

AGENDA
REGULAR MEETING OF CITY COUNCIL
JULY 6, 2023, at 6:00 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. Public Hearing: Public Hearing Fiscal Year 2024 Tax Budget

5. Guests:

6. Floor open to the public:

7. New Business:

Emergency Resolution 2023-25 approving and authorizing the Director of Finance to submit the [interim] tax budget for Fiscal Year 2024 to the County Auditor

Emergency Ordinance 2023-21 rescinding Ordinances 2023-17 and 2023-18 with respect to the electric and natural gas aggregation programs

Emergency Ordinance 2023-22 approving a plan of operation and governance for Electric Aggregation in the City of South Lebanon

Emergency Ordinance 2023-23 approving a plan of operation and governance for Natural Gas Aggregation in the City of South Lebanon

Approval of Invoices

Approval of Meeting Minutes:
Regular Meeting – June 15, 2023

8. Old Business:

9. 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 | |

10. Executive Session:

11. 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: Jerry Haddix, City Administrator

From: Tina Williams, Director of Finance

Date: July 3, 2023

Subject: FY2024 Tax Budget

Attached is an emergency resolution approving and authorizing the Director of Finance to submit the Interim Tax Budget for FY2024 to the Warren County Auditor. The Interim Tax Budget is required to be adopted by July 14th and submitted to the County Auditor before July 20th each year. Failure to approve and submit a tax budget timely may jeopardize the City's share of Local Government Funds.

The purpose of the tax budget is to assess the overall financial health of the City and determine if the rate that is levied for property taxes along with other sources of revenue are sufficient to meet financial needs. The tax budget includes detailed information on revenues and expenditures for the General Fund and summary information on all other funds that do not receive property taxes.

The City's General Fund collects 1.3 mills in property taxes. It is estimated that \$200,000 will be collected in property taxes for FY2024. The main source of revenue in our General Fund is from the City's Municipal Income Tax. With a tax rate of 1%, we have estimated \$2.5 million in collections for FY2024. This amount is conservative and based on our actual 2022 collections. We are expecting an overall increase in General Fund expenditures due to the repayment of the municipal building renovations note, \$632,813. The fund balance at the end of 2024 for the General Fund is estimated at \$2.5 million.

The tax budget begins the budget process by certifying estimated revenues to the County Auditor. Once the tax budget is approved by the County Auditor and estimated resources set for FY2024, annual appropriations can be planned and passed by Council.

**CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2023-25**

**A RESOLUTION APPROVING OF AND AUTHORIZING THE DIRECTOR OF
FINANCE TO SUBMIT THE [INTERIM] TAX BUDGET FOR FISCAL YEAR 2024 TO
THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY**

WHEREAS, the City is required to timely submit an [interim] tax budget for each fiscal year to the County Auditor; and,

WHEREAS, the Director of Finance has prepared the FY2024 [interim] tax budget for the City, and provided a copy to the Council; and,

WHEREAS, immediate action is required for the City's FY 2024 [interim] Tax Budget to be timely submitted to the County Auditor in order for the City to fund its FY2024 operations, 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 does hereby approve of the [interim] Tax Budget prepared by the Director of Finance for FY2024.

Section 2. That the Council does authorize the Director of Finance to submit the [interim] Tax Budget for FY2024 to the County Auditor.

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

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.

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.

Resolution 2023-25 – FY2024 Tax Budget

Adopted this 6th day of July, 2023.

