



**Minutes of the Lebanon City Council Meeting
April 24, 2018 – 7:00 P.M.
50 S. Broadway, Lebanon, Ohio**

Council of the City of Lebanon met in regular session on April 24, 2018 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present: Mr. Aylor, Mayor Brewer, Mr. Dearie, Mr. Messer, Mrs. Monroe, Mr. Shope, and Ms. Wyatt. Also present were Manager Scott Brunka, Attorney Mark Yurick, Auditor Dan Burke and Parks & Natural Resources Coordinator Casey Burdick.

The pledge of allegiance was recited and the invocation was given by Mr. Aylor.

Consideration of the City Council Meeting Minutes: March 27, 2018 and April 10, 2017. Mr. Messer made a motion to adopt the minutes, seconded by Mr. Shope. Roll call vote to adopt the minutes was approved 6-0 with Mrs. Monroe abstaining.

Public Hearing for Temporary Sign Code Revisions

Mr. Dearie made a motion to open the Public Hearing, seconded by Mr. Messer and approved by consent of City Council. Mr. Brunka provided an overview of the proposed Temporary Sign Code Revisions. Lori Viars asked City Council to treat residential home owners the same as commercial business owners. Lori does not believe it is fair or constitutional to limit residents to 12 square feet of signage while commercial businesses are allowed 32 square feet of signage. Ryan Tasseff asked City Council to reconsider since the freedom of residents appears to be limited compared to commercial business owners. Ms. Wyatt made a motion to close the Public Hearing, seconded by Mr. Messer and approved by consent of City Council.

Recognition of Visitors: Arbor Day Proclamation and Poster Recognition

Mayor Brewer welcomed members of the City's Shade Tree Commission. Students and art teachers from St. Francis and Donovan Elementary were recognized for their Arbor Day artwork. Mayor Brewer read the proclamation and congratulated all of the students and art teachers and the Mayor thanked all of the parents for supporting the arts.

PREVIOUS BUSINESS

None

NEW BUSINESS

Ordinance 2018-038 An Ordinance Of The City Of Lebanon, Ohio To Amend Chapter 1139 Of The Official Zoning Code was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will approve revisions to Section 1130.10 Temporary Signs of the Lebanon Zoning Code as recommended by Planning Commission. Motion for a first reading of Ordinance 2018-038 was made by Mr. Aylor, seconded by Mr. Messer.

Ordinance 2018-039 An Ordinance Authorizing The City Manager To Execute An Agreement With Choice One Engineering And Declaring An Emergency was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize the City Manager to enter into an agreement with Choice One Engineering in the amount of \$168,510 for the design of the Summit Street and Highland Avenue roadway reconstruction and utility replacement projects. Motion to adopt Ordinance 2018-039 was made by Mr. Messer, seconded by Ms. Wyatt. Roll call vote was approved unanimously.

Ordinance 2018-040 An Ordinance Authorizing The City Manager To Execute An Agreement With TEC Engineering And Declaring An Emergency was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize the City Manager to enter into an agreement with TEC Engineering in the amount of \$142,626 for the design of the Lebanon – Countryside YMCA Trail realignment and extension project. Mr. Brunka stated that the City has received several grants to assist with this project. Motion to adopt Ordinance 2018-040 was made by Mr. Shope, seconded by Mr. Aylor. Roll call vote was approved unanimously.

Ordinance 2018- 041 A Supplemental Appropriation Ordinance was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a supplemental appropriation in the amount of \$100,000 in the General Fund to support the engineering requirements for the Lebanon–Countryside YMCA Trail realignment and extension project. The City has secured a \$100,000 reimbursing State grant to support this expenditure. Motion to adopt Ordinance 2018-041 was made by Ms. Wyatt, seconded by Mr. Shope. Roll call vote was approved unanimously.

Resolution 2018-023 A Resolution To Proceed With A Replacement Tax Levy With An Increase was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will adopt a resolution to proceed with a 7.0 mil replacement tax levy and a 2.0 mil tax levy increase for the purpose of supporting the City's Fire and EMS operations. Motion to adopt Ordinance 2018-023 was made by Ms. Wyatt, seconded by Mr. Aylor. Roll call vote was approved 6-1 with Mrs. Monroe voting no.

Discussion Items

City Manager's Report

The next meeting of City Council is a work session at 7:00 p.m. on May 1.

Mrs. Monroe stated that she supports the City's Fire and EMS program but voted no on the Fire Levy legislation because she doesn't like some of the language in the proposal. Mrs. Monroe stated that she read a recent article which referenced an adjacent business owner's interest to replace the existing downtown firehouse with parking. Mrs. Monroe does not support removing the existing building for additional parking and she would like to see that building eventually reused for another purpose besides parking.

Mr. Shope stated that he opposes a medical marijuana dispensary in Lebanon. Mr. Shope would prefer a moratorium in the City of Lebanon until we can analyze how the initial implementation plays out in other communities. Mr. Messer has reviewed the legislation and he doesn't think the medical marijuana legislation is any more flawed than the current problems with opioids. Mr. Messer is siding with freedom and he supports the doctor's ability to prescribe the oils or edible products to their patients. Mayor Brewer stated that City Council, both past and present, have had a lot of discussions on the medical marijuana issue. The Mayor knows that this is a divisive issue but she believes in the medicinal value of a controlled dispensary process that effectively treats a variety of illnesses and conditions. Mr. Aylor mentioned that the divided views between


the State and Federal government make this issue even more difficult for local governments. Ms. Wyatt is not concerned about illegal back door sales, she believes that the business owners will operate professionally. Mr. Dearie asked residents to contact City Council members to give their opinion on the medical marijuana topic. Mr. Dearie stated that the issue is a simple one: should the City of Lebanon permit a medical marijuana dispensary within City limits. Mr. Dearie does not believe that a medical marijuana dispensary is consistent with the City of Lebanon's values or image. Mr. Messer reminded everyone that this is just the first round of the process and it is likely that more dispensaries will be permitted in the future. Mr. Messer is very disappointed with the way that the State Legislature crafted and approved this legislation. Mr. Dearie likes the structure of the legislation because it allows for home rule and local control. Mr. Dearie stated that there is no guarantee that the State will open up the process and permit more dispensaries in the future.

Adjourn

There being no further business to come before this Council a motion to adjourn the meeting was made by Mr. Aylor seconded by Ms. Wyatt. Roll call vote was approved unanimously.

The meeting was adjourned at 7:37 p.m.

Passed: *May 8, 2018*



Mayor

David Barber

Clerk