

**V ILLAGE OF SOUTH LEBANON
MINUTES
REGULAR MEETING
OCTOBER 15, 2009
6:30 P.M.**

Sherry Carbo – Present
Dean Evans – Present
Glenn Holloway – Present

Bill Madison – Present
Jeff Sturtevant – Absent
Kristi Young – Absent

1. Mayor Smith opened the meeting at 6:32 p.m. with the Pledge.
2. Mayor Smith opened the floor to Norma Strain – she said she wants to give council an update on next years quilt show. She says she expects it to be huge success and this could become South Lebanon’s Sauerkraut Festival. Norma said there will be no vendors on the second floor and no live music this year. She said the advertising will be increased. She said she applied for a grant to help with repairs to bathrooms and for some chairs and signs. She stated local family owned hotels are giving a discount to anyone staying for the quilt show. She said the Amish are coming and going to have a quilt auction. She said last year there were 1008 people who attended and she hopes to double that this year. Norma said they will hand out gloves so people may touch the quilts. A Boy Scout troop will be cleaning the buildings both nights. Norma said they have five vendors on a waiting list in case there are any cancellations. Mt. Zion will be doing the food again this year and our featured quilter will be Lois Thacker. She did the coal miners quilt out of her families clothing who worked in the mines. Mayor Smith said the Early Learning Center may be out of the building and the quilt show then would be able to use all those rooms. He said they are planning a December ground breaking. Mary Alice said there are 24 vendors with two to a room. She said they are advertising more this year and said she needs the name of the historical park and was told it will be Deerfield Park. Carbo asked if they considered a pianist or harpist for the music. Mary Alice said the music was too loud last year and really does not have good acoustics for music. She said the intercom system does not work. She said they will close at 5:00 p.m. and have the quilt auction from 7:00 – 9:00 p.m. Mayor Smith thanked Norma and Mary Alice for all their hard work.
3. Mayor Smith presented the following minutes for approval:

Special – September 3, 2009 – motion to approve made by Carbo, seconded by Madison, all yeas.

Workshop – September 3, 2009 – motion to approve made by Madison, seconded by Holloway, all yeas.

Regular – September 17, 2009 – motion made by Holloway, seconded by Carbo, all yeas.

4. Fiscal Officer Louallen presented Ordinance 2009-11 which updates the appropriations to concur with the amended certificate sent to the county auditor. A motion to suspend the reading rule was made by Madison, seconded by Holloway, all yeas. A motion to adopt Ordinance 2009-11 was made by Holloway, seconded by Evans, all yeas.
5. Mayor Smith opened the floor to Arik Sherk – Thompson & Hine – Arik said council needs to adopt Ordinance 2009-12, which authorizes up to 6 billion in TIF Bond Notes for River’s Crossing. It will now be a single note and not long term, it is for three years. He said there is an agreement with Bear Creek on how the interest will be spend and first the payment of \$37,625.38 owed the village will be paid and \$29,898.00 will be held in special fund to go toward the permanent light at St. Rt. 48 and Corwin Nixon. Mayor Smith said we had an opportunity to meet with legal council and work out resolution that all are happy with.

Steve Kelly said that the temporary signal at St. Rt. 48 and Corwin Nixon was raised recently and the permanent signal will be installed after some additional revenue is received. Steve said they have some activity on the site between Kohls and Target and would fit the plan the village and Bear Creek has discussed.

6. A motion was made at 6:59 p.m. to go into executive session by Carbo, seconded by Holloway, all yeas.
7. A motion to return from executive session was made at 7:10 p.m. by Carbo, seconded by Madison, all yeas.
8. Mayor Smith said it is his recommendation to support Ordinance 2009-12. A motion to suspend the reading rule was made by Madison, seconded by Holloway, all yeas. A motion to adopt Ordinance 2009-12 was made by Holloway, seconded by Madison, all yeas.
9. Solicitor Nixon’s invoice was presented for authorization. A motion to pay the invoice was made by Madison, seconded by Carbo, all yeas.
10. The computer support for the court computer system was presented for authorization. Fiscal Officer Louallen stated there is no increase in the cost from Baldwin Group for this support. A motion to pay the invoice was made by Holloway, seconded by Evans, all yeas.
11. Mayor Smith opened the floor to the Public:

Kathy Collins – asked council about using the cafeteria for an outreach service on Sunday evenings. She said it is for the Fellowship of Praise

Church. Carbo asked if they are looking at planting a church in the village and Kathy stated yes

A motion to allow the service to be every Sunday evening 6:00 – 9:00 p.m. with a cost of \$50.00 per hour and proof of insurance was made by Madison, seconded by Holloway, all yeas.

