

AGENDA

REGULAR MEETING OF CITY COUNCIL JULY 21, 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: Richard Bertagna, and Angie Smith, Executive Director of Lebanon Area Chamber of Commerce

5. Floor open to the public

6. New Business: Emergency Resolution 2022-29 authorizing to submit an application to the Ohio Public Works Commission for a grant for the Forrest Avenue Reconstruction Project (phase one)

Emergency Resolution 2022-30 authorizing to submit an application to the Ohio Public Works Commission for a grant for the Morrow Road Reconstruction Project (phase one)

Emergency Ordinance 2022-19 amending Ordinance 2013-13 and changing the commencement time for regular meetings of Council to 6:00 p.m. instead of 6:30 p.m

Emergency Ordinance 2022-20 establishing a Special Revenue Fund for the One Ohio Opioid Settlement

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

Approval of Invoices

Approval of Solicitor's Invoice

Approval of June 2022 Financial Statements

Approval of Meeting Minutes:
Regular Meeting – July 7, 2022

7. Old Business:

8. Communications and reports from City Officials and Committees:

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

9. Executive Session:

10. Adjournment:



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: Tina Williams, Fiscal Officer
From: Jerry Haddix, City Administrator
Date: July 15, 2022
Subject: OPWC Final Applications

Attached are resolutions for the submittal of an Ohio Public Works Commission (OPWC) final applications for 2023. The applications are due by July 29th. The applications are for the 1st phase of the reconstruction of Morrow Road and the 1st phase of Forrest Avenue. We have previously submitted the pre-applications for these projects.

Here is a breakdown of the proposed **Morrow Road** budget:

\$519,244	OPWC Request
<u>\$233,350</u>	City funds (General, street & water funds)
\$752,594	TOTAL PROJECT COST

Here is breakdown of the proposed **Forrest Avenue** project:

\$445,342	OPWC Request
<u>\$200,100</u>	City funds (General, street & water funds)
\$645,442	TOTAL PROJECT COST

Let me know if you have any questions or need additional information.

**CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2022-29**

**A RESOLUTION AUTHORIZING THE CITY OF SOUTH LEBANON TO PREPARE
AND SUBMIT AN APPLICATION FOR THE FORREST AVENUE
RECONSTRUCTION PROJECT PHASE ONE TO PARTICIPATE IN THE OHIO
PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR
LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND DECLARING
AN EMERGENCY**

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and,

WHEREAS, the City of South Lebanon is planning to make capital improvements for Forrest Avenue Phase One Project; and,

WHEREAS, the infrastructure improvements herein above described are considered to be a priority need for the community and is a qualified project under the OPWC programs, and

WHEREAS, immediate action is required to assure timely delivery of public works services and projects in the City and to meet the July 29, 2022 deadline date for the submission of the application, 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 City of South Lebanon, Ohio, at least two-thirds of all members elected thereto concurring:

Section 1. That the Council authorizes the Mayor to apply to the OPWC for funds for the Forrest Avenue Reconstruction Project Phase One, as described above.

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

Section 3. 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.

Resolution No. 2022-29

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Section 4. 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 21st day of July, 2022.

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

Rules Suspended: / /2022 (if applicable)	Effective Date – / /2022
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: _____

**CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2022-30**

**A RESOLUTION AUTHORIZING THE CITY OF SOUTH LEBANON TO PREPARE
AND SUBMIT AN APPLICATION FOR THE MORROW ROAD
RECONSTRUCTION PROJECT PHASE ONE TO PARTICIPATE IN THE OHIO
PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR
LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND DECLARING
AN EMERGENCY**

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and,

WHEREAS, the City of South Lebanon is planning to make capital improvements for Morrow Road Phase One Project; and,

WHEREAS, the infrastructure improvements herein above described are considered to be a priority need for the community and is a qualified project under the OPWC programs, and

WHEREAS, immediate action is required to assure timely delivery of public works services and projects in the City and to meet the July 29, 2022 deadline date for the submission of the application, 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, Ohio, at least two-thirds of all members elected thereto concurring:

Section 1. That the Council authorizes the Mayor to apply to the OPWC for funds for the Morrow Road Reconstruction Project Phase One, as described above.

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

Section 3. 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.

Resolution No. 2022-30

Section 4. 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 21st day of July, 2022.

