

**CITY OF SOUTH LEBANON
REGULAR MEETING MINUTES**

August 17, 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

Arik Sherk, Thompson Hine LLP – represents the city in connection with its public finance transactions. This evening before the Council is a proposal to approve a term sheet with River Creek Lofts concerning a potential tax increment financing for public infrastructures that will support both this project as well as additional development in this particular area of the city. The Economic Development Committee had 2 to 3 presentations and was fully briefed. He went on to state that if the TIF is adopted it would be in a fashion consistent with Ohio Law. It would provide for 75% of the incremental increase in taxes due to the development to be used to pay for these infrastructural improvements and other infrastructural improvements later that the city could be reimbursed for. The remaining 25% would remain as traditional real estate taxes with a large portion of that going back to the school district.

Tim Grieve, Thomas Graham Associates, 803 Compton Road, Cincinnati – civil engineers for the project site; responsible for the site plans and surveying. Gave a presentation showing an overview of the River Creek Lofts project located at 1771 Mason Morrow Millgrove Road, South Lebanon. This project was started in September 2019 and is bounded by Mason Morrow Millgrove Road, the Loveland Bike Trail, Muddy Creek, and the Little Miami River. It will consist of 8 apartment buildings, 3 of them will have 60 units with 5 of them will have 56 units. There will be parking under 6 of the buildings, a clubhouse, workout area, banquet area, pool, gas grills, fire pit, tennis courts, basketball courts, pickleball courts, a dog park, and dog wash areas. There will also be a round-a-bout with a fountain in the front of the property and a large nature area adjacent to the Little Miami River. Descriptions of the apartment units and clubhouse were also given.

Ken Geis, Geis Consulting Group LTD, 5300 Socialville Foster Road, Suite 200, Mason, – gave a presentation first discussing the finishes and amenities of the project. He continued discussing the fact that this project is with an entrepreneur/single person not a group/organization. This development will be owned and operated by Sam Echuri, who will also act as the general contractor for the project. They are estimating that this project will be between \$83,000,000.00 and \$100,000,000.00. Discussion of CRA and TIF programs ensued with explanations given. The final decision was for a short term,

10-year TIF program; 10 year 75-25. Originally this project was to be completed in 3 phases, however it will now be completed in 2 phases so the city is going to get the full appreciation quicker than they would have at any other time. This is due to the fact that phase 2 will begin immediately after phase 1. The completion date for phase 1 is December 31, 2027 and phase 2 is December 31, 2030. The demographics for the project as well as the economics and infrastructure were also discussed.

Mayor Smith and Madison also discussed the improvements to the road frontage due to this project.

Sam Echuri, River Creek Lofts LLC – showed a video of the property in its current condition and a representation of how it will look when the project is completed. Mayor Smith asked when he would want to break ground to which he stated March 2024. Burke asked if all the units are rentals to which he stated they are.

4. Mayor Smith opened the floor to the public.

Dan Phipps, 10429 Cozaddale Murdock Road, Goshen - presented the Council with a monetary donation to cover the cost of the Korean Veterans Memorial Bench for the Veterans Memorial.

Connor Ford, 150 E. Forest Avenue/3480 Dry Run, South Lebanon – shared that he got sober 4 years ago and has created a business, Concrete Recovery. He stated that he would like to give back to the community in some fashion. He also spoke on the 10 acres he purchased on Dry Run and issues with some of the property maintenance complaints.

Lisa Wilson, 572 W. US 22/3 Maineville – gave an update on the sunflower garden stating that in about a week there should be around 1,000 sunflowers blooming.

Mayor Smith closed the floor to the public.

NEW BUSINESS

5. RESOLUTION 2023-30, A RESOLUTION APPROVING AND FURTHER AUTHORIZING MAYOR TO EXECUTE A PRELIMINARY TERM SHEET WITH RIVER CREEK LOFTS, LLC, RELATIVE TO THE FINANCING OF THE RIVER CREEK LOFTS MULTI-FAMILY DEVELOPMENT, AND DECLARING AN EMERGENCY

Allen questioned whether this must be passed as an emergency to which Mayor Smith stated they have been working on the project for 4 years. Haddix stated that the primary term sheet is the framework on how this deal will work. From there they can begin working on the multitude of documents that will have to come back to council. Madison added that interest rates are only rising and with inflation Echuri is wanting to move forward.

A motion to waive the three-reading rule was made by Madison, seconded by Combs, all yeas. By title only, Resolution 2023-30, a motion to adopt was made by Madison, seconded by Burke, all yeas.

6. RESOLUTION 2023-31, A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A RECORD PLAT FOR THE RIVER CREEK LOFTS REPLAT SUBDIVISION, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Burke, seconded by Harrison, all yeas. By title only, Resolution 2023-31, a motion to adopt was made by Burke, seconded by Madison, all yeas.