Attest: _____
Petrina D. Williams, Director of Finance

James D. Smith, Mayor

Rules Suspended: / /2023 (if applicable)	Effective Date – / /
Vote - ____ Yeas ____ Nays	
First Reading – / /	Effective Date – / /
Second Reading – / /	
Vote - ____ Yeas ____ Nays	

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: _____
Date: _____

WARREN
COUNTY

BUDGET -
OF -
CITY OF SOUTH LEBANON

FOR FISCAL YEAR
BEGINNING JANUARY 1, 2024

Filed _____, _____

County Auditor

Deputy Auditor

COUNTY AUDITOR'S ESTIMATE

TAX LEVIES AND RATES FOR _____. IN CITY OF SOUTH LEBANON SPECIAL.
TAX VALUATION \$ _____

	County Auditor's Estimate of Rate in Mills
LEVIES WITHIN 10 MILL LIMITATION -	
County	
Township	
School	
Municipality	
TOTAL	
LEVIES OUTSIDE OF 10 MILL LIMITATION -	
County	
Township	
School	
Municipality	
TOTAL	
TOTAL LEVY FOR ALL PURPOSES	

Office of the Board of Trustees of City Of South Lebanon, Warren County, OH
 To the County Auditor:

The Board of Trustees of said Special District hereby submits its Annual Budget for the year commencing January 1st, 2024 for consideration of the County Budget Commission pursuant of Section 5705.30 of the Revised Code.

Tina Williams
 Fiscal Officer

SCHEDULE A
 SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION
 AND COUNTY AUDITOR'S ESTIMATED TAX RATES

Fund Description	Levy Description	Amount Approved by Budget Commission	Amount to be Derived from Levies	County Auditor's Estimate of Tax Rate to be Levied	
		Inside 10 Mill Limitation	Outside 10 Mill Limitation	Inside 10 Mill Limit	Outside 10 Mill Limit
		Column I	Column II	Column III	Column IV
TOTAL					

**CITY OF SOUTH LEBANON, WARREN COUNTY
BUDGET YEAR 2024**

FUND CLASSIFICATION: GENERAL

DESCRIPTION	2021 Actual	2022 Actual	Current Year Estimated for 2023	Budget Year Estimated for 2024
FUND BALANCE 1/1	\$2,968,523.01	\$3,200,758.99	\$4,064,088.38	\$3,498,330.81
Revenues				
Property and Other Local Taxes				
Real Estate Tax	\$154,108.09	\$185,119.04	\$200,000.00	\$200,000.00
Municipal Income Tax	\$2,144,641.35	\$2,458,037.88	\$2,250,000.00	\$2,500,000.00
State Shared Taxes				
Local Government - County	\$26,701.01	\$29,969.26	\$30,147.93	\$30,000.00
Local Government - State	\$22,329.23	\$32,086.83	\$0.00	\$30,000.00
Property - Homestead and Rollback	\$21,723.11	\$25,662.33	\$0.00	\$25,000.00
Other State Shared Taxes and Permits	\$5,497.76	\$4,031.09	\$0.00	\$0.00
Intergovernmental	\$0.00	\$1,000.00	\$0.00	\$0.00
Fines, Licenses and Permits	\$187,599.96	\$119,605.05	\$164,000.00	\$164,000.00
Court Costs	\$26,822.57	\$27,600.17	\$40,000.00	\$40,000.00
Zoning	\$86,925.76	\$17,693.09	\$50,000.00	\$50,000.00
Cable Franchise Fees	\$73,851.63	\$74,311.79	\$74,000.00	\$74,000.00
Earnings on Investments	\$917.66	\$1,013.68	\$50,000.00	\$50,000.00
Miscellaneous	\$73,586.25	\$26,810.30	\$50,000.00	\$30,000.00
Total Revenue	\$2,637,104.42	\$2,883,335.46	\$2,744,147.93	\$3,029,000.00
Expenditures				
Security of Persons & Property				
Police Enforcement	\$660,169.64	\$641,807.82	\$738,623.00	\$940,000.00
Street Lighting	\$50,552.38	\$45,682.98	\$59,000.00	\$60,000.00
Human Services	\$7,101.84	\$5,694.92	\$8,000.00	\$8,000.00
Leisure - Parks & Recreation	\$22,311.36	\$17,516.18	\$80,000.00	\$80,000.00
Public Utilities - Admin. Salaries	\$112,409.32	\$100,458.81	\$125,000.00	\$130,000.00
General Government				
Council & Mayor - Salaries	\$36,000.00	\$46,275.00	\$49,000.00	\$56,950.00
Administration - Salaries	\$63,493.58	\$73,204.48	\$120,000.00	\$124,800.00
Employee Benefits	\$168,137.86	\$159,896.25	\$232,500.00	\$232,500.00
Council & Mayor - Other Expenses	\$6,921.52	\$7,268.00	\$20,500.00	\$20,500.00
Administration - Other Expenses	\$8,741.07	\$6,116.50	\$14,000.00	\$14,000.00
Mayor's Court - Salaries	\$54,684.44	\$60,486.82	\$65,000.00	\$66,880.00
Mayor's Court - Other Expenses	\$5,218.36	\$5,466.65	\$8,800.00	\$8,800.00
Finance - Salaries	\$78,822.50	\$104,425.82	\$118,000.00	\$146,720.00
Finance - Other Expenses	\$9,721.15	\$36,431.73	\$36,070.00	\$36,070.00
Solicitor - Salary	\$23,199.96	\$23,199.96	\$27,000.00	\$30,000.00
Income Tax - Salaries	\$87,043.52	\$81,103.17	\$100,000.00	\$128,000.00
Income Tax - Other Expenses	\$9,537.34	\$13,425.91	\$17,250.00	\$17,250.00
Income Tax Refunds	\$34,575.51	\$23,738.00	\$100,000.00	\$75,000.00
Land and Buildings	\$26,525.52	\$31,017.85	\$50,000.00	\$50,000.00
Property Tax Collection Fees	\$5,443.41	\$7,634.97	\$19,000.00	\$13,000.00
Other General Government	\$174,631.51	\$305,728.45	\$355,800.00	\$330,800.00
Capital Outlay	\$27,651.71	\$113,054.04	\$958,550.00	\$750,000.00
Total Expenditures	\$1,672,893.50	\$1,909,634.31	\$3,302,093.00	\$3,319,270.00

