

CITY OF SOUTH LEBANON
REGULAR MEETING MINUTES
July 20, 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 – Present

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

3. GUESTS

Lisa Wilson, 572 W. US 22/3 Maineville - gave an update on the sunflower garden that was planted at Rogers Park with the help of Nathan Smith; Haddix displayed photos.

4. Mayor Smith opened the floor to the public.

No public comments.

Mayor Smith closed the floor to the public.

NEW BUSINESS

5. ORDINANCE 2023-26, AN ORDINANCE FIXING RESIDENTIAL RATES FOR SOLID WASTE AND RECYCLING COLLECTION EFFECTIVE SEPTEMBER 1, 2023, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Madison, seconded by Combs, all yeas. By title only, Ordinance 2023-26, a motion to adopt was made by Madison, seconded by Allen, all yeas.

6. ORDINANCE 2023-27, FIRST READING, AN ORDINANCE SETTING THE COMPENSATION OF THE ELECTIVE OFFICE OF MAYOR OF THE CITY OF SOUTH LEBANON FOR EACH FOUR (4) YEAR TERM BEGINNING JANUARY 1, 2024, TWO (2) MEMBERS OF SOUTH LEBANON CITY COUNCIL FOR EACH FOUR (4) YEAR TERM BEGINNING JANUARY 1, 2024, AND THREE (3) MEMBERS OF COUNCIL FOR EACH FOUR (4) YEAR TERM BEGINNING JANUARY 1, 2026, AND ONE MEMBER OF COUNCIL FOR A TWO (2) YEAR TERM BEGINNING JANUARY 1, 2026 [WITH FOUR (4) YEAR TERMS COMMENCING IN 2028] THROUGH DECEMBER 31, 2029

Questions regarding Section 5 were discussed with Meier stating that the Council could either have it included the way it was changed previously, or it could be subject to further discussion amongst Council regarding the absences during the calendar year and how it

effects the penalty. Ultimately it would be up to the Council if they want to change the language that is currently in it to reflect what was done previously. Discussion ensued with Burke stating her opinion and Meier remarking that he would revise and make the final version of the ordinance that is presented reflect what was done previously.

7. RESOLUTION 2023-28, A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AN AGREEMENT WITH GRW INC. FOR THE PREPARATION OF A WATER AND WASTEWATER RATE STUDY, AND DECLARING AN EMERGENCY

Allen asked if this should have been put out to bid since it totals \$30,000.00 to which Haddix stated that GRW Inc. is a professional service and the threshold for professional services is \$50,000.00. Williams added that she believes that professional services are exempt. Meier stated that under the Charter professional service contracts, such as these, do not need to go out to bid.

A motion to waive the three-reading rule was made by Allen, seconded by Combs, all yeas. By title only, Resolution 2023-28, a motion to adopt was made by Madison, seconded by Allen, all yeas.

8. AUTHORIZATION OF INVOICES

A motion to authorize the invoices for payment (\$133,100.99) was made by Madison, seconded by Combs, all yeas.

9. AUTHORIZATION OF SOLICITOR'S INVOICE

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

10. APPROVAL OF THE JUNE 2023 FINANCIAL STATEMENTS

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

11. COMMUNICATIONS & REPORTS

Mayor Smith

- a. There had been an emergency on SR 48 to which the guys were called out for. It involved the rainwater from the roadway settling next to a pole that if it had fallen it would have taken out all the lights. It took a lot to repair this area and we are now looking into a diversion for the water from the roadway. Combs discussed the water running down from Interstate 71 and flooding the parking lots along SR 48.

- b. Stated that the roadway patching project has started.
- c. Shared that the guys are getting really good at repairs and the additional two employees that Council had approved are really helping the guys out.
- d. The Vietnam War bench for the Veteran's Memorial is finished. We will hopefully have the dedication August 3, 2023 during the Council Meeting. Combs added that there will be light refreshments provided. Photos were shown.
- e. Just a reminder that Mr. Phipps has agreed to donate the bench for the Korean War and he would like to get that started. So, if you know any of our Korean Veterans we need some pictures. He went on to add that we could use some more WWII photos as well.

