

**VILLAGE OF SOUTH LEBANON
REGULAR MEETING MINUTES
MARCH 2, 2017
6:30 P.M.**

1. Mayor Smith opened the meeting at 6:30 p.m. with the Pledge.

2. Randall Atkins – Present Bill Madison - Present
Jim Boerio – Present Steve Riley – Present
Sue Johnson – Present George Teasdale - Present

3. Mayor Smith opened floor to the public.

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4. Mayor Smith presented Emergency Resolution 2017-16 authorizing renewal of Health Insurance. A motion to suspend the rules and declare an emergency was made by Atkins, seconded by Madison, all yeas. A motion to adopt Resolution 2017-16 was made by Madison, seconded by Teasdale, all yeas.
5. Mayor Smith presented Emergency Resolution 2017-17 and explained that this is in opposition to the state collection of municipal income tax. A motion to suspend the rules and declare an emergency was made by Teasdale, seconded Madison, all yeas. Resolution 2017-17 a motion to adopt was made by Teasdale, seconded by Boerio, all yeas.
6. Mayor Smith presented invoices for approval. A motion to approve the invoices for payment was made by Boerio, seconded by Madison, all yeas.
7. Mayor asked for a motion to pay Solicitor Revelson's invoice. Boerio asked Revelson about the fourth item on invoice what development agreement was that for. Haddix thought it was for Wynstead. Revelson said that he looked at the old one that we are using and thought one area that needed some work with the bonds and it didn't match our subdivision regulations which were passed numerous years ago. A motion to approve invoice was made by Boerio, seconded by Madison, all yeas.
8. Administrator Haddix stated that there is an item added to our old business agenda. This is for the engineering services Cochran Road sanitary sewer extension project. Haddix said since the last meeting we met with Jim Daniels the developer and the owners and they agreed to pay \$10,000 over 10 years with the first payment being the tap in fee which would be \$10,000. They are asking if there is a significant time lapse from the initial construction to completion that they would have the option to pull out of the agreement and then we would still need to negotiate some sort of credit for them for future tap in fees that were realized from construction of this project. Mayor Smith explained that it is

\$100,000 over 10 years. Mayor Smith said that it is open to Council for discussion and we have the developers and owners here. Haddix said that the cost of the engineering contract is \$26,500 plus additional expense for easements. Mayor Smith said the \$100,000 is a substantial amount and basically if the development does well and we expand the development then they are asking each time that we put a new business online that they get some relief for a certain amount of that. Madison said that he will repeat his opinion. I think it is a good deal and a good investment for this community. It allows us to grow. There are only a couple of directions this community can grow and certainly that it one of them. Again, for the money that we will invest it would be hard to find a bank account or any other way of investing that money that would provide the return to our Village. If South Lebanon is going to continue to grow, or if it is going to have any ability to project its influence in this area we need to grow and I think this is one way to provide us with growth. Atkins asked Haddix to repeat the option to pull out of agreement. Haddix said if something were to come up to delay the project say over 12 months. Boerio asked to delay what project. Haddix said building the actual sewer. Atkins asked Haddix how long will the engineering take. Haddix said a couple of months probably. Riley asked where did we come up with the \$26,500. Haddix said that is the proposal from McGill Smith Punshon. Mayor Smith clarified the engineer. Teasdale asked Mayor Smith if he is safe in assuming there has been no additional contact with Warren County. Mayor Smith said that he has tried to reach out for a meeting with commissioners and you have to do it in the open session and can't have a private meeting. We reached out to the administration and their position is they're finished on their side. Mayor Smith said the one thing that prompts growth is utilities. If you look at our census in 2010, we grew 62.1% and that was because of an aggressive program of providing utilities. Mayor Smith stated with the contributions from this developer, this makes this a fair and reasonable development. When we did Wynstead Emerald Drive, we worked agreements out far more than this. You have businesses and jobs coming to this community but we have to be a player in the game to get it done. Atkins asked Mayor Smith if this agreement will be in writing. Mayor Smith said yes. Solicitor Revelson said you have a resolution for the engineering in front of you. Madison made a motion to accept the resolution as is and proceed forward. Mayor Smith asked for the resolution number. Haddix replied Resolution 2016-48. Mayor Smith asked if any other discussion. Atkins asked this is to declare an emergency, correct. Mayor Smith said yes. Mayor Smith presented Resolution 2016-48 this allows for the engineering of the proposed project to go forward on Cochran that services 3c highway 22/3. I need a motion to suspend the rules and declare an emergency Resolution 2016-48. A motion was made by Madison, seconded by Atkins, Atkins yea, Boerio yea, Johnson yea, Madison yea, Riley nay, Teasdale yea. Resolution 2016-48 I need a motion to adopt. A motion to adopt was made by Madison, seconded by Atkins, Atkins yea, Boerio yea, Johnson yea, Madison yea, Riley nay, Teasdale yea.