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

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Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: _____
Date: _____

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2022-19**

**AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 2013-12, AND
CHANGING THE COMMENCEMENT TIME FOR REGULAR MEETINGS OF THE
COUNCIL OF THE CITY OF SOUTH LEBANON.**

WHEREAS, Council of the City of South Lebanon (formerly the Village Council) previously adopted Ordinance No. 2013-12, which amended Ordinance No. 2002-14 in its entirety and established the day, time, and place of regular Council meetings and Council workshops; and

WHEREAS, Council of the City of South Lebanon have expressed a desire to commence regular City Council meetings at 6:00 p.m. instead of 6:30 p.m. to better accommodate City staff, Council members, and members of the South Lebanon community; and

WHEREAS, City staff believes changing the commencement time of regular City Council meetings will achieve the desires expressed by City Council; and

WHEREAS, prompt action on this Ordinance is necessary as an emergency measure in order immediately change the commencement date of regular City Council meetings and in order to preserve the public peace, health, safety, and general welfare of the City.

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

Section 1. That Ordinance No. 2013-12 is hereby amended as follows: all regular meetings of the Council of the City of South Lebanon shall commence at 6:00 p.m., and such commencement time shall be included in all appropriate notices and information provided to members of the South Lebanon community.

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 passing 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.

Ordinance No. 2022-19

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Section 4. That this Ordinance is hereby declared to be an emergency measure, in accordance with Section 731.30 of the Ohio Revised Code, for the immediate preservation of the public peace, health, safety and general welfare; and, this Ordinance shall be in full force and effective immediately upon its passage.

Adopted this ____ day of _____, 2022.

Attest: _____
Petrina Williams, Fiscal Officer/Clerk

James D. Smith, Mayor

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

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: _____

Date: __/__/2022



City of South Lebanon
10 N. High Street, South Lebanon, Ohio 45065
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MEMORANDUM

To: Mayor & City Council

CC: Andrew Meier, City Solicitor
Jerry Haddix, City Administrator

From: Tina Williams, Fiscal Officer

Date: July 19, 2022

Subject: Establishing the OneOhio Opioid Settlement Fund

Ordinance 2022-20 authorizes the Fiscal Officer to create the Special Revenue – OneOhio Opioid Settlement Fund. The new fund is required by the Auditor of State to separately account for funds received from the opioid settlement.

Council previously approved Ordinance 2021-24 authorizing the City to collaboratively participate with other local governments in litigation to hold Opioid Pharmaceutical Supply Chain participants accountable for their involvement in the opioid epidemic and agreed to the terms of the OneOhio Memorandum of Understanding related to the allocation and the use of the proceeds on any potential settlement.

Last year, Ohio finalized a \$808 million opioid settlement with the drug companies. Over the next 18 years, the city expects to receive \$8,269.07 from the settlement. Funds are to be used towards prevention, community treatment, awareness education and recovery options that help battle the opioid epidemic.

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE 2022-20**

AN ORDINANCE ESTABLISHING A SPECIAL REVENUE FUND FOR THE ONE OHIO OPIOID SETTLEMENT AND AUTHORIZING THE FISCAL OFFICER TO DEPOSIT FUNDS INTO SUCH ACCOUNT AND PAY QUALIFIED EXPENDITURES FROM SAID FUND, AND DECLARING AN EMERGENCY

WHEREAS, The State of Ohio has reached a \$808 million agreement with the three largest distributors of opioids; and

WHEREAS, the settlement allocates 30% to local governments; and

WHEREAS, Ohio Revised Code § 5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax; and

WHEREAS, Ohio Revised Code § 5705.10(I) states that money paid into a fund must be used only for the purposes for which such fund is established; and

WHEREAS, immediate action is required to establish the fund in order to properly receipt settlement funds, 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 a two-thirds of all members elected thereto concurring:

Section 1. That the City Council does hereby create a fund to be known as the OneOhio Opioid Settlement Fund. Expenditures made from this fund shall comply with the allowable uses contained within the OneOhio memorandum of understanding (MOU).

Section 2. That the Council authorizes the Fiscal Officer to establish said fund and to deposit monies therein as indicated by Council.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That this Ordinance 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 Ordinance shall be in full force and effective immediately upon its passage.

Section 5. That it is found and determined that all formal actions of the Council concerning and relating to passing 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.

Adopted this 21st day of July, 2022.

Attest: _____
Petrina Williams, Fiscal Officer/Clerk

James D. Smith Mayor

Rules Suspended: / /2022 (if applicable)	Effective Date – / /2022
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Vote - ____ Yeas ____ Nays	

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: _____
Date: _____



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MEMORANDUM

To: Mayor & City Council

CC: Andrew Meier, City Solicitor

From: Jerry Haddix, City Administrator

Date: July 15, 2022

Subject: Charter Commission Vacancy

Due to health reasons, David Parsons, who was elected to serve on the Charter Commission, has decided to step down from the 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.”*

The Charter Commission has a meeting on July 20th and may recommend a person to fill the vacancy. If that is the case, Bryan Corcoran, the Commission Chairperson, would most likely be in attendance to present their recommendations. The Council would also have the option to appoint any other qualified resident.

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