Director of Finance Tina Williams

- a. Nothing to report.

Administrator Jerry Haddix

- a. Boylan has officially notified us that his last day will be December 8, 2023. The next step will be to fill this position.
- b. The registration for the Soil & Water Conservation Annual Awards is available on their website – www.warrenswcd.com. The event is Wednesday, August 23, 2023 from 5:00 p.m. to 7:30 p.m. as Hisey Park on Middletown Road in Waynesville. They will be awarding us the Conservationist of The Year.
- c. A company that we just annexed, CC Locating also known as Frostline, on Mason Morrow Millgrove Road, is a utility boring company and we have used them to extend the water down to Mason Morrow Millgrove Road on the east side. Photos were shown.
- d. Meier will be on vacation for two weeks. August 21, 2023 – August 2, 2023.

Assistant Administrator Jeff Boylan

- a. The patching project is underway.
- b. We are looking into possibly a small paving project which will turn into a schedule to repave the streets a little bit every year. We would like to get one section done this year.
- c. We have two temporary guys working for us and everyone that has worked with them has said they are doing great. We may want to entertain possible keeping them more permanently if it all works out.

- d. Stated that they are trying to take the dip out on King Avenue as this road is on the list as a long-term area to be repaired.
- e. He would like to redo the park down at the Bike Trail. He got a quote for around \$47,000.00 with us doing some of the work to it, grating and mulching. He would like to get it completed this year but may need to meet with the Parks Committee first. Mayor Smith stated that Boylan should set up a meeting with the Parks Committee which consists of Spicer and Combs. Boylan stated he would meet with them after the Council meeting to set a time.

Law Director Andrew Meier

- a. Responded to a request from Madison regarding an ordinance related to dogs. We have a couple of things in place. We have adopted the Ohio Basic Code, Section 90.01 and several sections thereafter, and in it there are dangerous dog provisions and restrictions so those are applicable. There also are a couple of ordinances that are on the books. Ordinance 3-1960 related to leashing and tagging dogs and Ordinance 81-19 (1981-19) which prohibits the owner or keeper of animals from permitting offensive odors. We also have an ordinance in place related to noise levels which under the provisions in that ordinance animals and certain noises are prohibited. So, there are laws in place that can be used in the event that a citizen or anyone on Council has complaints about specific situations.
- b. At the last Council meeting he handed out Ordinance 89-30 Establishing Rules of Council. He has now drafted a new set of Rules of Council and will pass that out for everyone to review over the next two weeks. Adding that he sought input from Administration in developing these. He would like everyone to email him their comments so that he will have the final draft at the August 3, 2023 Council meeting ready for discussion and possible 1st reading.

Sgt. Corey Adams

- a. Discussed a recent Flock camera incident regarding a missing individual.
- b. He is working on getting quotes for the equipment to be added to the new patrol vehicle. At the Mayor's request he is also working with the Warren County Garage to get a visual on possibly adding City of South Lebanon on the back panel.
- c. Allen discussed a story that she was told by a neighbor on King Avenue regarding a Pit Bull dog jumping a fence and attacking their dog. The Dog Warden was contacted and informed them that there was nothing they could do. She went on to state that there was another dog problem on King Avenue and the dog was taken from the owner. Adams stated that he would look into it.

Mayor Smith asked if you left a dog out and it is not housed and there is bad weather, or it is chained to a tree does our ordinance cover that to which Meier stated it does.

