

COUNCIL AGENDA



Village Council Meeting
6:30 P.M. Thursday, September 3, 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. The Honorable Michael Gilb, Warren County Common Pleas Court Judge
5.	Open Forum
6.	Approval of Meeting Minutes A. None
7.	Emergency Resolutions/Ordinances and Third Reading of Resolutions/Ordinances A. Third Reading – Approve Comprehensive Plan as Prepared by the Warren County Regional Planning Commission
8.	Village Administrator Reports (non-legislative) none
9.	New Business A. Second Reading – Resolution to Advertise for Bids to Lease the Community Center B. 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, September 17, 2015 at 6:30 PM.

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

**A RESOLUTION ADOPTING THE 2015 VILLAGE OF SOUTH LEBANON
COMPREHENSIVE PLAN**

WHEREAS, the Council passed Resolution No. 2014-01 and the Village entered into a contract on 02/20/2014 with the Warren County Regional Planning Commission (RPC) for the RPC to provide consulting services to the Village in preparing for adoption a Comprehensive Plan; and,

WHEREAS, RPC has completed all the requirements per the contract and the Comprehensive Plan has been available on the Village's Website for public review and comment; and,

WHEREAS, the Village's Planning Commission recommended approval at its July 15, 2015 meeting; and,

WHEREAS, the Council now desires to adopt the 2015 Comprehensive Plan.

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

Section 1. That the Council does hereby adopt the 2015 Comprehensive Plan, a copy of which is attached hereto and made a part hereof.

Section 2. The Fiscal Officer shall cause a copy of the Comprehensive Plan to be deposited with the County Recorder.

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

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 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 6th day of August, 2015.

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

First Reading – / /2015	Effective Date – /
/2015	
Second Reading – / /2015	
Vote - ____ Yeas	
____ Nays	

Prepared by and approved as to form:

BRUCE A. MCGARY
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: _____
Date: _____

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

A RESOLUTION FINDING THE PROPERTY LOCATED AT 83 N. SECTION STREET BEING A PART OF THE PROPERTY COMMONLY KNOWN AS THE COMMUNITY CENTER IS NOT NEEDED FOR ANY MUNICIPAL PURPOSE, AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO PREPARE AN ADVERTISEMENT FOR SEAL BIDS TO LEASE THE PROPERTY WITH A RESERVATION OF RIGHTS TO REJECT ALL BIDS, AND FURTHER AUTHORIZING THE FISCAL OFFICER TO ADVERTISE BY ABBRIEVATED PUBLICATION

WHEREAS, Section 721.01 of the Ohio Revised Code enables the Village Council to lease real estate belonging to the Village when such real estate is not needed for any municipal purpose, and upon making such a finding such power must be exercised in accordance with the applicable provisions Chapter 721, inclusive, of the Revised Code; and,

WHEREAS, in accordance with Section 721.03, such lease of real estate may only occur upon the adoption of an Ordinance by a two-thirds vote of the members of Council to enter into a Contract to sell to the highest bidder, subject to a reservation to reject any and all bids re-advertise, after advertisement once a week for five consecutive weeks in a newspaper of general circulation within the Village, or after abbreviated publication per Section 7.16 of the Revised Code; and,

WHEREAS, the Village is the fee owner of real estate with improvements thereon acquired from the Board of Education of Kings Local School District of Warren County, Ohio, being a total of 3.188 acres, by virtue of a Quit-claim deed dated July 16, 2002, and recorded in Official Record Volume 2662, Page 411 of the office of the Warren County, Ohio Recorder; and,

WHEREAS, the Village has caused a survey and Re-plat of the said property to be prepared, that re-plats the property into three separate lots, including: Lot 1 consisting of 0.717 acres where the two story former school building is situated, and Lot 2 consisting of 1.403 acres where the one story former school building is situated (collectively referred to as the "Community Center"), and Lot 3 consisting of 1.068 acres that is

improved, leased and occupied by the South Lebanon Early Learning Center; and,

WHEREAS, the Village is considering long-term leasing of building on Lot 2 (having an address of 83 N. Section Street), and the Council desires at this time to advertise to long term lease the building on Lot 2 with a reservation of rights to reject all bids.

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

Section 1. That the Council finds the real estate and improvements at 83 N. Section Street (illustrated as Lot 2 of the Community Center Replat) is owned by the Village, and is not needed at this time for any municipal purpose; and,

Section 2. That the Council desires to and does hereby authorize the Village Administrator to prepare an invitation for sealed bids to lease the real estate and improvements at 83 N. Section Street (illustrated as Lot 2 of the Community Center Replat) as-is and where-is and subject to the invitation reserving to Council the right to reject all bids, and with the following obligations and restrictions: a lease the terms and conditions of which are approved by the Council and the Solicitor, including without limitation the lease being subject to existing leases and any rights of renewal, plus designated areas in the building being available for community functions; each successful bidder submitting a Capital Improvement Plan (CIP) that identifies specific improvements, a budget and timetable, with such improvements being at the sole cost of the successful bidder; the lease providing the successful bidder shall be solely responsible for all maintenance and utility costs during the term of the lease; the lease providing for the successful bidder being solely responsible for proving and maintaining at all times casualty and liability insurance with limits acceptable to the Council and with the Village being named an additional insured; the lease providing the successful bidder may sublease areas of the building only with the Council being made a Co-lessor; the lease containing an acceptable termination clause; the lease providing that should the lease result in a revocation of

the tax exempt status of the property, the successfully bidder shall be responsible for paying the real estate taxes and assessments.

Section 3. That the Council does hereby authorize the Fiscal Officer to advertise the said invitation in a newspaper of general circulation in the Village using the abbreviated publication process permitted in Section 7.16 of the Revised Code, which includes listing the Village's Website in such publications; and,

Section 4. That upon completion of the foregoing steps in Sections 1-3, no lease will be entered into until such time as Council approves by a two-thirds vote of the members of Council to move forward by passing a separate Ordinance to lease the property and accept the highest bid.

Section 5. That the Council is acting in its administrative capacity in adopting this Resolution.

Section 6. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 7. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of 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 day of , 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
/2015

Effective Date – /

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: ____ / ____ /2015