CITY OF SOUTH LEBANON, WARREN COUNTY

BUDGET YEAR 2024

FUND CLASSIFICATION: GENERAL

Other Financing Sources & Uses				
Other Uses of Funds				
Transfers - Out to Debt Services	\$731,975.00	\$7,790.80	\$7,812.50	\$632,812.50
Total Other Financing Sources & Uses	\$731,975.00	\$7,790.80	\$7,812.50	\$632,812.50
Fund Balance 12/31	\$3,200,758.99	\$4,169,216.95	\$3,498,330.81	\$2,575,248.31
Less: Encumbrances 12/31	\$0.00	\$105,128.57	\$0.00	\$0.00
Unencumbered Undesignated 12/31	\$3,200,758.99	\$4,064,088.38	\$3,498,330.81	\$2,575,248.31

**CITY OF SOUTH LEBANON, WARREN COUNTY
BUDGET YEAR 2024**

FUND CLASSIFICATION: SPECIAL REVENUE

FUND	Estimated Unencumbered Fund Balance 1/1/2024	Budget Year Estimated Receipt	Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Fund Balance 12/31/2024
				Personal Services	Other	Total	
Street	853,649.95	325,000.00	1,178,649.95	40,000.00	410,000.00	450,000.00	728,649.95
Shepherd's Crossing Improvements	4,059.79	0.00	4,059.79		4,059.79	4,059.79	0.00
Permissive Motor Veh Lic Tax	105,722.16	40,000.00	145,722.16		100,000.00	100,000.00	45,722.16
Homestead Public Improvements	26,421.68	0.00	26,421.68		26,421.68	26,421.68	0.00
Park	29,930.63	15,000.00	44,930.63		15,000.00	15,000.00	29,930.63
DUI	1,625.00	0.00	1,625.00		1,625.00	1,625.00	0.00
Mayor's Court Special Project	1,240.93	2,000.00	3,240.93		2,000.00	2,000.00	1,240.93
TIF - Rivers Crossing	1,000.00	1,160,000.00	1,161,000.00		1,160,000.00	1,160,000.00	1,000.00
Indigent Alcohol Monitoring	1,752.65	0.00	1,752.65		1,752.65	1,752.65	0.00
American Rescue Act	112,292.40	0.00	112,292.40		112,292.40	112,292.40	0.00
TIF - Riverside	1,000.00	810,050.00	811,050.00		810,050.00	810,050.00	1,000.00
OneOhio Opioid Settlement	1,006.82	500.00	1,506.82		0.00	0.00	1,506.82
TOTAL SPECIAL REVENUE FUNDS	1,139,702.01	2,352,550.00	3,492,252.01	40,000.00	2,643,201.52	2,683,201.52	809,050.49