7. RESOLUTION 2023-32, A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE A PROJECT GRANT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN THE AMOUNT OF \$445,342.00 FOR THE CONSTRUCTION OF THE FORREST AVENUE RECONSTRUCTION PHASE I PROJECT IN THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Combs, seconded by Madison, all yeas. By title only, Resolution 2023-32, a motion to adopt was made by Burke, seconded by Allen, all yeas.

8. RESOLUTION 2023-33, A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE A PROJECT GRANT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN THE AMOUNT OF \$519,244.00 FOR THE CONSTRUCTION OF THE MORROW ROAD RECONSTRUCTION PHASE I PROJECT IN THE CITY OF SOUTH LEBANON, 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 2023-33, a motion to adopt was made by Madison, seconded by Combs, all yeas.

9. RESOLUTION 2023-34, A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AMENDMENT #1 TO AGREEMENT WITH CHOICE ONE ENGINEERING FOR THE MORROW ROAD RECONSTRUCTION PHASE ONE PROJECT, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Combs, seconded by Madison, all yeas. By title only, Resolution 2023-34, a motion to adopt was made by Burke, seconded by Allen, all yeas.

10. RESOLUTION 2023-35, A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO SIGN A PRE-ANNEXATION AGREEMENT WITH THE SUSAN R. COMBS-RAMSEY LIVING TRUST, U/A, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Combs, seconded by Madison, all yeas. By title only, Resolution 2023-35, a motion to adopt was made by Madison, seconded by Harrison, all yeas.

11. RESOLUTION 2023-36, A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO SIGN A PRE-ANNEXATION AGREEMENT WITH BEAVER CREEK SITE MANAGEMENT, LLC, AND DECLARING AN EMERGENCY

Spicer stated that they are wanting to split the development into 2 sections in order to have a second entrance.

Mayor Smith shared that the Council has already approved the development however the developer is wanting to align the entry way on that section of Striker Road and the pathway to the lake. They must annex to clean things up. Further stating that it is the recommendation of the Annexation Committee.

Haddix stated that one of the main advantages of this is that it will prevent a cut-through from Honeysuckle Lane all the way around the lake out to Grandin Road. It will make 2 separate developments and reduce the cut-through traffic.

Mayor Smith remarked that this will be the last phase of revitalization at the Powder Factory.

A motion to waive the three-reading rule was made by Combs, seconded by Madison, all yeas. By title only, Resolution 2023-36, a motion to adopt was made by Madison, seconded by Harrison, all yeas.

12. RESOLUTION 2023-37, FIRST READING, A RESOLUTION APPROVING THE 2024 SOLID WASTE MANAGEMENT PLAN OF THE WARREN COUNTY SOLID WASTE MANAGEMENT DISTRICT

13. **A motion to approve an emergency expense of \$44,790 with Snider Recreation Inc. for the replacement of playground equipment at the Bike Trail Park was made by Combs, seconded by Madison, all yeas.**

Burke questioned as to why this needs to be approved as an emergency. Discussion ensued with Boylan as to why it is an emergency. Williams added that her understanding regarding the memo is that the replacement of the playground equipment is in dire straights and needs to be replaced for safety reasons and thus is an emergency. Mayor Smith stated that Boylan is requesting that the money be allocated immediately so that it may be spent this year. Williams added that because it is over \$25,000 the Council must

approve the expense. Williams went on to state that the expense was not part of the original capital budget, however funds are available within the operating budget. A photo of the playground equipment was shown. Spicer remarked that he is on the Parks Committee, and they feel that it really does need to be replaced this year.

14. AUTHORIZATION OF INVOICES

A motion to authorize the invoices for payment (\$158,465.46) was made by Burke, seconded by Combs, all yeas.

15. AUTHORIZATION OF LAW DIRECTOR'S INVOICE

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

16. APPROVAL OF THE JULY 2023 FINANCIAL STATEMENTS

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

17. APPROVAL OF MEETING MINUTES

Regular Meeting – August 3, 2023

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

18. COMMUNICATIONS & REPORTS

Mayor Smith

- a. There have been numerous equipment repairs lately; use brings maintenance problems.
- b. The new trim mower which can fit on the track hoe has been used in the ditch line, the canal, and was used to cleanup around the trees at the property across from the Speedway Gas Station. We will do some more bushhogging in preparation for the installation of a sidewalk from State Route 48 to McDonalds.
- c. Martha Sizemore with the USPS will be retiring on August 18, 2023 after 30 years of service.
- d. Thanked the Council for the part-time positions they had previously approved, they have made a huge difference.

Director of Finance Tina Williams

- a. Gave an update on the city's investment account balances adding that the information is included in the Monthly Financial Report given to Council under Bank Balances and Investments.

