

**VILLAGE OF SOUTH LEBANON
MINUTES
REGULAR MEETING
JANUARY 21, 2010
6:30 P.M.**

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

2. Randall Atkins - Present
Sherri Carbo– Absent
Dean Evans – Present
Glenn Holloway - Present
Bill Madison – Present
Jeff Sturtevant – Present

3. Mayor Smith presented the following meeting minutes for approval:

Workshop – December 3, 2009 – motion to approve made by Holloway, seconded by Evans, all yeas.

Special – December 16, 2009 – motion to approve made by Holloway, seconded by Evans, all yeas.

Regular – December 17th, 2009 – motion to approve made by Holloway, seconded by Evans, all yeas.

4. Solicitor Nixon said he did more research for the final draft of Ordinance 2009-15, concerning sex offenders. He stated that he feels we should stay as close to the State legislation as possible with the 1500 feet limit. He said we are going further with the registration and restrictions concerning employment. Keith said they have three days to register with the village court clerk and if not they are charged with a Misdemeanor III and a one thousand dollar fine. He said the State issues a felony but we can't do felonies. He said some residents could be grandfathered and not have to move. He said with Megan's Law residents are notified. Keith said there has been no court challenge yet and this is ground breaking in this area. Keith said council needs to consider that he can't guarantee this will hold up in court. Discussed parks and fact Keith thinks we should mirror the State. Madison said this ordinance parallels the State and we have to stay in our means and this stretches as far as our reach at this time. He said it has had great consideration and speaks to the problem. Holloway said Section III – F addresses everything at 1500 feet. Sturtevant stated that it further takes a level of responsibility of not leaving us open and this may but as little as possible. Keith said this gives him a comfort level as much as can be. He said the State will keep stretching and we are above the State with the working issue and I don't want this to be top heavy. Mary Ann Harrison said she understands there is a lot of legal issues but appreciates all the hard work

to protect our children.

5. A motion to adopt the third reading of Ordinance 2009-15 concerning sex offenders was made by Madison, seconded by Holloway, all yeas.
6. Ordinance 2010-01 was presented which addresses the 2010 wages. A motion to suspend the reading rule was made by Atkins, seconded by Holloway, all yeas. A motion to adopt Ordinance 2010-01 was made by Madison, seconded by Holloway, all yeas.
7. Ordinance 2010-02 was presented accepting the Ohio Basic Code for 2010. Keith explained we adopt this every year and that the State passed a new windshield wiper law after this was published. He said it is State law so can be cited into court but if we don't adopt it as an amendment then they can't be cited into our court. He said it will be a part of the code next year. A motion to suspend the reading rule was made by Holloway, seconded by Atkins, all yeas. A motion to adopt Ordinance 2010-02 was made by Holloway, seconded by Madison, all yeas.
8. Ordinance 2010-04 which amends the Ohio Basic Code to include the windshield wiper law was presented. A motion to suspend the reading rule was made by Holloway, seconded by Madison, all yeas. A motion to adopt Ordinance 2010-04 was made by Holloway, seconded by Atkins, all yeas.
9. Fiscal Officer Louallen presented Ordinance 2010-03, which is the permanent appropriations for 2010. She explained the differences in fund carry over's and where the funds were appropriated. A motion to suspend the reading rule was made by Madison, seconded by Sturtevant, all yeas. A motion to adopt Ordinance 2010-03 was made by Madison, seconded by Holloway, all yeas.
10. Resolution 2010-01 was presented to allow the mayor to sign for a CDBG grant application. Bob said the county is getting double the funds so hopefully we will have a shot at some of them. A motion to suspend the reading rule was made by Sturtevant, seconded by Holloway, all yeas. A motion to adopt Resolution 2010-01 was made by Holloway, seconded by Sturtevant, all yeas.
11. An invoice was presented for the Warren County Regional Planning for 369.10. A motion to pay the invoice was made by Atkins, seconded by Evans, all yeas. A motion to appoint Sturtevant as our representative was made by Madison, seconded by Holloway, all yeas.
12. An invoice for the Drug Task Force in the amount of \$2535.00 was

presented. A motion to pay the invoice was made by Atkins, seconded by Sturtevant, all yeas.

13. An invoice was presented for dues for the Warren County Municipal League for \$400.00. A motion to pay the invoice was made by Madison, seconded by Sturtevant, all yeas.
14. An invoice was presented for Keith Nixon in the amount of \$1830.00. A motion to pay the invoice was made by Sturtevant, seconded by Madison, all yeas.
15. Mayor Smith said 2010 is starting off great. The Early Learning Center, Chic-Fil-A, and White Castle are all getting under way. This will bring more jobs and continue to promote more businesses.
16. Bob said he will draft a donor letter for the heritage park and if anyone has any input let him know. He also stated that he is looking at a grant for the Mason-Morrow-Milgrove intersection. Dave Lorlei said they are looking at taking to LGB for the signal as well. Mayor Smith said this is to be from TIF funds and if we get grant money then the TIF money could be used somewhere else. Sturtevant asked if the bridge on Main Street would be eligible for funds because it is not a state highway. Mayor Smith recommended that they move forward in pursuit of the grant money.
17. Bob said there will be a building committee meeting and he will have an updated proposal from the engineers.
18. Bob informed council that there were 13 bidders for the demolition of Properties. The bid was awarded and demolition should happen soon. Bob also told council that the church signs will be coordinated with the county.
19. Mayor Smith said he has a conflict with the regular meeting in February and would like to schedule it for the 11th instead of the 18th. A motion to change the meeting date was made by Holloway, seconded by Madison, all yeas.
20. Solicitor Nixon said our court typically tries to stay with the county bond schedule and he will have an ordinance drawn up based on the new numbers.
21. Pam Morrision informed council that they have insurance for the chili February 19th at the gym. She said it was her understanding they would pay a one time fee of \$50.00. A motion to allow Kings Way Church to have the gym for a chili dinner with a \$50.00 fee was made by Holloway, seconded by Dean, all yeas.

22. Sgt. Boylan stated that the cruiser that was wrecked is being totaled. Keith said they can make a plea agreement for the defendant to pay the deductible. Madison stated we have discussed buying an SUV and he thinks council should render a decision either yea or nay. Atkins stated it would be a good time since we are getting \$5000 from the wrecked cruiser. Madison made a motion to purchase an SUV for the Sheriff's Department, seconded by Sturtevant, all yeas.

Sharon Louallen, Fiscal Officer

James D. Smith, Mayor