

COUNCIL AGENDA



Village Council Meeting
6:30 P.M. Thursday, October 1, 2015

Village Administration Building
99 High Street
South Lebanon, Ohio 45065

	Agenda Items
1.	Call to Order
2.	Roll Call
3.	Pledge of Allegiance
4.	Guest Speakers A. None
5.	Open Forum
6.	Approval of Meeting Minutes A. None
7.	Emergency Resolutions/Ordinances and Third Reading of Resolutions/Ordinances A. Emergency – Approve and Authorize Contract With J.K. Meurer Corp. for the Shepherd’s Crossing Punchlist Improvements Project
8.	Village Administrator Reports (non-legislative) A. None
9.	New Business A. First Reading-Ordinance Approving Zoning Map Amendments at Rivers Crossing South Development from R-3PUD and I-1 to R-3 totaling 76.810 Acres B. Request Motion of Village’s Intent to Renovate Old South Lebanon Elementary Building C. Motion to approve invoices to be paid
10.	Old Business A. None
11.	Committee Reports and Communications A. None
12.	Council Member Comments
13.	Village Administrator Comments
14.	Village Solicitor Comments
15.	Warren County Sheriff – Sergeant Boylan’ s Comments

16.	Mayor's Comments
17.	Executive Session A. None
18.	Adjournment

Members of the public may address Council during the Open Forum segment of the agenda and shall be limited to five minutes each. After the speaker concludes remarks Council may comment or ask questions at that time. The Mayor may at his or her discretion restrict duplicate testimony on a particular subject.

The next regular Village Council Meeting will be on Thursday, October 15, 2015 at 6:30 PM.

**VILLAGE OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2015-____**

A RESOLUTION APPROVING AND AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD TO J.K. MEURER CORPORATION FOR THE CONSTRUCTION OF SHEPHERD'S CROSSING PUNCHLIST IMPROVEMENTS PROJECT, AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A CONTRACT FOR THE SAID IMPROVEMENT PROJECT AND THEREAFTER ISSUANCE OF A NOTICE TO PROCEED, AND DECLARING AN EMERGENCY

WHEREAS, the Village published invitations to bid the Project, and the Village Engineer has reviewed all bids timely submitted and recommends based on the results of the bid opening on September 28, 2015, that the base bid of \$97,401.00 from J.K. Meurer Corporation was the lowest and best bid; and,

WHEREAS, due to the deteriorating condition of the project area and the necessity to complete construction of the Project this calendar year, immediate action is required and such action is necessary in order to preserve the public peace, health, safety or welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, at least two-thirds of all members elected thereto concurring:

Section 1. Approve the issuance of a Notice of Award to J.K. Meurer Corporation (Contractor) and further authorize the Mayor and Fiscal Officer to execute the Project Contract after approval as to form by the Village Solicitor and execution by the Contractor.

Section 2. Upon full execution of the Project Contract, the Mayor and Fiscal Officer are further authorized to execute and send a Notice to Proceed to the Contractor.

Section 3. That the Council is acting in its administrative capacity in passing this Resolution.

Section 4. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 5. That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Resolution shall be in full force and effective immediately upon its passage.

Section 6. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 1st day of October, 2015.

Attest: _____
Sharon Louallen, Fiscal Officer/Clerk Lionel Harold Lawhorn, Mayor

Rules Suspended: / /2015 (if applicable)	Effective Date – / /2015
Vote - ____ Yeas ____ Nays	
First Reading – / /2015	Effective Date – / /2015
Second Reading – / /2015	
Third Reading– / /2015	
Vote - ____ Yeas ____ Nays	

Prepared by and approved as to form:
BRUCE A. McGARY
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: _____
Date: 10/01/2015

VILLAGE OF SOUTH LEBANON, OHIO

ORDINANCE NO. 2015-____

AN ORDINANCE APPROVING ZONING MAP AMENDMENTS TO CERTAIN PROPERTIES IN THE VILLAGE OF SOUTH LEBANON, CONSISTING OF 47.972 ACRES FROM R-3 [SINGLE AND MUTIPLE FAMILY RESIDENTIAL DISTRICT] WITH A PLANNED UNIT DEVELOPMENT OVERLAY TO R-3 [SINGLE AND MUTIPLE FAMILY RESIDENTIAL DISTRICT] , 20.971 ACRES FROM I-1 [LIGHT INDUSTRIAL DISTRICT] TO R-3 [SINGLE AND MUTIPLE FAMILY RESIDENTIAL DISTRICT], AND 7.867 ACRESS (OF A 42.789 ACRE PARCEL) FROM I-1 [LIGHT INDUSTRIAL DISTRICT] TO R-3 [SINGLE AND MUTIPLE FAMILY RESIDENTIAL DISTRICT], FOR A TOTAL OF 76.810 ACRES

