



**Minutes of Lebanon City Council Meeting (Work Session)
July 5, 2017
7:00 p.m. 50 S. Broadway, Lebanon, Ohio**

Council of the City of Lebanon met in a work session meeting in the large conference room at the City Building. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Aylor, Dearie, Messer, Norris, Mrs. Monroe and Mayor Brewer. Mr. Kaiser arrived at 7:10 p.m. Present from City staff was City Manager Pat Clements, City Attorney Mark Yurick, City Auditor Dan Burke, Deputy City Manager Scott Brunka.

Previous Business:

Ordinance 2017-054 – Approving the renewal of the Transportation Impact Fee, as recommended by the 2017 Impact Fee Update Study. No discussion.

Ordinance 2017-055 – Approving the renewal of the Parks & Recreation Impact Fee, as recommended by the 2017 Impact Fee Update Study. No discussion.

Ordinance 2017-060 - Approving the establishment of a 6-month moratorium on the granting of any permits allowing for the cultivation, processing or dispensing of medical marijuana within the City. (Postponed from 13 June 2017 meeting. No discussion.

New Business:

Ordinance – Approving the 2018 City Pay Plan which provides for a 2.25% pay increase to non-unionized staff members. (*Sponsors: Mayor Brewer, Mr. Norris*). No discussion.

Ordinance - Approving the Proposed 2018-2022 Capital Improvement Plan. (Sponsor: Mayor Brewer). No discussion.

Ordinance – Supplemental appropriation in the General Fund, \$65.0k, for legal fees. (Sponsor: Mr. Dearie). No discussion.

Resolution – Approving a Local Public Agency Agreement (LPA) with ODOT to allow the City to administer the 2018 Bypass 48 Phase III Resurfacing Project, CIP #408R-0058. (*Sponsors: Mr. Norris, Mr. Messer*). No discussion.

Resolution – Approving a grant application to OPWC to support the Bypass 48 Resurfacing Phase III Project, CIP # 408R-0058. (See Summary Sheet). City Manager Pat Clements explained the project. Legislation was sponsored by Mr. Aylor and Mr. Messer.

Ordinance – Approving the rezoning 9.8 acres located at 1111 W. Main St from Light Industrial to General Commercial. (See Summary Sheet). (*Sponsors: Mayor Brewer, Mr. Messer, Mrs. Monroe*). No discussion.

Ordinance – Approving the re-plat of the 72 acre parcel on the Northeast corner of Turtlecreek Rd and Kingsview Dr, to create a separate 1.4 acre parcel to serve as the site of the City's new sanitary sewer pump station (CIP Project #TIF-0002). (Sponsor: Mr. Messer).

Resolution - Approving the 2018 Tax Budget for submission to the Warren County Auditor. City Auditor Dan Burke explained that the Tax Budget is a statutory requirement that is due to the County Auditor's office by July 20. The Tax Budget is an estimate of the City's 2018 revenue and expenditures. Legislation was sponsored by Mayor Brewer.

Resolution – Approving a grant application to OPWC to support the S Broadway Reconstruction Project, CIP #408R-0055. No discussion. Legislation was sponsored by Mayor Brewer.

Ordinance – Approving a Release & Separation Agreement with City Manager George P. Clements, with an effective date of 30 Sept 2017. (Sponsor: Mayor Brewer). No discussion.

Ordinance – Approving an Employment Agreement with Scott Brunka to serve as City Manager, commencing 30 Sept 2017. (Sponsor: Mayor Brewer). No discussion.

Ordinance – Approving a design-build contract with Ridgewater to perform the Katherine Ave Sanitary Sewer Protection Project (CIP #611-0061), with a guaranteed maximum price of \$113.6k. City Manager Pat Clements explained the project. Legislation was sponsored by Mr. Aylor and Mr. Norris.

Ordinance – Approving a design-build contract with Cardno to perform the Sycamore St Sanitary Sewer Protection Project (CIP #611-0060), with a guaranteed maximum price of \$103.5k. City Manager Pat Clements explained the project. Legislation was sponsored by Mr. Aylor and Mr. Norris.

