VILLAGE OF SOUTH LEBANON MINUTES WORKSHOP MEETING AUGUST 1, 2013 6:30 P.M.

1. Mayor Lawhorn called the meeting to order at 6:30 p.m. with the Pledge

| 2. | Linda Allen - Present | Dean Evans - Present |
|----|-------------------------|--------------------------|
| | Randall Atkins- Present | Bill Madison – Present |
| | Jim Boerio – Present | Jeff Sturtevant – Absent |

- 3. Mayor Lawhorn stated that in a workshop meeting no decisions can be made by council because it is not a voting meeting. He said three people want to approach council so you will have five minutes to speak.
- 4. Mayor Lawhorn opened the floor to Alvin Bishop Paul Revelson stated he is here representing Alvin concerning Woodknoll Subdivision and the water tap issues. He said there is a request to tap into the existing line at at a fee of roughly \$125,000. He stated that Mr. Bishop believes there is an agreement that dates back to 1991 that states that he would be able to use the line free of tap fees. He said he has an easement filed but it does not state that but we do have meeting minutes from 1991 that state the intent of the taps. Mr. Revelson stated he talked to Sharon earlier and she is going to go and see if she can find the agreement from 1991. He said the first phase is done and was started in 2000. He said the purpose today is to find out why it is \$125,000 and if we could have had the evidence we could have done that.

Alvin Bishop stated he can't figure out why the first phase is done and the second phase is starting and now they want to put a \$125,000 tap fee and I have already done one phase and I have never heard of such a thing. Mayor Lawhorn stated it is a main tap and the taps are set and were set prior to me and the residential tap fees have went up since you started the development. He said different size lines are different fees. Alvin said he already did the one phase so how can they charge me for the second phase and the mayor said if you tap the main you have to pay the tap. Alvin said I don't have to tap the main, I can run off every street I have and the engineer asked me if I wanted to tap it and I didn't and you all come along and said we want you on that line. Mayor Lawhorn said if it requires him tapping the main and if you don't have anything that says different, because we don't have anything, and Sharon is going to look for it. Alvin said you need to look at what I found and the mayor said if he has something he needs to provide it to Gary. Mayor Lawhorn said phase one you got residential taps and Alvin said he only got charged less because they were off the easement and this is ten years later. The mayor said if you don't have anything that says you get it

free then it is \$120,000 to tap a main. Gary Vidmar stated that we provided a copy of minutes April 19, 2000 in which there was a motion that was voted on and gave Alvin 20 taps at \$1600 each. This was in return for the easement. Mayor Lawhorn asked Alvin if he has anything right now that says he gets it free and Alvin stated he has a copy for everyone and the mayor told him to give them to Gary and Sharon is going to look for the agreement. Mr. Revelson said Sharon is going to try to find it and I believe you guys have to hang on to that stuff. Alvin asked what if he does not tap that and comes back where C.T. lives and Gary said we would have to re-engineer that and and approve the drawings. Alvin said that is what I may have to do. Mayor Lawhorn stated Sharon is going to look for the agreement and we need to get paperwork together. Alvin said while he is here the line is totally off the easement and on my lot so if you are going to re-route it you should put it where it should go. Gary said he knows we have issues and what I propose is we all meet, our engineers and all of us. Alvin said \$125,000 does not seem right when I already did one of the phases. Gary said anytime a developer taps a main it does not matter if it is a phase or a new project there is a tap fee schedule we follow.

5. Maryan Harrison – Historical Society – said she would like council to allow some filming in the school and the reason why is it is a great fund raiser for for us and we would actually take the film and they would release the village from any liability and we have our insurance as well. Warren County Historical Society does ghost hunts and they say it is the best fund raiser.

Maryan said on a personal note she would like to know the status on the sex offender living at 102 McKinley. Bruce stated he just verified the distance and a complaint will be filed. He said she was convicted in 2000 and not under the current law so he needs to be sure she is not grandfathered.

Laurie Angel – TOGA – stated they were established in 2007 and go out based on request from people. She said they have an EVP from the school as validation something is going on and it is across from the old cemetery. Laurie said they do four to six hours and review and the compile the footage and give it to the client.

Mayor Lawhorn asked council if they had any questions and there were none.

6. Administrator Vidmar reviewed his memo. Mayor Lawhorn stated they met Stu Lichter and moving forward on intersection of St. Rt. 48 and Mason Morrow Milgrove. Gary said he has much more optimism in regards to the financing needed for all the projects.

Boerio asked about Homestead and the markings on the pavement and that 1st Financial obligated for improvements. Gary explained those are for Repairs needed before the final course of asphalt. Discussed the punch list

and Bruce said the bond may be under and council has an option to make good on the letter of credit. Boerio asked how large a short fall and Gary said by \$70,000. Madison asked if we are in a position to put a surcharge for further development in the future. Bruce said he is evaluating the development agreement and may need to increase the bonds. He said that an issue is these are private streets not public and you could face a lawsuit from citizens, or an audit from the State Auditor. He said maybe someone on Mary Ellen says why I care if the streets in Homestead are complete or not it does not benefit me and you are using my tax dollars to do that. Three years ago the county increased bonds to 130% and Gary stated at the time of the bond the village used the 130%. Evans stated if proper procedures and materials are used we would have less problems and maybe we need more stringent inspections.

- 7. Mayor Lawhorn held the second reading of Ordinance 2013-08. Gary asked council if they have any questions or concerns and if they do to email him so when the final reading happens it will be ready.
- 8. Solicitor McGary said he has a lot of work in progress.
- 9. Sgt. Boylan said they have had some shop lifters at Target and a few burglaries. He said they had a felony crash one morning.
- 10. Mayor Lawhorn said he still would like for council to look at changing the meetings and making it two voting meetings a month.
- 11. A motion to adjourn the meeting was made at 7:04 p.m. by Atkins, seconded by Allen, all yeas.

Sharon Louallen, Fiscal Officer

Lionel Lawhorn, Mayor