WHEREAS, on July 30, 2015, HPA Management Group, LLC, as Agent for the Owner, Lebanon Mason, LLC ("Applicant"), filed an application for Rezoning 111.490 acres in the Village of South Lebanon including rezoning 34.68 acres of a 42.789 acre parcel from I-1 [Light Industrial District] to B-2 [General Business District], and rezoning the remaining 7.681 acres of the 42.789 acre parcel along with a 20.971 acre parcel from I-1 [Light Industrial District] to R-3 [Single and Multiple Family Residential District], and rezoning a 47.972 acre parcel from R3 PUD [Single and Multiple Family Residential District with a Planned Unit Development Overlay] to R-3 [Single and Multiple Family Residential District], in order to develop a mixed-use development to be known as Rivers Crossing South; and,

WHEREAS, in accordance with Section 15.7.7 of the Village of South Lebanon Zoning Regulations (Zoning Regs), on August 18, 2015, being within the required 60 day time period, the Village Planning Commission, heard the aforementioned Rezoning Application and issued its recommendation to the Village Council that the zoning amendment be granted, as requested; and,

WHEREAS, in accordance with Section 713.12 of the Revised Code and Section 15.7.8 of the Zoning Regs, the Village Council scheduled the Rezoning Application for a public hearing; and,

WHEREAS, prior to the said public hearing, the Applicant modified, in writing, the rezoning application by reducing the total acreage from

111.490 to 76.810 acres (specifically, Applicant withdrew the request to rezone 34.68 acres from I1 to B2); and,

WHEREAS, the Village Council held the public hearing on September 24, 2015 at 6:00 P.M., after publication and other proper notice thereof, to consider the recommendation of the Planning Commission to amend the zoning map by rezoning the following identified properties, to-wit:

<u>Owner(s)</u>	<u>Property Address</u>	<u>Parcel No.</u>	<u>Acreage</u>
Lebanon Mason, LLC	-0- W. Mason- Morrow-Millgrove Rd. Lebanon, OH 45036	12-01-151-004	47.972 ac.
Lebanon Mason, LLC	1151 W. Mason- Morrow-Millgrove Rd. Lebanon, OH 45036	12-01-151-006	20.971 ac.
Lebanon Mason, LLC	-0- W. Mason- Morrow-Millgrove Rd. Lebanon, OH 45036	Pt.-12-01-151-002	7.867 ac. of 42.789 ac.

WHEREAS, upon considering the recommendation of the Planning Commission, a copy of which is incorporated by reference herein, and testimony received during the public hearing from the Applicant (and no other persons having testified), the Council finds the process has been in accordance with Article 7 [Amendment Procedures], and adopts the recommendation of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, Ohio, at least three-fourths of all members elected thereto concurring:

Section 1. That the Council does hereby amend the official Zoning Map of the Village of South Lebanon, Ohio, as follows:

<u>Property Address</u> <u>Classification</u>	<u>Parcel No.</u>	<u>Acreage</u>	<u>Zoning</u>
-0- W. Mason-	12-01-151-004	47.972 ac.	from R-3 PUD

Morrow-Millgrove Rd. to R-3 [Single &
Multiple
Lebanon, OH 45036 Family Residential]

1151 W. Mason- 12-01-151-006 20.971 ac. from I-1 [Light
Industrial]
Morrow-Millgrove Rd. to R-3 [Single &
Multiple
Lebanon, OH 45036 Family Residential]

-0- W. Mason- Pt.-12-01-151-002 7.867 ac. from I-1 [Light
Industrial
Morrow-Millgrove Rd. of 42.789 ac. to R-3 [Single &
Multiple
Lebanon, OH 45036 Family Residential]

Section 2. Upon the expiration of this Ordinance having been fully and distinctly read on three different days, and the period of referendum provided by law (the effective date being 30 days after the date of adoption), within fifteen (15) days of the effective date, the Zoning Administrator shall amend the Official Zoning Map to reflect the zoning changes in accordance with Sec. 15.7.14 [Zoning Map Amendments] of the Zoning Regs.

Section 3. That the Council is acting in its legislative capacity in approving this Ordinance.

Section 4. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 5. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Approved this ____ day of October, 2015.

Attest: _____

Sharon Louallen, Fiscal Officer/Clerk Lionel Harold Lawhorn, Mayor

First Reading – / /2015
/2015

Effective Date – /

Second Reading – / /2015

Third Reading– / /2015

Vote - ____ Yeas

____ Nays

MEMORANDUM

To: Mayor & Village Council
From: Jerry Haddix, Village Administrator
Date: September 29, 2015
Subject: Motion of Intention for Old School

I have been meeting and talking with various people re: the renovation of the old SLE building from architects & contractors to possible lessees. It would assist in these discussions if the Village Council took formal action to demonstrate their commitment to the project. Obviously, this would not be binding and more symbolic and show a serious commitment. Therefore, I would recommend the following motion:

“ A motion to formalize the Village of South Lebanon’s intent to renovate the old South Lebanon Elementary School, 9 North High Street, for use as a Village Municipal Building. In addition, to use the Village property at the southeast corner of High Street and Broadway as a parking facility and open space. Total investment in the project is estimated between \$750,000 and \$1,000,000 depending on actual design and construction costs.”

Let me know if you have any questions or comments.