**CITY OF SOUTH LEBANON, WARREN COUNTY
BUDGET YEAR 2024**

FUND CLASSIFICATION: DEBT SERVICE

FUND	Estimated Unencumbered Fund Balance 1/1/2024	Budget Year Estimated Receipt	Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Fund Balance 12/31/2024
				Personal Services	Other	Total	
Municipal Building BANS	0.00	632,812.50	632,812.50		632,812.50	632,812.50	0.00
TOTAL DEBT SERVICE FUNDS	0.00	632,812.50	632,812.50	0.00	632,812.50	632,812.50	0.00

**CITY OF SOUTH LEBANON, WARREN COUNTY
BUDGET YEAR 2024**

FUND CLASSIFICATION: CAPITAL PROJECTS

FUND	Estimated Unencumbered Fund Balance 1/1/2024	Budget Year Estimated Receipt	Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Fund Balance 12/31/2024
				Personal Services	Other	Total	
Mason Morrow Millgrove Imp	0.00	222,314.00	222,314.00		222,314.00	222,314.00	0.00
Forest Avenue Improvements	0.00	445,342.00	445,342.00		445,342.00	445,342.00	0.00
TOTAL CAPITAL PROJECT FUNDS	0.00	667,656.00	667,656.00	0.00	667,656.00	667,656.00	0.00

**CITY OF SOUTH LEBANON, WARREN COUNTY
BUDGET YEAR 2024**

FUND CLASSIFICATION: ENTERPRISE

FUND	Estimated Unencumbered Fund Balance 1/1/2024	Budget Year Estimated Receipt	Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Fund Balance 12/31/2024
				Personal Services	Other	Total	
Water	2,205,691.22	925,000.00	3,130,691.22	360,600.00	663,240.72	1,023,840.72	2,106,850.50
Sewer	4,331,163.32	1,340,000.00	5,671,163.32	396,500.00	1,187,000.00	1,583,500.00	4,087,663.32
Sanitation	284,037.29	495,000.00	779,037.29	17,000.00	480,000.00	497,000.00	282,037.29
Deposit Trust	97,633.20	19,000.00	116,633.20		50,000.00	50,000.00	66,633.20
Utility Maintenance Reserve	127,869.65	3,000.00	130,869.65		125,000.00	125,000.00	5,869.65
TOTAL ENTERPRISE FUNDS	7,046,394.68	2,782,000.00	9,828,394.68	774,100.00	2,505,240.72	3,279,340.72	6,549,053.96

**CITY OF SOUTH LEBANON, WARREN COUNTY
BUDGET YEAR 2024**

FUND CLASSIFICATION: CUSTODIAL

FUND	Estimated Unencumbered Fund Balance 1/1/2024	Budget Year Estimated Receipt	Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Fund Balance 12/31/2024
				Personal Services	Other	Total	
Unclaimed Funds	1,885.18	1,000.00	2,885.18		1,000.00	1,000.00	1,885.18
TOTAL CUSTODIAL FUNDS	1,885.18	1,000.00	2,885.18	0.00	1,000.00	1,000.00	1,885.18

