

AGENDA
REGULAR MEETING OF CITY COUNCIL
JUNE 2, 2022, at 6:30 P.M.

1. Mayor Smith calls the meeting to order

2. Roll Call:

Linda Allen
Linda Burke
Brenda Combs

Maryan Harrison
Bill Madison
Rolin Spicer

3. Pledge of Allegiance

4. Guests: Daniel Corcoran, Community Service Project

5. Floor open to the public

6. New Business: Emergency Resolution 2022-23, authorizing the execution of a Cooperation Agreement with the Warren County Board of Commissioners and the Warren County Engineer relative to the Pike Street Bridge OPWC Project

Motion to appoint a member to the charter commission due to vacancy

Approval of Invoices

Approval of Meeting Minutes:
Regular Meeting – May 19, 2022

7. Old Business:

8. Communications and reports from City Officials and Committees:

- | | |
|------------------------|--------------------|
| a. Mayor | e. Solicitor |
| b. Fiscal Officer | f. Sergeant |
| c. Administrator | g. Council Members |
| d. Asst. Administrator | |

9. Executive Session:

10. Adjournment:

**CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2022-23**

**A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND CITY
ADMINISTRATOR TO EXECUTE A COOPERATION AGREEMENT WITH THE
WARREN COUNTY BOARD OF COUNTY COMMISSIONERS AND THE WARREN
COUNTY ENGINEER, AND DECLARING AN EMERGENCY**

WHEREAS, the Warren County Engineer has submitted a pre-application to the Ohio Public Works Commission (OPWC) for the Pike Street Bridge Replacement Project; and,

WHEREAS, the City of South Lebanon has elected to participate in this Project with Warren County and has budgeted \$25,000 to the construction of this Project; and,

WHEREAS, OPWC regulations require the execution of a cooperation agreement with all involved entities to be considered a multi-jurisdictional project and to score additional project scoring points for being a multi-jurisdictional project; and,

WHEREAS, immediate action is required in order to allow Warren County Engineer's Office to move forward with this project and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

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

Section 1. Approve and authorize the Mayor and City Administrator to execute a Cooperation Agreement, a copy of which is attached hereto, with the Warren County Board of County Commissioners and the Warren County Engineer.

Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 3. 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.

Resolution No. 2022-23

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Section 4. 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.

Adopted this ____ day of _____, 2022.

Attest: _____
Petrina D. Williams, Fiscal Officer/Clerk James D. Smith, Mayor

| | | |
|--------------------------|-----------------|--------------------------|
| Rules Suspended: | (if applicable) | Effective Date – |
| Vote - ____ Yeas | | |
| ____ Nays | | |
| First Reading – / /2022 | | Effective Date – / /2022 |
| Second Reading – / /2022 | | |
| Third Reading – / /2022 | | |
| Vote - ____ Yeas | | |
| ____ Nays | | |

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: _____

Date: _____

COOPERATION AGREEMENT
Mason-Morrow-Millgrove Road (Pike Street) Bridge #38-3.73 Rehabilitation Project

THIS IS AN AGREEMENT made as of _____, 20____ between The Warren County Board of County Commissioners (“County”), The Warren County Engineer (“County Engineer”), and the City of South Lebanon (“City”).

The County, the County Engineer, and the City propose a project to rehabilitate the Mason-Morrow-Millgrove Road (Pike Street) over Dry Run and complete associated roadway improvements (“Project”). The purpose of the Project is to improve public safety and better serve the needs of the traveling public by rehabilitating the deteriorated structure.

The City consents to the improvements and agrees to cooperate in the Project by contributing **(\$25,000.00)** to the Project. The County Engineer consents to the Project and agrees to cooperate in the Project by paying for the remainder of the Project costs. Funding to provide these services and acquisitions shall come from the County Engineer’s Road and Bridge Fund and from the City’s Street Fund.

The City authorizes the County Engineer to be the lead for the Project. The County Engineer will act as the project manager, acquire necessary right-of-way, prepare and execute any and all documents required for right-of-way acquisition.

County Engineer shall be responsible to properly request, receive, and review construction bids. County Engineer will negotiate a fee and execute a construction contract to complete the work. County Engineer will administer the construction contract and/or any approved and properly executed amendments to the construction contract. After the work is performed, County Engineer shall coordinate review of the work by all necessary parties, and verify that the construction work invoiced has been completed and directly pay the construction fees. County Engineer will then invoice the City for their agreed amount of contribution toward the Project.

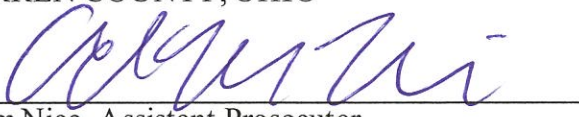
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IN EXECUTION WHEREOF, upon written recommendation of the Warren County Engineer, the Warren County Board of County Commissioners has caused this Agreement to be executed by _____, its _____ on the date stated below, pursuant to Resolution No. _____, dated _____.

| | |
|---|---|
| RECOMMENDED BY: WARREN COUNTY ENGINEER | RECOMMENDED BY: WARREN COUNTY BOARD OF COUNTY COMMISSIONERS |
| SIGNATURE: | SIGNATURE: |
| PRINTED NAME: Neil F. Tunison | PRINTED NAME: |
| TITLE: County Engineer | TITLE: |
| DATE: | DATE: |

Prepared by:

DAVID R. FORNSHELL,
PROSECUTING ATTORNEY
WARREN COUNTY, OHIO

BY: 

Adam Nice, Assistant Prosecutor
500 Justice Drive
Lebanon, Ohio 45036
Ph. (513) 695-1399
Fx. (513) 695-2759
Email: Adam.Nice@co.warren.oh.us

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IN EXECUTION WHEREOF, the City of South Lebanon has caused this Agreement to be executed by _____, its _____ on the date stated below, pursuant to Resolution No. _____, dated _____.

| | |
|--------------------------------|--|
| CITY OF SOUTH LEBANON MAYOR | CITY OF SOUTH LEBANON ADMINISTRATOR |
| SIGNATURE: | SIGNATURE: |
| PRINTED NAME: James Smith | PRINTED NAME: Jerry Haddix |
| TITLE: Mayor | TITLE: Administrator |
| DATE: | DATE: |

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City of South Lebanon
10 N. High Street, South Lebanon, Ohio 45065
513-494-2296 fax: 513-494-1656
www.southlebanonohio.org

MEMORANDUM

To: Mayor & City Council
CC: Andrew Meier, City Solicitor
From: Jerry Haddix, City Administrator
Date: June 1, 2022
Subject: Charter Commission Vacancy

Subsequent to the last City Council, City staff received the resignation of Willard Spicer from the newly elected & formed Charter Commission. Per City Ordinance 20222-04, if, at any time, the Commission chosen to frame a charter has fewer than 15 members, *“Council may appoint, by motion and majority vote, additional members to the Commission so that the Commission has a total of 15 members; provided, that any member so appointed by Council to the Commission shall be a qualified elector of the City that is eligible to serve on the Commission.”*

There were four candidates who were not in the top 15 in the May 3 election. You may select one of them, someone else, or not fill the position.

The initial Charter Commission meeting is set for June 8, at 6:00 p.m.

If you have any questions or need additional information, please let me know.