

**CITY OF SOUTH LEBANON, OHIO  
ORDINANCE NO. 2023-07**

**AN ORDINANCE ESTABLISHING A CAPITAL PROJECTS FUND FOR THE  
FOREST AVENUE RECONSTRUCTION PHASE I PROJECT, AND DECLARING  
AN EMERGENCY**

**WHEREAS**, Ohio Revised Code § 5705.09 requires political subdivisions to establish a separate fund for each class of revenues derived from a source other than the general property tax, which the law requires to be used for a particular purpose; and

**WHEREAS**, the City will receive grant funds from the Ohio Public Works Commission for the Forest Avenue Reconstruction Phase I Project; and,

**WHEREAS**, pursuant to guidance issued by the Auditor of State, establishment of a Capital Projects Fund for separate accountability is recommended for this project; and

**WHEREAS**, immediate action is required to create the fund as the grant has been awarded, and in order to preserve the public peace, health, or safety 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 a Capital Projects Fund for the proceeds and expenditures for the Forest Avenue Reconstruction Phase I Project is hereby created. The Fiscal Officer is hereby authorized to establish such Capital Projects Fund.

**Section 2.** That the Capital Projects Fund shall be used for the grant proceeds and improvements for the Forest Avenue Reconstruction Phase I project.

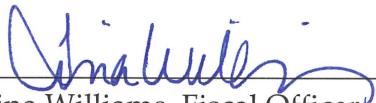
**Section 3.** That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.


**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 2023-07 Forest Avenue Improvements Fund

**Section 5.** That this Ordinance is declared to be an emergency measure in accordance with Ohio Revised 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 passage.

Adopted this 16th day of March, 2023.

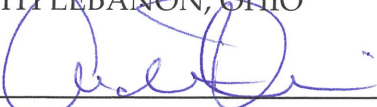
Attest:   
Petrina Williams, Fiscal Officer

  
James D. Smith Mayor

Rules Suspended: <u>3/16/2023</u> (if applicable)	Effective Date – <u>3/16/2023</u>
Vote - <u>6</u> Yeas ___ Nays	
First Reading – / /2023 Second Reading – / /2023 Third Reading – / /2023	Effective Date – / /2023
Vote - ___ Yeas ___ Nays	

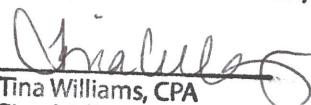
Prepared by and approved as to form:

ANDREW MEIER  
CITY SOLICITOR  
SOUTH LEBANON, OHIO

By:   
Date: 3/16/2023

**CERTIFICATE OF POSTING**

I, Tina Williams, CPA, Fiscal Officer of the City of South Lebanon, Ohio do hereby certify I posted a true and accurate copy of this ordinance or resolution, summary of ordinance or resolution, or statement, order, proclamation, notice or report, at five public places within the City as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of the City of South Lebanon, Ohio

3/17/23   
Date Tina Williams, CPA  
Fiscal Officer  
City of South Lebanon, Ohio