

**V ILLAGE OF SOUTH LEBANON
MINUTES
REGULAR MEETING
FEBRUARY 19, 2009
6:30 P.M.**

Sherrri Carbo – Absent
Dean Evans – Present
Glenn Holloway – Present

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

1. Mayor Smith opened the meeting at 6:31 p.m. with the Pledge.
2. Mayor Smith presented the following minutes for approval

Special – January 5, 2009 – a motion to approve made by Holloway, seconded by Evans, all yeas.

Workshop – January 5, 2009 – a motion to approve made by Madison, seconded by Sturtevant, all yeas.

Regular – January 15, 2009 – a motion to approve made by Holloway, seconded by Evans, all yeas.
3. Resolution 2009-03 was presented which accepts the FEMA storm reimbursement for \$14,406.00. A motion to suspend the reading rules was made by Madison, seconded by Holloway, all yeas. A motion to adopt Resolution 2009-03 was made by Holloway, seconded by Evans, all yeas.
4. Ordinance 2009-02 was presented which adopts the Ohio Basic Code. Solicitor Nixon stated that we adopt these revised laws every year for the Mayor's Court. He said 99% of mayor's courts adopt this and it becomes our criminal code. A motion to suspend the reading rules was made by Sturtevant, seconded by Holloway, all yeas. A motion to adopt Ordinance 2009-02 was made by Madison, seconded by Sturtevant, all yeas.
5. Fiscal Officer Louallen presented the years of service under OPERS for Bob Craig as enough to have five weeks vacation under our personnel manual. A motion to honor this vacation time for Bob was made by Holloway, seconded by Madison, all yeas.
6. Mayor Smith said at this time he wishes to recommend that council authorize to renew Anthem as our medical insurance. A motion to renew was made by Madison, seconded by Sturtevant, all yeas.

7. Mayor Smith presented Solicitor Nixon's invoice for approval in the amount of \$1920.00. A motion was made to pay the invoice by Madison, seconded by Holloway, all yeas.
8. Mayor Smith said that we will be receiving additional revenue and Sharon looked at loans and we can save \$72,000.00 by paying one loan off and it would be ten years early. Also we have great news and the long term novation for the sewer treatment facility was looked at as well. December 31st ended those payments. Bob sent a letter to Lebanon and provided documents supporting that the rate cannot be increased without a board meeting, which consists of Bill, Bob and I. They are honoring the terms and having the board meeting. He said we will also address how long we have to pay depreciation. Mayor Smith said we also are paying off a short term sewer loan in June and we will be able to build revenue in the sewer fund. Madison said this is a big deal – the investments the village put in the sewer and being able to reduce the debt is setting the stage or renegotiate the rates in South Lebanon. Mayor Smith said the investment in the sewer had a period of slowing down and now it is increasing and we can pay off utility debt as well as having increased customers. Sturtevant asked if we said we would look at rates in three years and Mayor Smith said we will continue to stabilize and it is a good position to be in. Madison asked how much a month will be saved on the treatment payment with the novation paid off. Fiscal Officer Loullen said about \$7000.00 a month. A motion to pay off the one sewer loan was made by Madison, seconded by Holloway, all yeas.
9. Mayor Smith opened the floor to the public:

Gilby Humphries – asked if the FEMA money was available to homeowners. Nixon explained that this was a reimbursement to municipalities for equipment and wages to clean up after the wind storm.
10. Administrator Craig reported the stimulus has been named the American Recovery Act. He said we have been on the list for OKI and he will attend a meeting on March 5th. He said the State of Ohio recovery lists projects on multiple data bases and I suggest we put the light on Mason-Morrow-Milgrove out there. Bob said he and Phil are going to coordinate with Dave from Brandstetter Carroll about drinking water money availability.

Bob said we have five properties that could be taken care of with the neighborhood money from the county to demo or rehab property. One that was burned is more than 50% damaged and must be torn down and we hold insurance money on it until they comply. They are looking to build a duplex and take both buildings down on the lot. Sturtevant said we need to check the county strings attached for this money because there were some the last time we had that offer.

Bob said LCNB permit has been issued and Chic Filet is planning on being on the agenda for the March 17th planning meeting. He said a hotel may be proposed and we may want to consider a hotel tax for revenue.

Bob reported South Lebanon Apartments are getting a flood permit for the bridge.

Bob said Union Township has agreed to pay ½ of the fireworks this year and he needs authorization to sign the agreement for them. A motion to authorize the fireworks was made by Holloway, seconded by Evans, all yeas.

Craig said that Dave and Peggy Allen approached him about a library at the school that would be open two to three times a week. Insurance was discussed and Sharon said if the village sponsors it our insurance would cover. A motion to appoint the Allen's as the authorized library agents was made by Holloway, seconded by Evans, all yeas.

Bob said the Lebanon Road culvert replacement and road widening is scheduled for this year and the county engineer will get the easements.

Bob reported the early learning center was issued a conditional use permit and will present the site plan for the March 17th planning meeting. Sturtevant said the fence is to be changed for the toddler playground so not visible from the road.

Craig also reported that tomorrow he and Tony will work on punch lists and bond releases.

11. Sgt. Boylan said he attached last year's stats so council can see how it compares to this year. He said he met the Target people and it is a nice store.
12. Fiscal Officer Louallen told council the section of the personnel manual that spells out vacation time earned does not reflect what she thought was meant. It was discussed and the decision is it does not and the break down shall be changed that at six months one week is given and at the year anniversary one week is given. All others will stay the same. A motion to amend as per above was made by Madison, seconded by Holloway, all yeas.
13. A motion to go into executive session to discuss possible litigation was made at 7:15 p.m. by Holloway, seconded by Evans, vote as follows: Evans, yea, Holloway, yea, Madison, yea, Sturtevant, yea and Young, yea.
14. A motion to return from executive session was made at 7:52 p.m. by Madison, seconded by Sturtevant, vote as follows: Evans, yea, Holloway, yea, Madison, yea, Sturtevant, yea and Young, yea.

15. Council member Madison asked if 141 McKinley zoning allowed for a multi family unit. Bob said it is R-3 and can have a duplex and must adhere to flood plane regulations. Madison stated there will probably be opposition because neighbors would prefer single family. Bob stated this would not go before zoning because it meets the zoning requirements. Madison said it would meet heavy scrutiny.
16. A motion to adjourn the meeting was made at 8:55 p.m. by Madison, seconded by Holloway, all yeas.

Sharon Louallen – Fiscal Officer

James D. Smith - Mayor