**CITY OF SOUTH LEBANON, WARREN COUNTY
BUDGET YEAR 2024**

TOTAL OF ALL FUNDS

FUND	Estimated Unencumbered Fund Balance 1/1/2024	Estimated Receipts				Total Available For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unencumbered Fund Balance 12/31/2024
		Property Tax	County Local Govt Funds	Other	Total		Personal Services	Other	Total	
GENERAL	3,498,330.81	200,000.00	30,000.00	2,799,000.00	3,029,000.00	6,527,330.81	915,850.00	3,036,232.50	3,952,082.50	2,575,248.31
SPECIAL REVENUE	1,139,702.01			2,352,550.00	2,352,550.00	3,492,252.01	40,000.00	2,643,201.52	2,683,201.52	809,050.49
DEBT SERVICE	0.00			632,812.50	632,812.50	632,812.50		632,812.50	632,812.50	0.00
CAPITAL PROJECTS	0.00			667,656.00	667,656.00	667,656.00		667,656.00	667,656.00	0.00
ENTERPRISE	7,046,394.68			2,782,000.00	2,782,000.00	9,828,394.68	774,100.00	2,505,240.72	3,279,340.72	6,549,053.96
CUSTODIAL	1,885.18			1,000.00	1,000.00	2,885.18		1,000.00	1,000.00	1,885.18
	11,686,312.68	200,000.00	30,000.00	9,235,018.50	9,465,018.50	21,151,331.18	1,729,950.00	9,486,143.24	11,216,093.24	9,935,237.94

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2023-21**

**AN ORDINANCE RESCINDING ORDINANCES 2023-17 AND 2023-18 WITH
RESPECT TO THE ELECTRIC AND NATURAL GAS GOVERNMENTAL
AGGREGATION PROGRAMS IN THE CITY OF SOUTH LEBANON, AND
DECLARING AN EMERGENCY**

WHEREAS, at their meeting on June 15, 2023, the South Lebanon City Council (hereinafter "Council") passed Ordinances 2023-17 and 2023-18 adopting the Plans of Operation and Governance for the Electric and Natural Gas Aggregation Programs, and

WHEREAS, due to a staff oversight, these ordinances should not have been passed until after the required public hearings were conducted on June 21, 2023; and

WHEREAS, to immediately correct the error of passing these ordinances prematurely, immediate action is required and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT ORDAINED 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 hereby rescinds Ordinances 2023-17 and 2023-18 with respect to the electric and natural gas governmental aggregation program in the City of South Lebanon.

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

Section 3. 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.

Section 4. 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.

Ordinance No. 2023-21
Page 2

Adopted this ____ day of _____, 2023.

Attest: _____
Petrina D. Williams, Director of Finance James D. Smith, Mayor

Rules Suspended:	(if applicable)	Effective Date – / /2023
Vote - ____ Yeas		
____ Nays		
First Reading – / /2023		Effective Date – / /2023
Second Reading – / /2023		
Vote - ____ Yeas		
____ Nays		

Prepared by and approved as to form:

ANDREW P. MEIER
LAW DIRECTOR
SOUTH LEBANON, OHIO

By: _____
Date: _____

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2023-22**

**AN ORDINANCE ADOPTING AND APPROVING A PLAN OF OPERATION AND
GOVERNANCE FOR ELECTRIC GOVERNMENTAL AGGREGATION IN THE
CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY**

WHEREAS, the City of South Lebanon, Ohio City Council (hereinafter "Council") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code (the "Aggregation Program") for the residents, businesses, and other electric customers in the City of South Lebanon, Ohio (hereinafter "City", as permitted by law; and

WHEREAS, the Council has developed an Electric Aggregation Program Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions of Sections 4901 and 4928.20 of the Ohio Revised Code and the Rules for Formation and Operation of Electric Governmental Aggregations; and

WHEREAS, the Council now intends to file for certification as a Governmental Aggregator which requires that the Council first adopt its Plan of Operation and Governance; and

WHEREAS, the Council has determined this Ordinance is in the best interest of the City's residents and promotes the general welfare of said citizenry;

WHEREAS, to immediately forward the Plan to the Public Utilities Commission of Ohio and proceed with the energy aggregation program, immediate action is required and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT ORDAINED 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 adopts and approves a Plan of Operation and Governance with respect to the electric governmental aggregation as attached hereto as Exhibit A.