Mary Ann Harrison – said she lives at the corner of Section and McKinley and is here as a concerned citizen. She says the village has 22 sexual predators in the and she has 14 grandchildren. She said the children deserve to be able to play in the parks and walk down the street without fear. She said she would like the council to get involved in finding out how to stiffen the laws so we can have a safe place for our children. Solicitor Nixon said he will contact the prosecutor's office and see if there are stricter laws the village can enforce. Keith said some things would be pre-empted by the State of Ohio. Mary Ann said they live in close proximity of bus stops and parks and we need to do something as a community. Madison thanked Mary Ann for coming to council with this concern and Mayor Smith said council will look into it and would be happy to sponsor and adopt legislation necessary and within our legal bounds. Mayor Smith said the village is listed as one of the top 40 safest places to live and there is always room for improvement. Nixon said he will look into it and Madison said he is chairman of the committee as a liaison for the Sheriff's Department and would be happy to have the committee involved in moving forward with this.

Mary Ann said also there needs to be stop sign on McKinley at the intersection of Section Street. Madison said the one way sign is really faded as well and needs to be replaced.

Gilby Humphries – said he wants to have council look at amending the fence Regulation. He said Section I 92-04 says not to go past building and that is not clear. Nixon said the planning commission can look at the legislation. Bob said he had a 6' privacy fence damaged and wants to put a chain link fence in instead. Bob said the old fence was non-conforming. Mayor Smith said the code was written to have conformity and variances are looked at closely. Bob said there is an ordinance as well. Carbo asked if Gilby wanted council to re-write the ordinance and why would they do that? Keith said per the zoning code he could have a variance looked at. Bob said there are specific issues that they have to look at to approve or deny. Mayor Smith said ordinances don't come from no where, there are reasons for them. It was decided Bob would look into the situation.

12. Mayor Smith said the ribbon cutting at Waters Edge was good. He said the development is ahead of schedule by five months. Smith said it is nice to see such a quality project. Carbo asked if they are getting applications to rent at the rate they expected and Mayor Smith said yes. Smith said it is a

prime location and they did extensive studies. Madison said this area is the growth area and this is the sixth development for North American Properties. Carbo said she hopes this helps with Rivers Crossing.

Floor closed to the public.

13. Administrator Craig reviewed his memo. He said ODOT tested for a light at Stone Brook and said it does not warrant one at this time. He said the criteria is 75 vehicles in 8 hours and they only have 35 per hour. He said they acknowledge there is an alternate way out of the development.

Bob said the estimate for the sealant for the water plant will be in on Monday.

Lebanon Road Storm Water Issue II was awarded to us and our match will be \$25,000 and will begin next July.

PNC verbally approved Vista Pointe's bond but it is not in our hands. Bob asked council to allow him and Keith to pull it if it is not brought forward. A motion to allow Keith and Bob to pull the bond if necessary was made by Madison, seconded by Holloway, all yeas.

Bob said the county holds the bonds for Rivers Edge and the prosecutor says the commissioners can release to the locality it is in. He said we need to be the one holding these bonds. Mayor Smith said to write a letter requesting for them to be held by the village. Smith said the road base is not good and we need to be holding these bonds.

Craig said we are coordinating with the townships special council on getting additional information for them. Madison asked for an update on the Union Township agreement. Bob said they have asked for more information for clarification and we are getting it for them. Madison said we are moving forward and was told yes.

14. Council member Carbo thanked Sharon for the email about the packets left. She said it is very helpful.
15. A motion to go into executive session to discuss negotiations at 7:55 p.m. by Holloway, seconded by Carbo, all yeas.

A motion to return from executive session was made at 9:20 p.m. by Carbo, seconded by Holloway, all yeas.

16. A motion to accept the third reading of Resolution 2009-21, which allows a contract with Cincinnati Water works was made by Carbo, seconded by Madison, Evans - nay, three yeas. Carbo said council spent a lot of time with consultants to decide what is best for South Lebanon. She said if the county was in the business

of water a year ago it may have been different. She said this is the price you pay for being on the verge of being a city. Madison stated that we need diversity here and will have two sources and that positions us well as a village or a city.

17. A motion to adjourn the meeting was made at 9:23 p.m. by Carbo, seconded by Madison, all yeas.

Sharon Louallen – Fiscal Officer

James D. Smith - Mayor