9. Mayor Smith discussed the recent flooding in South Lebanon.

10. Haddix reported that we have a leak adjustment that just came in this afternoon. Jill Reagan on Little Turtle Drive has a broken outside faucet and losing water out into the yard. The County figured the adjustment to be \$42.41 sewer only. A motion is need for an adjustment to the bill. A motion was made by Madison, seconded by Teasdale, all yeas.
11. Mayor Smith said that we had a meeting scheduled to meet with the architects for the school renovation but had to cancel due to the flooding issues. To give you an update on the interior of building. Our village workers removed all the heavy equipment so the HVAC system can go in. Mayor Smith said they did a fantastic job and was impressed how fast they were able to do the clean out. The cost we would have had to incur would have been significant. Electric separation of the two buildings will happen shortly. Madison asked if the architects will provide further renderings of the transformation. Haddix said we are trying to get the coordination between the HVAC contractors and architect. There is also some different concepts for the front entrance and we are working our way to get to that point. Madison asked if we spoke to the architects about broadening the scope to the entire block. Mayor Smith agreed if the opportunity comes up to take control of the entire block. Madison asked if the interior phase will be handled by a contractor. Haddix said that we will have a general contractor to oversee the entire project.
12. Fiscal Officer Armstrong stated that at the last council meeting there were a couple of questions on the financial statements. The Comdoc invoice for \$859.95 is our annual service agreement for our copier and the KS State Bank payment was our 5th and final payment for the backhoe. If Council has questions on the financial statements or invoices, please feel free and reach out to me.
13. Haddix said that we interviewed a couple of applicants for the utility clerk position on Monday and plan on hiring somebody. Mayor Smith asked if we need to go to executive session to discuss. Haddix said yes.
14. Haddix stated the guys have done a good job cleaning up debris off the streets from the rain. Mayor Smith said that we found a couple manholes that have holes that need to be sealed so we need to replace them. Atkins said that we can rehab them. Haddix said Televac. Atkins said they would know who if they can't do it. Mayor Smith thanked Atkins. Atkins said it is cheaper than replacing the whole manhole and no digging. Haddix said we are also working on putting a capital wish list together. Mayor Smith asked Haddix to cover Riverside. Haddix said the model home is going up and they are working on the electric poles and gas. Haddix said that we are going to be digging up some water lines on the north side of Mason Morrow and get the final design approved and bid out soon.
15. Sgt. Boylan said the water was our biggest issue yesterday. We had the roads all blocked but it came up so fast that we had a hard time getting roads closed. One

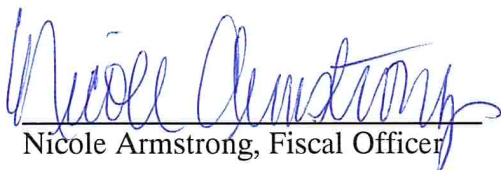
lady came in off Stubbs Mill and got trapped by the water in a minivan and it stalled out. Mayor Smith asked if Sargent Boylan retrieved the lady himself and he said yes. Sargent Boylans said he was heading over to the Stubbs Mill to close it so he was able to get to her pretty quick before the water rose up. Even with my SUV the water was coming in my doors as I pulled up beside her. Mayor Smith said she was lucky you were there Sargent.

