



## MUNICIPALITY OF NEW LEBANON

198 S. Clayton Rd  
New Lebanon, Ohio 45345-9636  
937-687-1341-Main Office  
937-687-3700-Economic Development Office  
937-687-1213-Fax

### MEMORANDUM

**To:** Mayor Nickerson and Village Council Members

**From:** Rob Anderson, Acting Village Manager 

**Re:** Council Update

**Date:** November 27, 2024

---

Here are some updates on your agenda for Tuesday night's meeting:

- With the election two weeks ago, Christopher Sands was elected to fill Tammy Loch's unexpired Council term. As such, we will have a swearing-in ceremony at the beginning of the meeting so that Mr. Sands can assume his seat and participate in the agenda.
- **Ordinance 2024-05 – An Ordinance to Adopt the 2025 Budget.** This is the second reading of the proposed 2025 budget. The Ordinance in your packet contains the proposed expenditures for 2025 that were not included in the last draft of the ordinance. I am going to give a condensed version of the budget work session on Tuesday night so the people in the audience get an explanation of what is being presented. We will hold a public comment period where the public can ask questions about the budget before you are asked to approve it on December 17. If you have questions about the budget, please feel free to send them to me at any time.
- **Ordinance 2024-06 – An Ordinance to Transfer of funds from the Street, Water, and General Funds to the Construction Projects Fund and declaring an emergency.** As was explained at the budget work session, the Construction Projects Fund has held a negative balance. This transfer would eliminate that negative balance by transferring funds from the Street, Water, and General funds. The majority of the negative balance in the Construction Projects Fund is due to the Blosser Street projects. It was determined by our finance consultant that the costs for those projects can be paid for from the other funds. In order to make the transfer, Council must approve this ordinance, and staff will make the request from the State Auditor's Office who must ultimately approve this transfer.

Here are some other items for your consideration:

- Leaf collection has continued this week as our Service Department staff have been out doing the final clean up, so the Village has a nice appearance for Thanksgiving weekend.

Have a great Thanksgiving weekend!



**MUNICIPALITY OF NEW LEBANON,  
REGULAR COUNCIL MEETING  
Tuesday December 3, 2024, 7:30 PM**

- I. Call to Order
- II. Invocation/Pledge of Allegiance
- III. Special Activity – Swearing-in of Christopher Sands
- IV. Verbal Roll Call of Council Members Present for the Record
- V. Approval of Minutes
- VI. Unfinished Business
  - A. **Ordinance 2024-05 – ORDINANCE - An Ordinance to Approve the Annual Budget, Adopt Appropriations for Current and Other Expenditures, and Authorize Transfer of Monies of the Village of New Lebanon, Ohio for the Fiscal Year 2025. (Second Reading & Public Hearing)**
- VII. New Business
  - A. **Ordinance 2024-06 – EMERGENCY ORDINANCE – An Ordinance to Transfer \$99,061.21 from the Street Fund, \$49, 613.65 from the Water Fund, and \$1,052.27 from the General Fund to the Construction Projects Fund and Declaring an Emergency.**
- VIII. Public Comments or Questions (limit 3 minutes per citizen. No donation of time.)
- IX. Administrative Staff Comments
- X. Municipal Manager’s Comments
- XI. Council Members’ Comments (limit 5 minutes per Council Member)
- XII. Vice-Mayor’s Comments
- XIII. Mayor’s Comments
- XIV. Requested to be Added to Agenda (limit 5 minutes per presentation)
  - A. None
- XV. Adjournment



**VILLAGE OF NEW LEBANON  
MONTGOMERY COUNTY, OHIO**

**ORDINANCE NO: 2024-05  
BY  
MAYOR DAVID NICKERSON**

**AN ORDINANCE: TO APPROVE THE ANNUAL BUDGET, ADOPT APPROPRIATION FOR CURRENT AND OTHER EXPENDITURES, AND AUTHORIZE THE TRANSFER OF MONIES OF THE VILLAGE OF NEW LEBANON, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025.**

**WHEREAS**, the Village Manager has submitted a proposed annual budget for the fiscal year ending December 31, 2025 (the “2025 annual budget”); and

**WHEREAS**, the 2025 annual budget provides a financial plan for the fiscal year for all Village funds and activities, including estimates of revenues by source and proposed expenditures for current operations and capital equipment and improvements; and