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

Ordinance No. 2023-22

Page 2

Section 3. 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.

Section 4. 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.

Adopted this ____ day of _____, 2023.

Attest: _____
Petrina D. Williams, Director of Finance

James D. Smith, Mayor

Rules Suspended:	(if applicable)	Effective Date – / /2023
Vote - ____ Yeas		
____ Nays		
First Reading – / /2023		Effective Date – / /2023
Second Reading – / /2023		
Vote - ____ Yeas		
____ Nays		

Prepared by and approved as to form:

ANDREW P. MEIER
LAW DIRECTOR
SOUTH LEBANON, OHIO

By: _____

Date: _____

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2023-23**

**AN ORDINANCE ADOPTING AND APPROVING A PLAN OF OPERATION AND
GOVERNANCE FOR NATURAL GAS GOVERNMENTAL AGGREGATION IN
THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY**

WHEREAS, the City of South Lebanon, Ohio City Council (hereinafter "Council") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code (the "Aggregation Program") for the residents, businesses, and other natural gas customers in the City of South Lebanon, Ohio (hereinafter "City", as permitted by law; and

WHEREAS, the Council has developed a Natural Gas Aggregation Program Plan of Operation and Governance ("Plan of Operation") in accordance with the governmental aggregation provisions of Sections 4901 and 4929.26 of the Ohio Revised Code and the Rules for Formation and Operation of Natural Gas Governmental Aggregations; and

WHEREAS, the Council now intends to file for certification as a Governmental Aggregator which requires that the Council first adopt its Plan of Operation and Governance; and

WHEREAS, the Council has determined this Ordinance is in the best interest of the City's residents and promotes the general welfare of said citizenry;

WHEREAS, to immediately forward the Plan to the Public Utilities Commission of Ohio and proceed with the energy aggregation program, immediate action is required and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT ORDAINED 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 adopts and approves a Plan of Operation and Governance with respect to the natural gas governmental aggregation as attached hereto as Exhibit A.

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

Ordinance No. 2023-23
Page 2

Section 3. 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.

Section 4. 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.

Adopted this ____ day of _____, 2023.

Attest: _____
 Petrina D. Williams, Director of Finance James D. Smith, Mayor

Rules Suspended:	(if applicable)	Effective Date – / /2023
Vote - ____ Yeas		
____ Nays		
First Reading – / /2023		Effective Date – / /2023
Second Reading – / /2023		
Vote - ____ Yeas		
____ Nays		

Prepared by and approved as to form:

ANDREW P. MEIER
 LAW DIRECTOR
 SOUTH LEBANON, OHIO

By: _____
 Date: _____

CITY OF SOUTH LEBANON
REGULAR MEETING MINUTES
June 15, 2023
6:00 P.M.

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

2. ATTENDANCE

Linda Allen – Present
Linda Burke – Present
Brenda Combs – Present

Maryan Harrison – Present
Bill Madison – Present
Rolin Spicer – Present

3. GUESTS

Larry Sims - Warren County Sheriff, will be retiring at the end of 2024; Mayor Smith read a Proclamation to Sheriff Sims. Brenda and Hubert Combs presented the Sheriff with a wooden, blue line flag. A brief reception was held after the Council meeting.

Justin Bedocs – Warren County Soil & Water Conservation District, invited the Council and City Administration to the Float the River – Little Miami River Paddle Tour & Leadership Luncheon on Friday, July 21, 2023 from 8:00 a.m. to 1:30 p.m. Invitations and a kayak route, from Clint Fultz Park to Caesar Creek Access, were handed out. RSVP by July 14, 2023.

4. Mayor Smith opened the floor to the public.

No public comments.

Mayor Smith closed the floor to the public.