Madison spoke about the July 4th event and three large Pit Bulls that he saw there to which Harrison stated they were actually Cane Corsos not Pit Bulls. Mayor Smith remarked that they were still big dogs so at a public event, for public safety do we need to take a look at this. Meier stated that the way he has interpreted it is that as long as the dog is leashed, and they have the appropriate paperwork if approached by a law enforcement officer then it is not an issue. If there is a desire to place restrictions on certain locations where dogs should not be then that would be something that we would have to do differently. We would then have to get into the definitions of different types of dogs that you are trying to restrict and then we have a different issue. Discussion ensued stating that they should restrict them all, not specific breeds. Meier stated that if there is a desire to place a specific restriction on where dogs may be located or not located, he would need to prepare a separate ordinance because the current ordinances that are in place do not address that specific issue. Adams added that as long as they are properly licensed and vaccinated...Mayor Smith stated that the issue on July 4th was that when the fireworks went off some of the dogs were spooked; so, it's the event not the dog. It was discussed that service dogs would have to be an exception.

Bill Madison

- a. Nothing to report.

Brenda Combs

- a. The manager at Riverbluff Mobile Home Park contacted her and wanted to know if the wall that comes into the park is the park's responsibility to paint or the cities. She also wanted to know if there was an update on putting a mirror at the entrance to the park to help see oncoming traffic. Haddix commented that he had spoken with her, and she volunteered to paint it and we could pressure wash it. Haddix added that it is in the right-a-way, with Mayor Smith adding that the city had put it in, it is our property, so it is our responsibility even if she volunteered. Haddix stated that we have looked into the convex mirror before with the county engineer's office and the intersection is the engineer's responsibility. He believes that even the township has looked into it. We will have to look at some other ways to address the sight distance.

Linda Burke

- a. Discussed Committee appointments as there is one Council Member who serves on 7 out of 9 committees., one Council Member who serves on 6 out of 9 committees and the rest of us 2, 3, 4. She feels it would be nice to have more representation from the other Council Members and she thinks it would be a great thing if they could rotate on these committees in order to learn more about the

processes of what is going on in our city and how we can serve it best. Mayor Smith stated that would not be a problem and asked that the Councilmembers send him what they would like. Williams remarked that in speaking with the Mayor earlier we would need to have 3 members on each committee now because of it being public meetings to which Meier agreed. Williams continued stating that if 1 person did not show up we would still have 2 out of 3 instead of just 50%. Burke stated that she was speaking about the Revised Committee List from 6/15/2023 that needs to be revised. She hopes that everyone can agree to rotate in order to learn some more things about the city because we all need to be informed and educated about what is happening. Mayor Smith stated that was no problem and to just let him know what committees she would like to be on, however he reminded her that only 1 can be on the Board of Control to which she is on. Burke stated that she is talking about the committees not the boards.

- b. A constituent reached out to her regarding their reaching out to City Administration four months ago regarding a caution sign for a deaf child in the area of Sunset Drive and Mary Lane Extension; no one has gotten back with him. Haddix commented that it had fallen through the cracks, but he will get on it. He also shared that this is one of the areas that is going to be worked on with the speed study. Adams discussed what and how information is gathered with a speed study.

Linda Allen

- a. Asked about committee meetings being public meetings and having minutes to which Meier stated that yes all committee meetings are public meetings with minutes.

Maryan Harrison

- a. Thanked Sgt. Adams for his service, stating that we cannot express how much faith we have that we are all protected.
- b. She is looking forward to the unveiling of the Vietnam War bench.

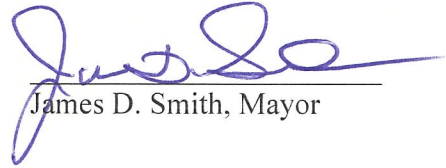
Rolin Spicer

- a. Reiterated his earlier requests that he really believes that we need a stoplight at the intersection of Pike Street and Main Street as the problem is only getting worse. Haddix commented that we have contracted with a consultant, TEC Engineering, to do a study on this; they will be doing a traffic count first.

12. Mayor Smith asked for a motion to adjourn the meeting at 6:48 p.m. A motion was made by Burke, seconded by Madison, all yeas.



Petrina D. Williams, Director of Finance/Clerk



James D. Smith, Mayor

For an audio copy of the July 20, 2023 minutes of the City of South Lebanon Council regular meeting, please contact Fiscal Officer at twilliams@southlebanonohio.org.