

**CITY OF SOUTH LEBANON
SPECIAL MEETING MINUTES**

October 25, 2022

6:00 p.m.

1. Mayor Smith opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

2. ATTENDANCE

Linda Allen – Present

Linda Burke – Present

Brenda Combs – Present

Maryan Harrison – Present

Bill Madison - Present

Rolin Spicer - Present

NEW BUSINESS – Disciplinary Appeal Hearing for Michael Panno

Record of Discipline/Order was served on Appellant, Michael A. Panno (“Appellant”), a Lead Operator of the City of South Lebanon on September 16, 2022, a copy of which is attached hereto. On September 23, 2022, Appellant timely appealed the Record of Discipline / Order dated September 16, 2022, to the Council, a copy of which (along with the attached supporting documents) are attached hereto. The Appeal was scheduled for an Appeal Hearing on October 4, 2022. On October 3, 2022, Appellant requested a continuance. The Appeal Hearing was rescheduled for October 25, 2022.

Appellant was given notice of the date, time and place of the Appeal Hearing, and a quasi-judicial administrative hearing was held before the Council on October 25, 2022 (the “hearing”). The hearing was called to order by Mayor James D. Smith and presided over by City Solicitor Andrew P. Meier as delegated by the Mayor, with Council Members Linda Allen, Linda Burke, Brenda Combs, Maryan Harrison, William Madison, and Rolin Spicer present. The Appellant was present and represented himself.

During the hearing, Appellant was permitted to appear and be heard in person, or by an attorney. Appellant was given a reasonable opportunity to present his Appeal. Appellant was also given a reasonable opportunity to offer and examine witnesses and present documentary evidence in support of his Appeal. Appellant was also given the opportunity to cross-examine any witnesses called by the Council. Appellant was afforded the opportunity to admit into evidence additional documentary evidence in support of his Appeal.

Appellant was asked during the hearing whether he wanted the hearing to take place in private, or in public. Appellant stated the hearing could be heard in the public.

Whereupon, Appellant testified under oath. Appellant called no witnesses. City Administrator, Jerry Haddix testified under oath at the request of the Council, and was cross-examined by Mr. Panno. The hearing was recorded, and minutes were taken by South Lebanon Fiscal Officer, Petrina D. Williams. In addition to witness testimony, the whole record upon which the Council relied consisted of the written Appeal filed September 23, 2022 and all supporting evidence filed therewith, as well as additional documentary evidence presented by Appellant and accepted as evidence by the Council during the hearing.

Mr. Panno was then given an opportunity to respond to Mr. Haddix's testimony. Mr. Meier asked Appellant if he had anything else to say or evidence to present. Appellant replied not at this time.

Andrew Meier instructed Appellant that he needs to describe on the record what he desires Council to rely on to make its decision and he thinks we have a copy of it but to make sure, show us what you want Council to look at and make part of the record. Appellant stated the appeal and a letter dated August 12, 2022, from the Union Township Fire Chief. Fiscal Officer, Petrina Williams made copies of the additional documents Appellant presented as evidence for each Member of the Council, copies of which are attached hereto.

At 6:41 p.m., Council Member Burke made a motion to deliberate in private, seconded by Council Member Madison, all yeas.

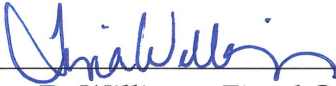
At 7:00 p.m., Council Member Allen made a motion to return from deliberations, seconded by Council Member Burke, all yeas.

After returning from deliberations, the Council voted 6-0 to affirm the disciplinary measure taken against the Appellant in the Record of Discipline Order dated September 16, 2022, as follows: Council Member Burke, moved to affirm the disciplinary action dated September 16, 2022. The motion was seconded by Council Member Madison, and the following vote ensued:

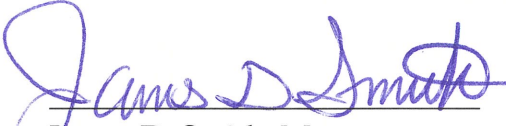
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Allen - yea
Burke - yea
Combs- - yea
Harrison - yea
Madison - yea
Spicer - yea

Mayor Smith asked for a motion to adjourn the meeting at 7:01 p.m. A motion was made by Council Member Madison, seconded by Council Member Burke, all yeas.



Petrina D. Williams, Fiscal Officer



James D. Smith, Mayor

For an audio copy of the October 25, 2022, minutes of the City of South Lebanon Council special meeting, please contact Fiscal Officer at twilliams@southlebanonohio.org.