NEW BUSINESS

5. ORDINANCE 2023-14, AN ORDINANCE APPROVING AND ACCEPTING FOR PUBLIC MAINTENANCE EMERALD DRIVE IN WYNSTEAD SUBDIVISION SECTION 4-B, IN THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Madison, seconded by Combs, all yeas. By title only, Ordinance 2023-14, a motion to adopt was made by Burke, seconded by Madison, all yeas.

6. ORDINANCE 2023-15, AN ORDINANCE APPROVING AND ACCEPTING FOR PUBLIC MAINTENANCE EMERALD DRIVE IN WYNSTEAD SUBDIVISION SECTION 6, IN THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Combs, seconded by Madison, all yeas. By title only, Ordinance 2023-15, a motion to adopt was made by Burke, seconded by Madison, all yeas.

7. ORDINANCE 2023-16, AN ORDINANCE APPROVING AND ACCEPTING FOR PUBLIC MAINTENANCE EMERALD DRIVE IN WYNSTEAD SUBDIVISION SECTION 7, IN THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Madison, seconded by Burke, all yeas. By title only, Ordinance 2023-16, a motion to adopt was made by Madison, seconded by Combs, all yeas.

8. ORDINANCE 2023-17, AN ORDINANCE ADOPTING AND APPROVING A PLAN OF OPERATION AND GOVERNANCE FOR ELECTRIC GOVERNMENTAL AGGREGATION IN THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Burke, seconded by Harrison, all yeas. By title only, Ordinance 2023-17, a motion to adopt was made by Burke, seconded by Combs, all yeas.

9. ORDINANCE 2023-18, AN ORDINANCE ADOPTING AND APPROVING A PLAN OF OPERATION AND GOVERNANCE FOR NATURAL GAS GOVERNMENTAL AGGREGATION IN THE CITY OF SOUTH LEBANON, AND DECLARING AN EMERGENCY

A motion to waive the three-reading rule was made by Combs, seconded by Madison, all yeas. By title only, Ordinance 2023-18, a motion to adopt was made by Burke, seconded by Madison, all yeas.

10. ORDINANCE 2023-19, AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$8,250,000 OF TAX INCREMENT REVENUE REFUNDING BONDS, SERIES 2023 (RIVERSIDE PROJECT) OF THE CITY OF SOUTH LEBANON, OHIO, UNDER SECTION 5709.40 ET SEQ. OF THE OHIO REVISED CODE FOR THE PURPOSE OF REFUNDING A PRIOR (SERIES 2016) ISSUE OF BONDS THE PROCEEDS OF WHICH WERE ORIGINALLY USED TO PAY THE COST OF CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS; AUTHORIZING A PLEDGE OF AND LIEN ON CERTAIN REVENUES TO SECURE SUCH BONDS; AUTHORIZING A COOPERATIVE AGREEMENT, AN ADMINISTRATION AGREEMENT AND A BOND PLACEMENT AGREEMENT; AND DECLARING AN EMERGENCY

Haddix explained that at the last Council meeting there had been a 1st reading for an amendment to the cooperative agreement regarding the refinancing of the Riverside TIF bonds. Dean Spoor with Thompson Hine, via Zoom, explained the reasonings behind the change from an amendment to a new cooperative agreement.

A motion to waive the three-reading rule was made by Combs, seconded by Madison, all yeas. By title only, Ordinance 2023-19, a motion to adopt was made by Madison, seconded by Burke, all yeas.

11. ORDINANCE 2023-20, AN ORDINANCE AMENDING ORDINANCE 2021-27 AND DESIGNATING COMPENSATION OF CERTAIN CITY EMPLOYEES TO SPECIFIC CITY FUNDS FOR TEMPORARY LABORER POSITION, AND DECLARING AN EMERGENCY

Haddix stated that we have found a qualified individual for the temporary laborer position, up to 120 days. Ryan Lester from Clarksville will be starting on Tuesday, June 20, 2023. Council has already approved the position however we need to allocate where the funds will be coming from to pay for the position.