**WHEREAS**, there exists balances and estimated revenues in the various funds available for appropriation; and

**WHEREAS**, appropriations are necessary to provide for current and other expenditures necessary for the services and operations of the Village departments; and

**WHEREAS**, the transfer of money from one fund to another is authorized under Ohio Revised Code Section 5705.14 and Village of New Lebanon charter provisions.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEW LEBANON, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:**

**SECTION I**            That the 2025 annual budget is approved.

**SECTION II**           That there are hereby appropriated for the following amounts to various funds and activities in the 2025 Appropriation Budget as set forth below:

**GENERAL FUND (A01)**

**ADMINISTRATION/FINANCE**

Personal Services	\$96,910.00
Other Expenditures	\$115,250.00
Debt Service	\$0.00
Total	\$212,160.00

**COMMUNITY DEVELOPMENT**

Personal Services	\$80,430.00
Other Expenditures	\$24,550.00
Debt Service	\$0.00
Total	\$104,980.00

PARKS

Personal Services	\$125,850.00
Other Expenditures	\$67,975.00
Debt Service	\$0.00
Total	\$193,825.00

VILLAGE COUNCIL

Personal Services	\$9,340.00
Other Expenditures	\$2,950.00
Debt Service	\$0.00
Total	\$12,290.00

ENGINEER

Personal Services	\$0.00
Other Expenditures	\$65,350.00
Debt Service	\$0.00
Total	\$65,350.00

LAW DIRECTOR

Personal Services	\$0.00
Other Expenditures	\$75,250.00
Debt Service	\$0.00
Total	\$75,250.00

COUNTY AUDITOR & TREASURER FEES

Personal Services	\$0.00
Other Expenditures	\$22,265.00
Debt Service	\$0.00
Total	\$22,265.00

GENERAL FUND - OTHER

Personal Services	\$0.00
Other Expenditures	\$32,300.00
Debt Service	\$0.00
Interfund Transfers	\$575,000.00
Total	\$607,300.00

**General Fund Total \$1,293,420.00**

STREET MAINTENANCE FUND (B01)

Personal Services	\$145,500.00
Other Expenditures	\$288,350.00
Debt Service	\$157,600.00
<b>Street Maintenance Fund Total</b>	<b>\$591,450.00</b>

HIGHWAY MAINTENANCE FUND (B02)

Personal Services	\$3,270.00
Other Expenditures	\$3,150.00
Debt Service	\$0.00
<b>Highway Maintenance Fund Total</b>	<b>\$6,420.00</b>

FIRE FUND (B08)

Personal Services	\$742,000.00
Other Expenditures	\$328,100.00
Debt Service	\$93,020.00
<b>Fire Fund Total</b>	<b>\$1,163,120.00</b>

POLICE LEVY FUND (B10)

Personal Services	\$1,008,000.00
Other Expenditures	\$258,350.00
Debt Service	\$0.00
<b>Police Levy Fund Total</b>	<b>\$1,266,350.00</b>

INCOME TAX FUND (B11)

Personal Services	\$176,020.00
Other Expenditures	\$55,100.00
Debt Service	\$0.00
Interfund Transfers	\$900,000.00
<b>Income Tax Fund Total</b>	<b>\$1,131,120.00</b>

STREET LIGHTING FUND (B03)

Personal Services	\$0.00
Other Expenditures	\$63,700.00
Debt Service	\$0.00
<b>Street Lighting Fund Total</b>	<b>\$63,700.00</b>

MONTGOMERY CTY MUNI CT BLDG FUND (B05)

Personal Services	\$0.00
Other Expenditures	\$19,000.00
Debt Service	\$0.00
<b>Court Fund Total</b>	<b>\$19,000.00</b>

PARK DONATION FUND (B04)

Personal Services	\$0.00
Other Expenditures	\$4,000.00
Debt Service	\$0.00
<b>Park Donation Fund Total</b>	<b>\$4,000.00</b>

AMERICAN RESCUE ACT FUND (B07)

Personal Services	\$0.00
Other Expenditures	\$22,200.00
Debt Service	\$0.00
<b>American Rescue Act Fund Total</b>	<b>\$22,200.00</b>

PERMISSIVE TAX FUND (B09)

Personal Services	\$0.00
Other Expenditures	\$0.00
Debt Service	\$21,896.00
<b>Permissive Tax Fund Total</b>	<b>\$21,896.00</b>

