



**Minutes of the Lebanon City Council Meeting
July 10, 2018 – 7:00 P.M.
50 S. Broadway, Lebanon, Ohio**

Council of the City of Lebanon met in regular session on July 10, 2018 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present: Mayor Brewer, Mr. Aylor, Mr. Dearie, Mr. Messer, Mrs. Monroe, Mr. Shope, and Ms. Wyatt. Also present were Manager Scott Brunka, Attorney Mark Yurick, and Acting Clerk Paula Hines.

The invocation was given by Police Chaplain Doug Sibcy and the pledge of allegiance was recited.

Consideration of the Regular Meeting Minutes: June 26, 2018.

Mr. Shope made a motion to adopt the minutes, seconded by Mr. Messer. Roll call vote to adopt the minutes was approved unanimously.

Recognition of Visitors:

Lebanon Police Chaplain Doug Sibcy gave an update on the homeless issue in the City of Lebanon. Pastor Sibcy stated that more people are willing to live outside during the warm weather months so more homeless individuals are present during that time. Pastor Sibcy identified more than a dozen regional resources including emergency housing, permanent shelters, food pantries, clothing providers, free daily meal opportunities, mental health services, other health care, etc. Pastor Sibcy described some of the challenging cases, every case is different and complex. Pastor Sibcy also discussed some of the success stories. Pastor Sibcy encourages residents to get involved and feel free to contact him through the Police Department whenever they have a question or concern about homeless issues.

Mayor Brewer thanked Pastor Sibcy for his continued dedication to this issue. There was a discussion about the Interfaith Hospitality Network resources that are available to assist individuals and families. There was a discussion about how often homeless camps are disrupted and relocated.

PREVIOUS BUSINESS

Ordinance 2018-052 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. Motion to adopt Ordinance 2018-052 was made by Mr. Dearie, seconded by Mr. Shope.

Jennifer Anson of Promenade Drive stated that she wants City Council to vote to maintain the existing zoning code because the vast majority of residents do not support the change. The

existing zoning code does not limit free speech and Ms. Anson wants City Council to support what the citizens of Lebanon want, not what a vocal minority of non-residents want.

Ryan Tasseff of Mound Street would like City Council to make the temporary sign codes uniform for both the residential and commercial zoning areas. Mr. Dearie noted that the existing and proposed sign codes both allow for larger signs in the commercial districts and he asked Mr. Tasseff what his preference was for the sign size. Mr. Tasseff stated that he would prefer to see the smaller temporary signs throughout the City.

Mr. Yurick clarified the reasonable time, place and manner requirements. Mr. Dearie stated that City Council has already rejected the concept of allowing 32 square foot signs in residential areas. Mr. Dearie believes that the proposed 16 square foot signs in residential areas is a reasonable compromise and he is supporting the legislation. Mr. Messer stated that he was surprised by the significant constituent response to this issue. Mr. Messer summarized some of the comments that he received from Lebanon residents. Only three people have contacted Mr. Messer to express their support for the larger residential signs while he has been inundated with opposition to the larger residential signs. Ms. Wyatt clarified that the existing sign code allows for two signs of six square feet each and the new sign code would allow a single sign of 16 square feet which is a big change. Mrs. Monroe stated that the new sign code is not perfect but it does correct some set-back issues that all of Council seems to support. Mrs. Monroe finds the larger signs unattractive and does not think they are necessary but she supports limited government and freedom of speech.

Mr. Aylor supports several components of the proposed legislation but will not vote in favor because of the larger signs in residential areas. He has been able to run three successful campaigns under the existing sign size limitations and doesn't feel that his first amendment rights were limited in any way. Mr. Shope supports the legislation but stated that his personal preference is smaller signs in residential areas. Mr. Shope stated the he received eight emails on the topic. Mr. Shope thanked Mr. Yurick for explaining everything throughout this process. Mr. Shope supports fewer limitations on personal freedom and that is why he is supporting the legislation. Ms. Wyatt believes that several people who spoke before Council to support the change have knowingly chosen to violate the sign restrictions in the past and she has a problem with that attitude. The Planning Commission recommended the original legislation and Ms. Wyatt believes that City Council should go back to the original version.

Mr. Brunka clarified that this legislation did not go back to the Planning Commission for approval. Mr. Dearie supports the slightly larger signs as a reasonable accommodation to everyone's first amendment rights. Mayor Brewer thanked everyone for their comments and she has also had significant interaction with residents regarding this topic. Planning Commission reviewed and supported the original version and a majority of Council appeared to support that version. Roll call vote failed 3 to 4 with Mr. Dearie, Mrs. Monroe and Mr. Shope voting yes and Mr. Aylor, Mayor Brewer, Mr. Messer and Ms. Wyatt voting no.

Ms. Wyatt made a motion to reconsider the original legislation approved by Planning Commission, seconded by Mr. Aylor. Mrs. Monroe would like to add the right-of-way setback change to the original legislation and City Council expressed support for that amendment.

Ordinance 2018-057 An Ordinance Authorizing The City Manager To Execute An Agreement With Asplundh Tree Expert LLC was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a 3-year agreement with Asplundh Tree Expert, LLC to provide tree trimming services for the Electric Division along the City's 17 miles of overhead transmission lines

and 100 miles of overhead distribution lines. The 3-year cost for this service is \$584,000. Motion to adopt Ordinance 2018-057 was made by Mr. Dearie, seconded by Mr. Shope. Roll call vote was approved unanimously.

Mr. Yurick read the following Ordinances by title only. Mr. Brunka stated that all of these vendors are used to make routine purchases for supplies and equipment in the Electric Department and that pricing is updated at the time of each purchase. Mr. Aylor made a motion to approve all of the Ordinances simultaneously, seconded by Ms. Wyatt. Roll call vote was approved unanimously.