A motion to waive the three-reading rule was made by Combs, seconded by Madison, all yeas. By title only, Ordinance 2023-20, a motion to adopt was made by Madison, seconded by Burke, all yeas.

12. AUTHORIZATION OF INVOICES

A motion to authorize the invoices for payment (\$260,452.65) was made by Madison, seconded by Combs, all yeas.

13. AUTHORIZATION OF SOLICITOR'S INVOICE

A motion to authorize the invoice for payment was made by Burke, seconded by Madison, all yeas.

14. APPROVAL OF THE MAY 2023 FINANCIAL STATEMENTS

A motion to approve the financial statements was made by Madison, seconded by Combs, all yeas.

15. APPROVAL OF MEETING MINUTES

Regular Meeting – May 18, 2023
Regular Meeting – June 1, 2023

A motion to adopt the minutes was made by Combs, seconded by Burke, all yeas.

16. COMMUNICATIONS & REPORTS

Mayor Smith

- a. The granite Vietnam bench for the Veteran's Memorial has been ordered. Once it is delivered there will be an event with Council including all of those involved.

Fiscal Officer Tina Williams

- a. The Post Audit for the 2021 Financial Statements is set for Tuesday, June 27, 2023 at 9:00 a.m. This will be a virtual meeting and all members of Council are invited to attend. An email with a Zoom meeting link will be sent out. Please RSVP to the email if you'd like to be part of the meeting. Post Audits are exempt from the Sunshine Law.
- b. The Finance Committee will also meet on Tuesday, June 27, 2023, at 9:00 a.m. following the post audit conference.
- c. We are trying to plan our Christmas/Holiday Party for Friday, December 15, 2023, 6:30 p.m., at the Golden Lamb in Lebanon. This is tentative at this time, however once it is confirmed we will let everyone know.

Administrator Jerry Haddix

- a. Boylan has had a family emergency.
- b. The Municipal Building will be closed on Monday, June 19, 2023 for Juneteenth.
- c. Bid opening for our solid waste collection is on Tuesday, June 20, 2023.
- d. Wednesday, June 21, 2023 will be the Public Hearings for the Electric (12:00 p.m. and 6:00 p.m.) and Natural Gas (12:30 p.m. and 6:30 p.m.) Aggregation at the Municipal Building.
- e. July 4, 2023 will be the parade, festival, and fireworks.

Assistant Administrator Jeff Boylan

- a. Absent from meeting.

Solicitor Andrew Meier

- a. Nothing to report.

Sgt. Corey Adams

- a. Absent from meeting.

Bill Madison

- a. Thanked Sheriff Simms and all of the deputies for their hard work.

Brenda Combs

- a. Asked if there would be a water fountain and restrooms put in at the Veteran's Park. Mayor Smith stated that there are plans for a water fountain but not a restroom at this time. He continued stating that he will be meeting with Spicer and the Parks and Recreation Committee, and they will discuss this. Combs went on to state that some parents have made her aware that their children are scared of the porta potty that is currently located at the park.

Linda Burke

- a. Was wondering when or if the Personnel Committee would be meeting to which Mayor Smith stated it would be soon. Haddix added that they are hoping to have one next week.
- b. Thanked Sheriff Sims for all his work with the community.

Linda Allen

- a. Thanked Sheriff Sims for his contributions to our community.

Maryan Harrison

- a. Thanked Sheriff Sims, stating that she is grateful for him and the department.

Rolin Spicer

- a. Thanked Sheriff Sims, remarking that he has done an excellent job and will be hard to replace.

17. Mayor Smith asked for a motion to adjourn the meeting at 6:33 p.m. A motion was made by Burke, seconded by Allen, all yeas.

Petrina D. Williams, Fiscal Officer

James D. Smith, Mayor

For an audio copy of the June 15, 2023 minutes of the City of South Lebanon Council regular meeting, please contact Fiscal Officer at twilliams@southlebanonohio.org.