Administrator Jerry Haddix

- a. Regarding the spelling of Forest Avenue within Resolution 2023-32 Forrest Avenue is spelled with 2-R's because the original application was submitted back in 2019 with the OPWC and everything must stay the same throughout the process. We are hoping to get this project designed and bid out this year. It will go from High Street to Section Street. The Warren County Engineers Office is putting out to bid in November the Pike Street bridge. They are projecting a start date of April 2024. The plan is that if we cannot get the Forest Avenue project started this year then we will do it concurrently with the county bridge project to minimize the traffic going through town. Mayor Smith added that there is some work going on currently regarding that project with the new poles and power lines going in.
- b. Received an update from the Warren County Engineers regarding the King Avenue bridge saying it will hopefully be back open by the end of the year. A photo was shown.
- c. The Public Utilities Commission has approved us as an Energy Aggregator so now Energy Alliances is working on getting proposals for our gas and electric for the city. We should have a meeting with them in the next week or two and they will be coming back to the Council once everything is finalized.
- d. Wednesday, August 23, 2023 is the annual Soil and Water meeting. You can RSVP on their website. We will be receiving the Conservationist of the Year Award.
- e. Vibrant Express on State Route 48 and Mason Morrow Millgrove Road is moving along. They tapped into the water main yesterday and plan to be open by the end of the year. They have submitted their sign permit application however we are not sure what the final name will be; they will be a BP gas station. Mayor Smith added that they will sell Tier 1 gasoline.
- f. They guys have been working on concrete and are getting ready to do some work in the Stone Brook subdivision.
- g. With all the rain this year it has kept the grass and weeds growing.
- h. This week we began advertising in the newspaper for the Assistant Administrator position. It has also been placed on Indeed.

Assistant Administrator Jeff Boylan

- a. The 48-lift station went down when a power pole broke in half and fell on it. This has been turned into insurance as it had extensive electronic damage.
- b. We have a dump truck in the shop with a bad hydraulic line, a bobcat in the shop and they cannot look at it for 3 weeks; we will need to rent a bobcat next week so we can do the grindings and pavement repairs. The fuel pump on the generator behind Target needs to be replaced. The F-250 sewer truck is having some warranty work done on it, so it is being sent back to the factory.
- c. The new F-150 is in the back parking lot and the F-750 dump truck will hopefully be here next week.
- d. We have a new logo that you can see on the new F-150. Mayor Smith added that going forward we are using a new lightbar system on the trucks to make them safer and more visible.

Law Director Andrew Meier

- a. Nothing to report.

Sgt. Corey Adams

- a. Nothing to report.

Bill Madison

- a. Thanked the city employees for their hard work.
- b. Thanked Dan Phipps for his donation of the Korean Veterans Memorial Bench.
- c. Discussed how developers have previously gone to lending institutions for their construction/phase 1 loans but since the Great Recession of 2008 they have backed away from those; more than likely we will see more TIF's in the future.

Brenda Combs

- a. Thanked Dan & Ruth Phipps for donating the Korean War Bench.
- b. Thanked Sgt. Adams for all the hard work that the police do.

Linda Burke

- a. Thanked Dan & Ruth Phipps for their donation.
- b. Thanked Sgt. Adams for his work in town.

- c. Invited everyone to the United Way Kickoff on September 7, 2023 from 11:30 a.m. - 1:00 p.m. at the Great Wolf Lodge. They are asking for a \$25 donation.

Linda Allen

- a. Thanked Dan Phipps for his donation.
- b. Thanked the Economic Development Committee for working with the developers and looking out for the schools.
- c. Asked about Miller Pipeline being in town to which Haddix stated that he believes they are locating our sewer lines for Duke Gas. We will try to get the data that they gather.

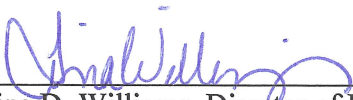
Maryan Harrison

- a. Thanked everyone for all that has been accomplished.
- b. Thanked Dan Phipps for his contribution.
- c. Tomorrow, August 18, 2023 at the South Lebanon Post Office at 2:00 p.m. there will be refreshments for Martha Sizemore's retirement.
- d. Asked Sgt. Adams to pass along to the other officers how much they are appreciated.

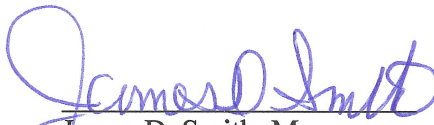
Rolin Spicer

- a. Nothing to report.

19. Mayor Smith asked for a motion to adjourn the meeting at 7:25 p.m. A motion was made by Madison, seconded by Burke, all yeas.



Petrina D. Williams, Director of Finance/Clerk



James D. Smith, Mayor

For an audio copy of the August 17, 2023 City of South Lebanon Council Regular Meeting, please contact the Director of Finance at twilliams@southlebanonohio.org.