

VILLAGE OF SOUTH LEBANON SPECIAL MEETING MINUTES

JANUARY 4, 2016

6:30 P.M.

1. Randall Atkins - Present
Jim Boerio – Present
Sue Johnson – Present
Bill Madison - Present
Steve Riley - Present
2. Mayor Smith opened the meeting at 6:30 p.m. stating it is for the purpose of appointing a solicitor since Bruce McGary resigned. He stated that there is a candidate that he believes would be good for the village. Boerio said he was concerned about if council can do anything tonight because of the way this meeting was called. He said according to the Ohio Revised Code, 731.46, the mayor or any three members of the legislative authority can call a special meeting. He said at the time Mayor Smith called the meeting he was not the mayor. Mayor Smith stated he signed it to be effective going out January 1st. Boerio said it went out December 31st. Boerio said he just wants to make sure whatever we do, we do it the appropriate way. Mayor Smith said the meeting was called and we are here and he is standing with that position. Administrator Haddix stated that Paul Revelson is the prospective solicitor and is a partner at Herdman, Summers and George. Haddix said he is vice-president of First National Bank as in house council. He said he has been the prosecutor for the City of Lebanon court since January of last year. Haddix reviewed his education.
3. Paul Revelson stated he lives in Springboro and his wife is an attorney for Kettering Health Network. He said he is familiar with the court system having been prosecutor for Lebanon for a year now. He said he has practiced in South Lebanon court as well, so he is familiar with how our court runs. He said in his private practice he does a lot of real estate work and believes that will be beneficial for the village. Paul said he is a third generation attorney and his father passed away a couple of years ago and helped out over the years in South Lebanon. He said he would be excited and thinks this would be a new adventure and something he would like to do if council will consider him.

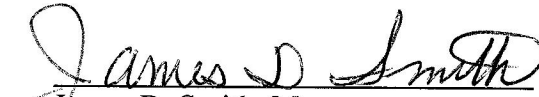
Atkins asked if he has municipal experience and Paul said he does not but has a general knowledge of how things work but compared to the prior gentleman, he had more experience. He said at the same time if he does not know the answer he will look it up and do the best he can to research it for the village.

Mayor Smith said when you have a municipal court, every solicitor we have ever had, a lot of them have got training through this community and under the ORC he is an attorney. Smith said the same as Mr. McGary, who was a county attorney, not a municipal attorney, so the contract and resolution are the same as Mr. McGary had, we did not change anything, we brought forth the same terms and conditions, so it will be identical as before. Mayor Smith stated he thinks Paul would be an asset for this community and the village can go forward. Atkins asked if the meeting was posted for the public. Mayor Smith asked the fiscal officer what the terms are for a special and she stated it was posted on the door and Haddix said it was on the web site. Boerio asked Paul if he is a notary and he was told yes. Madison said Paul's family is an outstanding family throughout Warren County. He said he thinks his family is well positioned and certainly thinks South Lebanon could benefit from that. Mayor Smith added that we don't have conflict of interest with the county or with the townships for annexations and he would not have to excuse himself. Mayor Smith said he would be an asset and some new blood. Boerio asked if Paul would act as prosecutor for mayor's court and was told yes. He asked Paul if he is familiar with that and Paul said yes, he is the prosecutor for the City of Lebanon and has been for a year now. He said he has had cases in South Lebanon and is familiar with the court here and familiar with Warren County Court as well. Paul stated an article he wrote was in favor of mayor's court as well.

4. Riley said with Boerio's question are we legit. Mayor Smith said he believes we are and we can go forward with it. Riley stated we don't want to start out like this. Mayor Smith stated he was elected, he was sworn in and he signed a notice to be affective January 1st. Riley stated he signed it the 31st and Smith said it was to be affective, the notice says the meeting to be on the 4th. Mayor Smith said Bruce gave his resignation and he believes we need to move forward with the new group. Riley asked if he should have been asked to this meeting tonight and Smith stated it was his decision not to. Haddix said he was aware of it. Atkins said he did say he would stay on until we got somebody. Mayor Smith said he gave his thirty day notice that will be up in a week or so. Madison said Bruce also indicated that he would terminate at any time prior to that thirty day notice. Madison said it is not like we are short cutting his thirty days. Riley said he is not saying that, just wants council members to do the right thing starting off 2016. Boerio said that is the same as his opinion because he personally feels that there is some chance we may be back here doing this again. He said technically it doesn't meet the letter of the law. Mayor Smith said the notices were sent out, they were posted and he was duly elected and they went out for a meeting today.
5. A motion to adopt the resolution for Paul Revelson to be the village solicitor was made by Madison. Motion died due to lack of second.

6. Mayor Smith asked what council's wishes are and Boerio said he thinks it should be redone, maybe tomorrow or Wednesday evening. Mayor Smith said if it satisfies council he will send a notice for a special meeting Wednesday, January 6, 2016 at 6:30 p.m.
7. A motion to adjourn the meeting was made at 6:45 p.m. by Boerio, seconded by Madison, all yeas.


Sharon Louallen, Fiscal Officer


James D. Smith, Mayor