

**CITY OF SOUTH LEBANON  
REGULAR MEETING MINUTES  
December 7, 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

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 2023-46, A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AN ADDENDUM TO THE AGREEMENT WITH THE WARREN COUNTY SHERIFF AND THE WARREN COUNTY BOARD OF COMMISSIONERS FOR POLICE PROTECTION IN THE CITY OF SOUTH LEBANON FOR THE CALENDAR YEAR 2024, AND DECLARING AN EMERGENCY

A motion to waive the two-reading rule was made by Madison, seconded by Combs, all yeas. By title only, Resolution 2023-46, a motion to adopt was made by Madison, seconded by Combs, all yeas.

6. RESOLUTION 2023-47, A RESOLUTION APPROVING AND FURTHER AUTHORIZING MAYOR TO EXECUTE A TAX INCREMENT FINANCING DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT IN THE RIVER CREEK LOFTS TAX INCREMENT FINANCING AREA AND OTHER PUBLIC INFRASTRUCTURE IMPROVEMENTS, AND DECLARING AN EMERGENCY

A motion to waive the two-reading rule was made by Combs, seconded by Madison, Allen–nay, Burke–nay, Combs–yea, Harrison–yea, Madison–yea, Spicer–nay. Failed to suspend.

Discussion ensued with Burke asking Meier why this has come back to the council as an emergency to which he stated that Allen had asked a similar question today and Haddix had responded. This is a several step process to which he explained the steps began with the Term Sheet and TIF Financing which have both already been approved by Council; this evening is regarding the Development Agreement that memorializes all of the terms in the Term Sheet and contains all of the developers obligations as part of the development and what it's rights and responsibilities are as well as the city's rights and responsibilities as part of the development. It is the component that memorializes what the developer is obligated to do so that the development may move forward. There are several other moving parts as part of this process to which Haddix will address and why they felt it should be handled as an emergency.

Haddix stated that this is a complex project with multiple parties involved; there are water lines to be put in, we need to order a master meter for Mason Morrow Millgrove, there are agreements with the adjoining property owner across the street -Hudawn, that cannot proceed until this is completed, there is utility relocation - sanitary-water/sewer services. There are time limits and with every week or month that goes by it makes it a little more complicated.

Mayor Smith added that the agreements that Council signed with Hudawn has made the city liable. He then asked the Council if they would like to bring it back for reconsideration.

**Mayor Smith entered Resolution 2023-47 as a first reading.**

Madison stated that this is all administrative and he does not see an issue causing it to go to a 2nd reading. He does not believe that the public is going to come and object as there is nothing for the public to even sound off on. He questioned Meier if this shows an attitude of the legislative body of the Council by not adopting this as an emergency measure if this were looked at or litigated on later. Further stating that he does not understand why the body is not passing it as written as it was reviewed and approved by Meier previously.

Meier stated that the Development Agreement was prepared by Thompson Hine LLP-Dean Spoor. It went back and forth with representatives for the developer. This is the last part of the process that finalizes the development so it may move forward. By not moving forward with it tonight you are delaying the development further and if it is not done as an emergency then we must do it as a second reading in 2 weeks and then there is a 30-day period after that. You are delaying a development that has essentially already been approved. He cannot speak as to what the developer may choose to do or not do at this point if the Council does not take action.

Madison remarked that there is no reason coming from the legislative body as to why they should not do this in an emergency measure.

**Madison made a motion to rescind the previous vote and pass it as an emergency, seconded Combs, Allen-nay, Burke-nay, Combs-yea, Harrison-yea, Madison-yea, Spicer-nay.**

Burke stated that it is imperative that when these emergency resolutions are sent to the Council that they have time to go over all of it. There were 17 pages of legal documents and only 2 days to review it. There was no real explanation in layman's terms, and she believes that this is the problem. There needs to be more communication and better explanations. They should not have to rely on coming into council and asking these questions. She questioned how many on Council understood everything that was in those 17 pages.

Mayor Smith remarked that is why the Law Director works for the Council. He has advised the Council and cut the agreement.

7. RESOLUTION 2023-48, A RESOLUTION APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT WATER & WASTEWATER INFRASTRUCTURE GRANT PROGRAM, AND DECLARING AN EMERGENCY

A motion to waive the two-reading rule was made by Madison, seconded by Combs, all yeas. By title only, Resolution 2023-48, a motion to adopt was made by Madison, seconded by Burke, all yeas.

8. ORDINANCE 2023-33, AN ORDINANCE CREATING PART-TIME LABORER POSITIONS IN THE PUBLIC WORKS DEPARTMENT, ESTABLISHING COMPENSATION, AND DESIGNATING COMPENSATION OF CERTAIN CITY EMPLOYEES TO SPECIFIC CITY FUND(S), AND DECLARING AN EMERGENCY

A motion to waive the two-reading rule was made by Burke, seconded by Spicer, all yeas. By title only, Ordinance 2023-33, a motion to adopt was made by Burke, seconded by Combs, all yeas.