Ordinance 2018-058 An Ordinance Authorizing The City Manager To Execute An Agreement With A. Meredith Schneider Company was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a 3-year blanket purchase agreement with A. Meredith Schneider Co. for the purchase of utility poles.

Ordinance 2018-059 An Ordinance Authorizing The City Manager To Execute An Agreement With Anixter Incorporated was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a 3-year blanket purchase agreement with Anixter Incorporated for the purchase of electric operation stock items.

Ordinance 2018-060 An Ordinance Authorizing The City Manager To Execute An Agreement With Irby Utilities was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a 3-year blanket purchase agreement with Irby Utilities for the purchase of electric operation stock items.

Ordinance 2018-061 An Ordinance Authorizing The City Manager To Execute An Agreement With Lebanon Electric Supply Company was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a 3-year blanket purchase agreement with Lebanon Electric Supply, Incorporated for the purchase of electric operation stock items.

Ordinance 2018-062 An Ordinance Authorizing The City Manager To Execute An Agreement With Soloman Corporation was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a 3-year blanket purchase agreement with Solomon Corporation for the purchase of electric transformers.

Ordinance 2018-063 An Ordinance Authorizing The City Manager To Execute An Agreement With T&R Electric Supply Company was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a 3-year blanket purchase agreement with T&R Electric Supply Company for the purchase of electric transformers.

Ordinance 2018-064 An Ordinance Authorizing The City Manager To Execute An Agreement With Wesco Distribution Incorporated was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a 3-year blanket purchase agreement with WESCO Distribution Inc. for the purchase of electric stock items.

NEW BUSINESS

Resolution 2018-065 A Resolution Adopting The Tax Budget Of The City Of Lebanon, Ohio For The Fiscal Year Beginning January 1, 2019 And Submitting Same To The County Auditor was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will approve the 2019 Tax

Budget for submission to the Warren County Auditor. Motion to adopt Resolution 2018-065 was made by Ms. Wyatt, seconded by Mr. Dearie. Roll call vote was approved unanimously.

Ordinance 2018-066 An Ordinance Authorizing The City Manager To Execute An Agreement With Rack and Ballauer Excavating Company, Incorporated, And Declaring An Emergency was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize an agreement with Rack and Ballauer Excavating in the amount of \$2,007,076 for the South Broadway Reconstruction project. Motion to adopt Ordinance 2018-66 was made by Ms. Wyatt, seconded by Mr. Aylor. Mr. Brunka stated that emergency language is typically required when the City is trying to follow a tight schedule to start projects during the construction season. Roll call vote was approved unanimously.

Ordinance 2018-067 An Ordinance Authorizing The City Manager To Execute An Agreement With Kramer And Feldman Incorporated, And Declaring An Emergency was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize an agreement with Kramer and Feldman, Inc. in the amount of \$251,400 for the Police Station locker room improvements. Motion to adopt Ordinance 2018-067 was made by Mr. Shope, seconded by Mr. Messer. Mr. Shope stated that he sponsored the legislation because of the need for the project and the pending hire of more female Police personnel. Roll call vote was approved unanimously.

Ordinance 2018-068 An Ordinance Authorizing The City Manager To Purchase Road Salt From Morton Salt was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize the purchase of road salt from Morton Salt at a cost of \$76.96 per ton in accordance with the Warren County Engineer's road salt purchasing program. Motion for a first reading of Ordinance 2018-068 was made by Mr. Dearie, seconded by Ms. Wyatt.

Ordinance 2018-069 An Ordinance Authorizing The City Manager To Execute A Pole And Conduit Use Agreement With MCI Metro Access Transmission Service Corporation was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize a utility pole and conduit license agreement with MCI Metro Access (d.b.a. Verizon) for use of City-owned poles and underground conduit. Motion for a first reading of Ordinance 2018-069 was made by Mr. Dearie, seconded by Mr. Messer.

Resolution 2018-070 A Resolution Authorizing The City Manager To Prepare And Submit Final Grant Applications To The Ohio Public Works Commission And To Execute Contracts As Required was read in title only by Mr. Yurick. Mr. Brunka stated that this legislation will authorize the City Manager to submit the final grant application to the Ohio Public Works Commission for the Dave Avenue and Monroe Road reconstruction project. Motion to adopt Resolution 2018-070 was made by Ms. Wyatt, seconded by Mr. Shope. Roll call vote was approved unanimously.

Discussion Items

City Manager's Report

The next meeting of City Council is a work session scheduled on August 7 at 7:00 p.m. The Ultimate Frisbee World Championships begin this Sunday that the Lebanon Sports Complex. The City has scheduled a free train shuttle between the fields and downtown Lebanon next Tuesday through Thursday. Mayor Brewer reminded everyone that Homearama is also opening soon.

Mr. Messer stated that he loves small town government and appreciates the direct contact from Lebanon constituents. Mr. Aylor thanked everyone on City Council for the excellent discussions, he appreciates that Council respectfully disagrees on occasional issues but still works together. Mr. Aylor stated that Fort Ancient is under consideration to become a World Heritage Site which is an incredible accomplishment. Ms. Wyatt promoted the Warren County Historical Society Museum and the Warren County Fair which begins next week. Mayor Brewer reminded everyone that National Night Out is August 7 from 6:30 p.m. until 8:30 p.m. at the Countryside Y.M.C.A. and is an excellent way to build relationships between the Police and the community.

Adjourn

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

The meeting was adjourned at 8:32 p.m.

Passed: *August 14, 2015*

Mayor A Brewer

Mayor

Daniel Bunker

Clerk