

**CITY OF SOUTH LEBANON**  
**SPECIAL MEETING MINUTES**  
**June 24, 2024**  
**6:00 P.M.**

1. Mayor Burke opened the meeting at 6:00 p.m. with a Prayer and the Pledge.
2. ATTENDANCE

Linda Allen – Present  
Sharon Carmack – Present  
Brenda Combs – Present

Lisa Fedor – Present  
Maryan Harrison – Present  
Rolin Spicer – Present

3. Mayor Burke opened the floor to the public.

No public comments.

Mayor Burke closed the floor to the public.

OLD BUSINESS

4. RESOLUTION 2024-20, SECOND READING, A RESOLUTION INDICATING THE MUNICIPAL SERVICES TO BE PROVIDED TO 21.5659+/- ACRES OF REAL PROPERTY PROPOSED TO BE ANNEXED TO THE CITY OF SOUTH LEBANON, OHIO, FROM UNION TOWNSHIP, WARREN COUNTY, AND DECLARING AN EMERGENCY

A presentation was given by Meier and Haddix with Meier giving some background on the situation along with his legal opinion.

On December 15, 2022 at a regular council meeting Resolution 2022-54, a resolution authorizing the Mayor and Fiscal Officer to sign a Pre-Annexation Agreement with Charles D. Frank and Amy L. Snyder, and declaring an emergency was approved by 5 council members; Harrison was absent that evening. The agreement dated December 12, 2022 was then signed as a result of the resolution being unanimously approved by the 5 council members who were present. He went on to state that these types of agreements are enforceable contracts under Ohio law. The obligations contained in these contracts are the contractual obligations of the parties who sign the contracts.

Meier continued by briefly discussing the Pre-Annexation Agreement and referencing Section 1A – Annexation and the referenced map, along with Section 2A – Commitments by South Lebanon.

As was explained on Thursday evening, the 20-day time frame identified in the statute is why these resolutions were determined to be emergencies. The Petition for Annexation was filed by Mr. Frank and Miss Snyder on June 5, 2024 and that puts the 20-day time frame to tomorrow, June 25, 2024 by which these resolutions must be filed with the

Warren County Board of County Commissioners. That is a contractual obligation that the city is required to complete. Copies of the Petition for Annexation were given to the council members.

Meier explained how the additional property, known as the Park Property, was added to this annexation. Stating that this was discussed in great detail during an Annexation Committee meeting on August 10, 2023 during an update on the Frank-Snyder Annexation.

It is Meier's opinion and advice that Council pass these resolutions as emergencies so they may file with the County Board of County Commissioners. Further stating that if the Council does not follow his advice they will be in breach of the contract and subject themselves to being sued as well as create individual liability upon someone who votes no and have the possibility of the elimination of insurance coverage.

Combs read a prepared statement regarding the pre-annexation process and stated her opinion on Councils duties and responsibilities. She emphasized the importance to keep their word and follow through with what was approved on December 15, 2022.

Harrison stated that she agreed with everything Combs and Meier had said.

Meier stated that if the Council takes the position that they are not going to approve or support this annexation despite the contractual obligations they will be sending the message to others that we are not the people to do business with because we breach contracts.

Mayor Burke stated that this could also cause issues with the County Commissioners.

Carmack stated that she does not like the position she is currently in as she was not a part of this in the beginning and she never would have agreed to it back then. Further commenting that with everything that has been said today she does not have a choice. She is not happy about this.

Meier commented that he had spoken to Carmack previously and given her his response. Sometimes as a council member you find yourself in the position of having to make a decision on something that was approved before you got here. That is just the nature of the business that you are in. Sometimes you are in a situation where you've got to, as a new council member, do your research, do your due diligence, get the information that is necessary, and then you are called upon to make a vote.

There are circumstances which have been described previously by Council Member Fedor and Council Member Spicer about a potential conflict of interest. Those are legitimate issues, and it is their decision if they choose to exercise that right.

Haddix added that as for the Park Property, nothing will change in the way it is run. There will just be more consistency in the laws that govern the park.

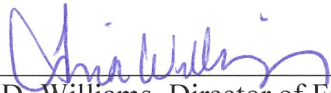
Allen remarked that it was signed in December 2022, what is considered timely as it has been 18 months. Meier stated that timely is subject to interpretation. There is no provision in the contract that would be a barrier of approval given the timeframe that it has taken to file the petition.

By title only, Resolution 2024-20, a motion to adopt was made by Combs, seconded by Harrison, Allen-yea, Carmack-yea, Combs-yea, Fedor-recuse, Harrison-yea, Spicer-recuse.

5. RESOLUTION 2024-21, SECOND READING, A RESOLUTION REGARDING INCOMPATIBLE LAND USES AND ZONING BUFFER WITH RESPECT TO 21.5659+/- ACRES OF REAL PROPERTY PROPOSED TO BE ANNEXED TO THE CITY OF SOUTH LEBANON, OHIO FROM ADJACENT LAND REMAINING IN UNION TOWNSHIP, WARREN COUNTY, AND DECLARING AN EMERGENCY

By title only, Resolution 2024-21, a motion to adopt was made by Combs, seconded by Harrison, Allen-yea, Carmack-yea, Combs-yea, Fedor-recuse, Harrison-yea, Spicer-recuse.

6. Mayor Burke asked for a motion to adjourn the meeting at 6:25 p.m. A motion was made by Harrison, seconded by Combs, all yeas.



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Petrina D. Williams, Director of Finance/Clerk



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~~Linda S. Burke, Mayor~~  
Rolin Spicer, Vice-Mayor

For an audio copy of the June 24, 2024 City of South Lebanon Council Special Meeting, please contact the Director of Finance at [twilliams@southlebanonohio.org](mailto:twilliams@southlebanonohio.org).