CAPITAL IMPROVEMENT FUND (D03)

Personal Services	\$0.00
Other Expenditures	\$353,000.00
Debt Service	\$0.00
<b>Capital Improvement Fund Total</b>	<b>\$353,000.00</b>

CONSTRUCTION PROJECTS FUND (D01)

Personal Services	\$0.00
Other Expenditures	\$0.00
Debt Service	\$0.00
<b>Construction Projects Fund Total</b>	<b>\$0.00</b>

WATER FUND (E01)

Personal Services	\$336,640.00
Other Expenditures	\$293,400.00
Debt Service	\$43,800.00
<b>Water Fund Total</b>	<b>\$673,840.00</b>

SEWER FUND (E02)

Personal Services	\$336,640.00
Other Expenditures	\$332,255.00
Debt Service	\$62,400.00
<b>Sewer Fund Total</b>	<b>\$731,295.00</b>

SEWER REHAB FUND (D02)

Personal Services	\$0.00
Other Expenditures	\$0.00
Debt Service	\$0.00
<b>Sewer Rehab Fund Total</b>	<b>\$0.00</b>

TRASH & GARBAGE FUND (g06)



Personal Services		\$0.00
Other Expenditures		\$286,600.00
Debt Service		\$0.00
	<b>Trash &amp; Garbage Fund</b>	
	<b>Total</b>	<b>\$286,600.00</b>

**GRAND TOTAL APPROPRIATIONS - ALL FUNDS** **\$7,627,411.00**

**SECTION III** It is recognized that the amount specified for certain objects or activities as contained in the Ordinance is only an estimate based on past experience and anticipated needs at this time and may be more or less in the future.

**SECTION IV** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

**SECTION V** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

First Reading	November 19, 2024
Second Reading	December 3, 2024
Third Reading	December 17, 2024

**PASSED this \_\_\_\_ day of December, 2024.**

\_\_\_\_\_  
David Nickerson, Mayor

Attest:

\_\_\_\_\_  
Robert Anderson II  
Acting Clerk of Council

Date:



**VILLAGE OF NEW LEBANON  
OF  
MONTGOMERY COUNTY, OHIO**

**ORDINANCE NO: 2024-06  
BY  
MAYOR DAVID NICKERSON**

**AN ORDINANCE: TO AUTHORIZE THE TRANSFER OF THE AMOUNTS DESCRIBED HEREIN FROM THE STREET FUND, WATER FUND, AND GENERAL FUND TO THE CONSTRUCTION PROJECTS FUND AND DECLARING AN EMERGENCY.**

**WHEREAS**, it is necessary to accurately reflect the amounts necessary to be transferred; and

**WHEREAS**, Council desires to specifically approve certain transfers in order to help cure the current deficit in the Construction Projects Fund due to Blosser Street and Church Street projects; and

**WHEREAS**, the transfer amounts below are based on the portions of those projects allocable to street construction, water system, and sewer system improvements and are being transferred proportionally from each of the aforementioned funds; and

**WHEREAS**, the transfer of money from one fund to another is authorized under Ohio Revised Code Section 5705.14, Village of New Lebanon charter provisions, and, in certain instances, with the additional approval of the Ohio Tax Commissioner pursuant to Ohio Revised Code Sections 5705.15 and 5705.16.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEW LEBANON, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:**

**SECTION I** Council hereby authorized the following transfers in the amounts not to exceed the following:

<u>From</u>	<u>To</u>	<u>Amount</u>
Street Fund	Construction Projects Fund	\$99,061.21
Water Fund	Construction Projects Fund	\$49,613.65
General Fund	Construction Projects Fund	\$1,052.27

**SECTION II** Upon passage of this Ordinance, Council also hereby directs the City Manager to apply for and seek approval by the Ohio Tax Commissioner pursuant to Ohio Revised Code Sections 5705.15 and 5705.16 for the transfers originating from the Street Fund and Water Fund.

**SECTION III** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in

an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

**SECTION VI**

This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare, and safety and further for the reason that Council desires to avoid a deficit finding by the State Auditor. Therefore, this measure shall take effect and be in full force from and after its passage.

**PASSED this 3<sup>rd</sup> day of December, 2024.**

---

David Nickerson, Mayor

Attest:

---

Robert Anderson II  
Acting Clerk of Council

Date: