pretty seriously. If it wasn't for those folks none of us would be here to complain about anything. That is my position on it and as long as I am in office I will continue to make more improvements to it and make sure that anything that the City owns stays pristine.

### Fiscal Officer Tina Williams

- a. Gave a presentation and provided Council with the preliminary 2023 Capital Budget. Reach out to Williams or Administration with any questions as she plans to present the budget at the March 2, 2023 Council meeting and then for it to be voted on at the March 16, 2023 meeting.

Madison asked about the Flock Camera request from the Sheriff's Department to which Williams stated that it does coincide with the budget. Further decision ensued regarding the pricing increase to which Williams remarked that if the budget is approved at the March 16, 2023 meeting we will be able to meet the deadline for the price increase.

Administrator Jerry Haddix

- a. The Board of Elections has certified the Charter and Natural Gas & Electric Aggregation for the ballot on the May 2, 2023 election.
- b. The Charter Commission will be meeting on March 1, 2023.
- c. Mayor Smith and Haddix met with Energy Alliances regarding the energy aggregation. Residents will begin getting mail regarding this closer to the election date, probably in April.
- d. The Pauline Drive project is connected, the restoration is not completed, and is working how it should be. Those individuals who have been negatively impacted by stormwater in that area – the issues have been resolved.
- e. In reference to raising chickens in yards; this is a zoning issue and there are 3 ways to initiate a zoning code amendment. 1) A resident (homeowner or lessee) can complete an application and pay the fee to get the process started. 2) The Planning Commission can initiate a rezoning or map amendment. 3) The Council by resolution could initiate one. If someone would like to initiate the process, they need to see Haddix.
- f. The city has recently setup Facebook and Twitter accounts. Stating that there are links on our pages to the Greater Cincinnati Water Works pages regarding their notice for the recent water concerns with the chemical spill as well as their test results.

It was said by a member of the Public that the City's website is difficult to use. Haddix stated that we are looking to update and modernize the page.

Haddix continued displaying the City's website and walking through the pages to show the Public what was available on the site.

- g. Presented and discussed our contract with Greater Cincinnati Water which goes out until 2058 and the City's water usage.

Mayor Smith shared that we have 2 water systems: Greater Cincinnati Water and Warren County. The river is the dividing line for the water providers. So, if one system was to breakdown we have the ability to interconnect the systems and one supply the other. The 1<sup>st</sup> phase came online this week with the metering still needing to be worked out but this is another project that is on Zoar Road.

Assistant Administrator Jeff Boylan

- a. Nothing to report.

Solicitor Andrew Meier

- a. Nothing to report.

Sgt. Corey Adams

- a. Gave a presentation, with a handout and real-life stories from Harlan Township and Deerfield, regarding the Flock Camera Safety System. Further stating that the prices will be going up on April 1, 2023.
- b. Mentioned to the public that the Sheriff's Office does offer a ride-along program if anyone is interested.

Bill Madison

- a. Thanked the public for attending tonight's meeting.

Brenda Combs

- a. Absent.

Linda Burke

- a. Shared that she is a Veteran's wife and donor to the Memorial. She understands where Mr. Bader was coming from as he emailed all of Council about the issues and has not been responded to. She does not think that it was appropriate for the Mayor to yell at him and accuse him of not supporting Veterans. He has the right to say what he wants to say as well.
- b. Thanked everyone for coming out and being proactive in their communities and standing up for what they believe. She continued by stating that they were elected to serve the residents not themselves or any special interests.

Linda Allen

- a. Asked about getting a Pickle Ball Court as it is not on the budget list. Williams suggested that the Parks and Recreation Committee meet to discuss what projects it would like and then bring that information to the Finance Committee. Williams will send out a list of who is on which committee.
- b. Questioned whether we have obtained an easement from Oeders for the River Lofts area to supply services. Mayor Smith stated that we already have it designed and will be tying into the Cincinnati water line that we have in the front. The funding is already in place to make the connection and anything to do with Oeders would be additional. The only thing left is the final engineering drawing to put the meter in. The meter will be on city property with a 12" main; it will have a reducer because the pressure is so high right there.


- c. **A motion to excuse Madison's absence from the Regular Council Meeting on February 2, 2023 was made by Allen, seconded by Harrison, 4 yeas, Madison abstained.**


Maryan Harrison

- a. Thanked Sgt. Adams for his work, stating that we support our law enforcement and will get them whatever tools they need to do their job and keep us safe.
- b. Thanked the Public for coming out as we work for them.

Rolin Spicer

- a. Stated that the issue was brought up online regarding the city getting water from Cincinnati out of the Ohio River and the East Palestine issue. Can our Water Department test for these chemicals to which Haddix shared the GCWW website and the test results for all the chemicals in question from February 8, 2023 at 10:00 p.m. to February 16, 2023 at 1:21 a.m. and at that time none were detected. Haddix explained that our water comes from the Richard Miller Treatment Plant intake and the chemicals have not been detected.
- b. In regard to the backyard chicken issue, he will not let this go. He empathized with the public and does not think this is an unreasonable request.
12. Mayor Smith asked for a motion to adjourn the meeting at 7:01 p.m. A motion was made by Madison, seconded by Allen, all yeas.

  
Petrina D. Williams, Fiscal Officer

  
James D. Smith, Mayor

For an audio copy of the February 16, 2023 minutes of the City of South Lebanon Council regular meeting, please contact Fiscal Officer at [twilliams@southlebanonohio.org](mailto:twilliams@southlebanonohio.org).