9. ORDINANCE 2023-34, FIRST READING, AN ORDINANCE AMENDING ORDINANCE 2022-31 AND APPROVING REVISIONS TO THE MINIMUM AND MAXIMUM PAY RATES OF THE CITY'S COMPENSATION PAY SCALE AS PART OF THE CITY'S PERSONNEL POLICY MANUAL

10. ORDINANCE 2023-35, FIRST READING, AN ORDINANCE SETTING RATES OF COMPENSATION FOR FULL-TIME CLASSIFIED EMPLOYEES OF THE CITY OF SOUTH LEBANON

11. **A motion to authorize a \$250.00 Christmas bonus for full-time employees, including the temporary laborers, was made by Burke, seconded by Madison, all yeas.**

## 12. AUTHORIZATION OF INVOICES

A motion to authorize the invoices for payment (\$76,724.74) was made by Burke, seconded by Combs, all yeas.

## 13. AUTHORIZATION OF LAW DIRECTOR'S INVOICE

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

## 14. APPROVAL OF MEETING MINUTES

Regular Meeting – November 16, 2023

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

### OLD BUSINESS

No old business.

### COMMUNICATION ITEMS

## 15. COMMUNICATIONS & REPORTS

### Mayor Smith

- a. Stated that this evening is Boylan's last Council Meeting.
- b. Projects in the pipeline are going well and he will give a formal update at the next Council meeting on December 21, 2023.
- c. Spoke on the River Creek Lofts project and the revenue it will bring into the city going forward.
- d. There will be a Special Meeting next Wednesday, December 13, 2023 at 6:00 p.m. for the second reading of Resolution 2023-47.

### Director of Finance Tina Williams

- a. Nothing to report.

### Administrator Jerry Haddix

- a. The CDBG application is due January 12, 2024. According to our most recent pavement rating study there are 3 streets that rated the lowest: Claude Avenue, N. Section Street, and King Avenue. He is proposing to address the repaving of King Avenue and apply for roughly \$100,000 with a local match of \$25,000 that would include engineering. He will have this ready at the next council meeting.

- b. The Planning Commission is meeting next Tuesday, December 12, 2023. Their full packet is available online.
- c. The Christmas Parade is this Saturday, December 9, 2023 with the lineup at 4:00 p.m. and the parade at 4:30 p.m. There will also be the tree lighting and Christmas in the Village.
- d. Thanked Boylan for his work with the city.

Assistant Administrator Jeff Boylan

- a. The Bike Trail Playground is having mulch put down today and tomorrow and will hopefully be open by this weekend or the beginning of next week.
- b. The Broadway Stormwater Project should be completed on Monday, December 11, 2023 with the road reopening on Tuesday, December 12, 2023.

Law Director Andrew Meier

- a. Nothing to report.

Sgt. Corey Adams

- a. Provided a copy of an email from Flock Safety regarding the Flock Camera System and the opportunity for a 5-year contract renewal at the original rate. He and Meier had a teleconference with the Flock sales team and if the Council agrees to this and signs the contract by December 31, 2023 it would be 5 years from the date of signing at the same rate. If Council were to decide to add additional cameras it would also be at the original price of \$2,500 each. Allen asked what a sufficient number of cameras would be to which he stated he would like to add 5 as that would bring our total number of cameras to 10 however 2 or 3 would be good. Discussion ensued regarding the locations of the current cameras and the budget. Williams noted that if the Council decides to do this it would have to come back as an emergency resolution at the next meeting with a signed contract agreement. The regional and national platform access was also discussed. Council discussed adding 5 additional cameras. Meier stated that there will be a resolution at the next council meeting.

Brenda Combs

- a. Nothing to report.

Bill Madison

- a. Wished everyone Happy Holidays.
- b. Thanked Jeff Boylan and wished him the best of luck.

Linda Burke

- a. Attended the WCRPC meeting last week, and they passed the budget for Warren County.
- b. Sharon Coffman is retiring on December 14, 2023 and there will be a reception for her in the Commissioners Room from 2:00 p.m. – 4:00 p.m.
- c. Wished Boylan well in his retirement and thanked everyone for their hard work.

Linda Allen

- a. Thanked everyone for their hard work and wished them a Merry Christmas.
- b. Thanked Jeff Boylan for his work with the city.

Maryan Harrison

- a. Stated that security for the city is a top priority.
- b. Thanked Sgt. Adams for his service to the city.
- c. Thanked Jeff Boylan for his time with the city.

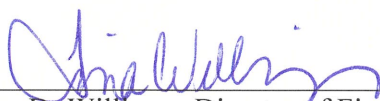
Rolin Spicer

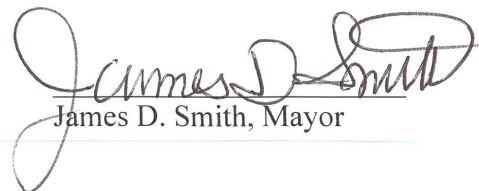
- a. Thanked Jeff Boylan for his years of dedication to the city.

16. EXECUTIVE SESSION FOR THE PURPOSE AUTHORIZED UNDER SECTION 121.22(G)(1) OF THE OHIO REVISED CODE FOR CONFERENCE WITH THE CITY LAW DIRECTOR TO CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, OR COMPENSATION OF A PUBLIC EMPLOYEE.

Mayor Smith stated that the issue has been resolved and no executive session is needed.

17. Mayor Smith asked for a motion to adjourn the meeting at 6:35 p.m. A motion was made by Madison, seconded by Allen, all yeas.

  
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Petrina D. Williams, Director of Finance/Clerk

  
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James D. Smith, Mayor

For an audio copy of the December 7, 2023 City of South Lebanon Council Regular Meeting, please contact the Director of Finance at [twilliams@southlebanonohio.org](mailto:twilliams@southlebanonohio.org).