Ordinance – Approving the re-plat of 2 parcels located at 216 & 220 Columbus Ave to consolidate the lots into a single .8 acre lot, as recommended by the Planning Commission. City Manager Pat Clements explained the project. Legislation was sponsored by Mayor Brewer.

Ordinance – Approving a contract with Doll Laymen, Ltd., to perform repairs to the concrete structure of WWTP Aerator/Clarifier Unit 3, \$101.7k. City Manager Pat Clements explained the project. Legislation was sponsored by Mayor Brewer.

General Discussion Topics:

Audit Results Overview – Mr. Jason Carr, Wilson, Shannon & Snow CPA's
Mr. Carr presented the Post-Audit Conference for audit year 2016. Wilson, Shannon & Snow has audited the City for the past six years and they just completed the first year of a five year contract. The audit was submitted to the State Auditor's Office on June 16, 2017 for review and should not be considered a public record until it is posted on the State Auditor's website. The electronic posting will occur in a few weeks. Mr. Carr reviewed the Management Letter with City Council and that letter referenced two recommended process changes. Mr. Carr mentioned that he received excellent cooperation from the City staff during the audit process and he found no material control weaknesses or significant deficiencies reported at the financial statement level during the audit.

Lebanon Public Library Funding Request

City Manager Pat Clements gave a history of the Library parking lot improvement project. During the planning stages there was discussion about the City contributing funds towards the new parking lot entrance, as the City preferred the new entrance to help with traffic safety. After more than a year passed since completion of the project Mr. Clements recently received an email from the librarian requesting a \$20,000 contribution for the project. Since the project is completed at this point, there was a discussion

about why the Library had not requested and received a commitment from the City during planning or construction. It was also noted that the City routinely requires traffic and public safety enhancements for projects and those costs are assumed by the property owner. There was also recognition that the parking improvements will enhance the entire area and that the parking lot will be open for public parking when the Library is not open. The Library will also assume the maintenance costs for the alley that the City previously maintained. There was also a discussion about whether the Historical Society will benefit directly from the City's requested contribution and whether any Council member was required to recuse him or herself. Based on the information available, grounds for recusal did not appear to be present. City Council directed the City Manager to invite a Library representative to the August 1, 2017 work session to address these concerns.

Public Hearing: Rezoning of 9.8 acres at 1111 W. Main from Light Industrial to General Commercial – 11 July Council Meeting.

Request for appointment to the Civil Service Commission (1 Vacancy) – Mr. Fred Compton Mayor Brewer asked for show of hands, all were in favor.

Certificate of Appreciation, Marilyn Haley – 11 July City Council Meeting

Open Discussion.

Mr. Norris distributed a recent newspaper story concerning the medical marijuana issue and there was a brief discussion. Mr. Norris stated that June 30 was the deadline to submit an application for the twelve marijuana production facilities. The Ohio Department of Commerce is refusing to release the applications to the public because they have not yet been reviewed. Mayor Brewer stated that two applications were submitted to Warren County and subsequently denied by the County for technical reasons.

Executive Session.

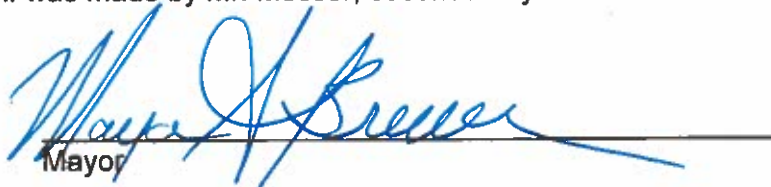
Motion to adjourn into executive session pursuant to ORC 121.22 (G) (3) to conference with an attorney for the public body concerning disputes involving the public that are the subject of pending or imminent court action, specifically to discuss the C.O.A.S.T. lawsuit, was made at 7:55 p.m. by Mr. Norris, seconded by Mr. Messer. Roll call vote was unanimous in favor.

Motion to end executive session at 8:13 p.m. was made by Mr. Messer, seconded by Mr. Kaiser. Roll call vote was unanimous in favor.

Adjourn.

Motion to adjourn the meeting at 8:13 p.m. was made by Mr. Messer, seconded by Mr. Norris. Roll call vote was unanimous in favor.

Passed: 7/11/2017



Mayor



Clerk