

VILLAGE OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2015- 4

**A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE
A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE WOLFPACK
BASEBALL ORGANIZATION, THE TKO BASEBALL LEAGUE, DANNY TAULBEE
AND TONY LEDFORD (COLLECTIVELY "USERS") FOR USE OF THE VILLAGE'S
BASEBALL FIELDS FOR THE YEAR 2015**

WHEREAS, the Wolfpack Baseball Organization has been using the Village's baseball fields for practice and to play games since 2009, with almost exclusive use of the fields seven days a week between mid-March and mid-July, being approximately 20 weeks (120 days) each season; and,

WHEREAS, prior to 2014, the Village assumed most all of the maintenance responsibilities, including costs, relating to the Village's baseball fields with little or no responsibility for maintenance being borne by the Wolfpack Baseball Organization; and,

WHEREAS, in 2014 the Village and Wolfpack Baseball Organization entered into a new MOU for the year 2014 wherein the responsibilities for maintenance of the Village's baseball fields were reallocated among them; and

WHEREAS, in 2015 The Wolfpack Baseball Organization, The TKO Baseball League, Danny Taulbee and Tony Ledford desire to enter into a new MOU for the year 2015 wherein the responsibilities for maintenance of the Village's baseball fields are reallocated among them.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, at least a majority of all members elected thereto concurring:

Section 1. Approve the MOU and further authorize the Mayor and Fiscal Officer to execute the same, a copy of which is attached hereto.

Section 2. That the Council is acting in its administrative capacity in adopting this Resolution.

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.

Adopted this 19th day of March, 2015.

Attest: Sharon Louallen Lionel H. Lawhorn
Sharon Louallen, Fiscal Officer/Clerk Lionel Harold Lawhorn, Mayor

Rules Suspended:	(if applicable)	Effective Date –
Vote - ___ Yeas		
___ Nays		
First Reading – <u>2/19/2015</u>		Effective Date – / /2015
Second Reading – <u>3/5/2015</u>		
Third Reading – <u>3/19/2015</u>		
Vote - ___ Yeas		
___ Nays		

Prepared by and approved as to form:

BRUCE A. MCGARY
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: Bruce A. McGary
Date: 3/19/2015

CERTIFICATE OF POSTING
I, Sharon Louallen, Fiscal Officer of the Village 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 Village as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of Village of South Lebanon, Ohio.

3-20-15
Date Sharon Louallen
Sharon Louallen
Fiscal Officer
Village of South Lebanon,
Ohio



Village of South Lebanon
99 N. High Street, South Lebanon, Ohio 45065
513-494-2296 fax: 513-494-1656
www.southlebanonohio.org

MEMORANDUM OF UNDERSTANDING

Between The Wolfpack Baseball Organization and Teams Represented by Randy Taulbee, Ryan Carmack and Tony Ledford (“Users”) and the Village of South Lebanon (“Village”)

Responsibilities of the Village:

1. Granting of permission to the Users for priority use of the Village’s four (4) public baseball fields Monday through Sunday, between mid-March and August for the 2015 season; and
2. Use of the Village’s four (4) baseball fields by the Users shall be granted by the Village on a priority basis, that is to say, the Users shall be given the first opportunity to reserve the fields if field reservations are made by the User by no later than March 31, 2015; and
3. Providing key access to the User for the Village’s public restroom facilities; and
4. Mow and trim the grass on the baseball fields once per week; and
5. Reasonably maintain Village-owned facilities that presently serve the fields including public restrooms, backstops, benches, spectator seating and outfield fences.

Responsibilities of the Users

1. Submit a game schedule in writing to the Village Administrator to reserve the baseball fields for the 2015 season by no later than March 31, 2015 in order to maintain priority status by the Village; and
2. Users shall cooperate with the Village to share use of the ball fields with other community events; and

3. Provide all labor, materials and equipment, in addition to any services provided by the Village, to maintain the ball fields in playable condition. Services provided by the Users shall include such things as mowing the fields in addition to the one time a week mowing done by the Village, dragging the infields, furnishing and installing any special soil material for the infields, if desired, and fuel and maintenance for equipment provided by the Users; and
4. Cleanup and remove all trash at the end of each day at the baseball field area and parking lots designated for the fields using waste receptacles provided and emptied by the Village; and
5. Users shall provide a declaration page from a policy of comprehensive general liability insurance with minimum limits of One Million Dollars (\$1,000,000.00) that provides coverage in effect during the entire term of the use of the ball fields. The Village shall be named as an additional insured on all policies of insurance with waiver of subrogation against the Village, and such policies of insurance shall provide the same coverage and duty to defend the Village as such policies provide for User as the primary insured therein. Copies of said polices of insurance shall be submitted to the Village's Fiscal Officer for review and approval regarding adequacy of coverage and said policies shall not be altered, amended or reduced without the express written consent of the Village. The Village shall be given a minimum sixty (60) day notice prior to expiration of said policy.

USERS:

Signature: _____

Printed Name: _____

Organization: Wolfpack

Title: _____

Date: _____

Signature: _____

Printed Name: _____

Date: _____

VILLAGE OF SOUTH LEBANON

Signature: Lowell H. Landon

Printed Name: Lowell H. Landon

Title: MAYOR

Date: 3/23/15

Signature: _____

Printed Name: _____

Date _____

Signature: _____

Printed Name: _____

Date: _____