

**V ILLAGE OF SOUTH LEBANON
MINUTES
REGULAR MEETING
SEPTEMBER 15, 2011
6:30 P.M.**

Randall Atkins – Present
Sherri Carbo – Present
Dean Evans –Present

Glenn Holloway – Present
Bill Madison – Present
Jeff Sturtevant – Absent

1. Mayor Smith opened the meeting at 6:30 p.m. with the Pledge.
2. Mayor Smith presented the following minutes for approval:

Workshop – August 11, 2011 – motion to approve made by Carbo, seconded by Madison, all yeas.

Public Hearing – August 18 2011 – motion to approve made by Evans, seconded by Holloway, all yeas.

Regular – August 18, 2011 – motion to approve made by Madison, seconded by Evans, all yeas.
3. Ordinance 2011-08 was presented to amend appropriations to allow for a punch list bond. A motion to suspend the reading rule was made by Madison, seconded by Holloway, all yeas. A motion to amend appropriations Ordinance 2011-08 was made by Madison, seconded by Holloway, all yeas.
4. Resolution 2011-13 regarding the Books annexation was covered by Keith Nixon. He explained that a Special Meeting was held on Tuesday, September 13, 2011 that approved the Books annexation. He stated that because proper notification wasn't made to the press the decision is invalid. Nixon asked that approval be given today allowing municipal services to be provided to the property proposed to be annexed to the Village of South Lebanon. Mayor Smith also stated that it rescinds Resolution No. 2011-11. A motion to suspend the reading rule was made by Adkins, seconded by Evans, all yeas. A motion to adopt Resolution 2011-13 was made by Holloway, seconded by Carbo, all yeas.
5. Resolution 2011-14 regarding incompatible land uses and zoning buffer of the property proposed to be annexed. Nixon asked that approval be given. He stated that the resolution also rescinds Resolution No. 2011-12. A motion to suspend the reading rule was made by Holloway, seconded by Madison, all yeas. A motion to adopt Resolution 2011-14 was made by Holloway, seconded by Evans, all yeas.

6. Resolution 2011-15 was presented to approve and ratify the pre-annexation agreement with the Books property owners. Mayor Smith gave his recommendation to ratify the pre-annexation agreement that Keith Nixon, Bob Craig, himself, and the attorney for the Books worked on. A motion to suspend the reading rule was made by Holloway, seconded by Madison, all yeas. A motion to adopt Resolution 2011-15 was made by Holloway, seconded by Evans, all yeas.
7. Mayor Smith presented the Brandstetter Carroll Proposal for authorization. Administrator Craig stated the proposal is for backup generators for two sewer pump stations. Administrator Craig stated the estimate is in the amount of \$12,995.00 which includes contract management and bidding estimate for design. Mayor Smith said this is before council for approval. A motion to approve proposal was made by Madison, seconded by Holloway, all yeas.
8. Mayor Smith discussed the estimate received for road repairs in the River's Edge subdivision and Zoar Road which are approximately \$52,000.00. He stated the permissive account can be used for this project. Mayor Smith clarified to council that he is asking for this project to be put out for bid. The project will cover two pieces on Zoar Road and the River's Edge Subdivision. However, the storm basins will be repaired in-house. Adkins stated that road is very rough. A motion to approve advertisement for bid was made by Madison, seconded by Holloway, all yeas.
9. Mayor Smith presented an invoice for Keith Nixon in the amount of \$1,850.00. A motion to pay the invoice was made by Holloway, seconded by Carbo, all yeas.
10. Mayor Smith presented the finished South Lebanon flag that will be located at the Deerfield Heritage Park. Applause from audience. A motion to officially adopt the South Lebanon Flag was made by Adkins, seconded by Holloway, all yeas.
11. Mayor Smith said there has been discussion with two entities that would like to lease space at the old South Lebanon School. He asked Keith Nixon for the results of his research. Nixon stated he didn't see a problem as long as it is okay with our insurance provider. A lease would need to be drawn up and executed. Mayor Smith asked council for their approval to sit down with the two non-profit entities to work out the terms of the lease. A motion was made by Holloway, seconded by Adkins, all yeas.
12. Mayor Smith stated that Quilt Show dates for 2012 are May 10, 11 and 12.
13. Mayor Smith asked Administrator Craig to go over the ITT Water Wastewater estimates. Bob Craig stated that the estimates are a follow-up to the annual sewer pump station inspections from July. The estimates are to replace two backup pumps. The estimate for the River Bluff pump is \$11,090.00. Mayor Smith explained the River Bluff pump is our oldest pump. Administrator Craig stated

the second estimate of \$11,985.30 is for replacement of a pump located at the State Route 48 pump station. Mayor Smith recommended to council that a motion be made due to the fact that if one pump went down, emergency equipment would need to be brought in to pump sewage. Motion made by Adkins, seconded by Madison, all yeas.

14. Mayor Smith thanked the Kings High School students for the success of the 2nd Annual 911 Project.
15. Administrator Craig reviewed his memo (attached). He stated at the Workshop Meeting it was discussed the request from the HOA at Vista Pointe for three “No Outlet” signs. Bob Craig recommended this and stated the cost would be \$157.00. A motion was made by Madison, seconded by Holloway, all yeas.
16. Keith Nixon reported that he is working on a uniform property cleanup ordinance with Administrator Craig. In addition, Nixon stated the Public Defender’s Office is contacting all municipalities to see if each has a contract for a Public Defender because they will no longer provide this service. Nixon said this means we would have to negotiate a contract with Warren County for a Public Defender which he feels would be expensive. Nixon researched other municipalities and stated \$200.00 should be sufficient for South Lebanon. Carbo asked Nixon if this is his recommendation. Nixon stated from a monetary perspective plus we would be able to provide this benefit to our citizens and those cases would stay here. Madison stated if we don’t have a contract then we would have to provide this service case by case which would be more expensive. Nixon agreed. A motion to proceed with a Public Defender, cap of \$200.00, made by Holloway, seconded by Madison, all yeas.
17. Sgt. Boylan stated that they receive calls regarding working vehicles, legally tagged that do not move and asked that Council look at our ordinance. Mayor Smith said that this will be researched. Carbo stated she would like to see ordinance brought up-to-date or agree upon one if we don’t.
18. Mayor Smith opened up the floor to the public:

James Boerio – 101 Vista Ridge Drive

Mr. Boerio asked for clarification by Administrator Craig regarding the property cleanups from his memo, if active or completed. Bob Craig clarified that they are active cases.

Mr. Boerio requested a status update on the Emerald Drive project. Mayor Smith stated that the project is moving forward. Administrator Craig stated that Fischer Homes will be receiving permits to begin work on Grants Settlement, Section 2. Mr. Boerio inquired on the progress cutting into the Cincinnati Water Works system. Mayor Smith stated the lines are approximately 95% complete. The goal

is to be functional by late October or early November. Mayor Smith further discussed project with Mr. Boerio.

19. Mayor Smith closed floor to the public.
- 20 Council member Holloway asked Administrator Craig if flume ditch is on the list to be attended to. Holloway stated trees, etc. are growing into it and he discussed with Tony a couple of weeks ago. Bob stated that it is on the list to be address.
21. A motion to adjourn the meeting was made at 7:15 p.m. by Madison, seconded by Holloway, all yeas.

Sharon Louallen – Fiscal Officer

James D. Smith - Mayor