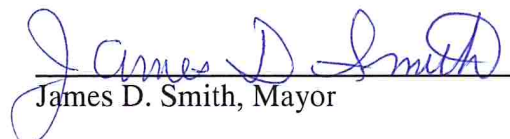
Sargent said that all the deputies have been issued Narcan. He explained it is a nasal inhaler and the main reason we went with it obviously for the citizens but it is just as much for us and our canines.

Mayor Smith thanked Sargent for saving the citizen from the water.

16. Riley asked who maintains The Cedars entrance and asked if you noticed the drains yesterday. Haddix said he is going to send them a letter to get that cleaned out. Riley said that it was almost ready to come over the road. Mayor Smith said with that much rain I'm surprised it wasn't over the road.
17. Riley asked Revelson if we are done with the truck repair place. Mayor Smith said for the easement. Revelson said Rock Castle is done.
18. Atkins asked Haddix about the house on the corner of High and Hobart if a letter has been sent. Haddix said that he hasn't and will need to go down there and take a look at it.
19. Mayor Smith said when Duke cleaned out the brush line on Zoar that we are going to have to clean that up. Riley said that was what he was talking about at the last meeting. Mayor Smith said that we signed a twenty five year agreement with Duke for easements to allow them to run utilities through our Village and it coming due so maybe we need to add a few things. Riley said when they leave trees and logs on the hillside the next thing you know they roll on to the road so they don't cleanup very well. Mayor Smith asked Revelson to look into if there is anything that we can do to force them to cleanup. Riley said I'm sure Duke has an agreement with them if you could get a copy of that. Mayor Smith said that it exposed a lot of problems on Zoar Road and if you get a chance to go look and we will discuss at the next council meeting.
20. Atkins asked how we are coming on the water study. Mayor Smith said we talked to them and will have a preliminary meeting coming up shortly. They have additional questions.
21. Boerio said he appreciated Nicole following up on my questions from the last time and thanked her.

22. Boerio asked Haddix about security on the server. Mayor Smith said if there are no objections from council to pursue quotes. Madison said that cloud based service would have more protection.
23. Boerio asked Revelson to take a look at section 729.11 of the ORC this deals with financing of sewer systems and let us know. Previously, I asked you to look at 729.52 on the surface it looked straight forward but it turned out to be not so simple. I am curious about 729.11 also.
24. Boerio complimented Rumpke. There was a lot of wind this morning and paper blowing and witnessed them picking it up. Atkins said that we should send a letter to thank them.
25. Mayor Smith asked for a motion to go to executive session to discuss personnel at 7:30 pm. A motion was made by Boerio, seconded by Atkins, all yeas.
26. Mayor Smith asked for a motion to come out of executive session at 7:45 pm. A motion was made by Boerio, seconded by Madison, all yeas.
27. Mayor Smith said before we discuss the addition to the water department Don's six month probation is up and need to act on it. Haddix said Don Justison who was hired just over six months ago has passed his probationary period in the public works department and has done a good job and recommends a bump up is salary of .50 an hour. A motion was made by Atkins, seconded by Madison, all yeas. Mayor Smith said he is an excellent addition to the Village staff.
28. Mayor Smith presented Resolution 2017-18 creating a temporary position in the utility department and establish compensation. A motion to suspend rules and declare an emergency was made by Atkins, seconded by Madison, all yeas. Motion to adopt Resolution 2017-18 was made by Teasdale, seconded by Madison, all yeas
29. Motion to adjourn meeting made by Boerio, seconded by Atkins, all yeas.


Nicole Armstrong, Fiscal Officer


James D. Smith, Mayor