

MINUTES OF: LEBANON CITY COUNCIL

Date: JANUARY 26, 2010

Council of the City of Lebanon met in regular session on January 26, 2010 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Cole, Monroe, Norris, Rodriguez, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, Deputy City Manager, Scott Brunka, City Attorney, Mark Yurick and City Auditor, Sharee' Dick.

Motion to excuse Mr. Aylor from tonight's meeting was made by Dr. Monroe seconded by Mr. Norris. Mayor Brewer asked for a show of hands, all were in favor.

The invocation was given by Mr. Norris. Mayor Brewer asked everyone to remain standing for the Pledge of Allegiance.

At this time Mayor Brewer asked for consideration of Council minutes for the January 12th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris and second by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor. Motion to adopt the January 20th work session minutes was made by Mrs. Flick and second by Dr. Monroe. Roll call vote was as follows: Mr. Norris, yes; Mrs. Flick, yes; Mayor Brewer, yes; Dr. Monroe, yes; Mr. Cole, abstained; Mr. Rodriguez, yes.

Mayor Brewer asked the City Attorney to state the purpose of this evening's public hearing. Mr. Yurick stated that purpose of the public hearing was a zoning map amendment to rezone 1.33 acres of property located at 210 West Main Street from Residential One-Urban (R-1U) to Central Business District (CBD). Mr. Clements showed slides depicting the proposed area. Mr. Norris seconded by Mrs. Flick opened the floor to the public hearing. Doug Ingram, Jeff Hawley and Kathy Crisenberry voiced their opposition to the legislation mainly due to the parking issues in the proposed area. Brant Lawyer, executive director of Mental Health Recovery Services read several points from a letter to Council regarding the reasoning for the new application to rezone the area. Mrs. Flick seconded by Mr. Rodriguez made motion to close the public hearing.

Ordinance No. 2010- 003 An Ordinance approving the renaming of Janet Way in the Lebanon Commerce Center was read in title only by the City Attorney. This legislation will approve the renaming of Janet Way, located in the Lebanon Commerce Center, effective December 31, 2010. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-003 was made by Dr. Monroe seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2010- 006 An Ordinance of the City of Lebanon, Ohio to amend Chapters 1137, 1138, 1139 and 1142 of the Official Zoning Code was read in title only by the City Attorney. This legislation will approve amendments to Chapters 1137, 1138, 1139 and 1142 of the City's Zoning Code for various changes and updates to regulations and requirements, as recommended by Lebanon Planning Commission. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-006 deleting Chapters 1139 and 1142 was made by Mrs. Flick seconded by Mr. Rodriguez. Roll call vote to adopt as amended was unanimous in favor.

Ordinance No. 2010- 007 An Ordinance authorizing the City Manager to execute an agreement with Danis Industrial Construction Company, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Danis Industrial Construction Company for construction of the Wastewater Treatment Plant Headworks Screen Replacement Project in the amount of \$473,600. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-007 was made by Mrs. Flick seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Resolution No. 2010-008 A Resolution for declaring necessity for additional Tax Levy was read in title only by the City Attorney. This legislation will approve the placement of ballot language on the May 4, 2010 Primary Election Ballot seeking approval of a 5-year, 2 Mill Road Maintenance Tax Levy. Mr. Clements explained the legislation. Bruce Sullivan and Jeffrey Hawley voiced their opposition to the legislation. Council had a lengthy discussion about this legislation. They agreed that this was a difficult decision for Council due to the deterioration of the City's roads so they had decided to put the issue before the voters. Dr. Monroe stated he could not support this levy in the current economic environment. Roll call vote to adopt was as follows: Mr. Rodriguez, yes; Mrs. Flick, yes; Mayor Brewer, yes; Mr. Cole, yes; Mr. Norris, yes; Dr. Monroe, no.

Ordinance No. 2010- 009 An Ordinance of the City of Lebanon, Ohio to amend the Official Zoning Map thereof to rezone thereon 1.333 acres of property located at 210 West Main Street from Residential One-Urban (R-1U) to Central Business District (CBD) was read in title only by the City Attorney. This legislation will approve the rezoning of the 1.3 acre parcel at 210 West Main Street, which is the former location of the Mental Health & Recovery Services facility, from Residential One-Urban (R-1U) to Central Business District (CBD), as recommended by the Planning Commission. Mr. Clements explained the legislation. Mr. Norris seconded by Dr. Monroe made motion for this legislation to receive a first reading.

Resolution No. 2010-010 Approving the application for the FY2010 Warren County Community Development Block Grant Program was read in title only by the City Attorney. This legislation approves the 2010 CDBG application to Warren County for the West Mulberry Street Reconstruction Project. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2010-010 was made by Dr. Monroe seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2010- 011 An Ordinance authorizing the purchase of a Dump Truck and Snow Fighting Equipment for the Public Works Department was read in title only by the City Attorney. This legislation will approve the purchase of a 2010 International heavy duty dump truck and snow fighting equipment for the Public Works Department from Navistar International in the amount of \$101,668. Mr. Clements explained the legislation. Mrs. Flick seconded by Dr. Monroe made motion for this legislation to receive a first reading.

Ordinance No. 2010- 012 An Ordinance authorizing the City Manager to execute an agreement with Northwest Consultants, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Northwest Consultants, Inc., to provide construction plans for the Glosser Road 16" Water Transmission Main on Glosser Road (from Main Street to Cincinnati Avenue), on Glosser-Richardson Road (from Cincinnati Avenue

to West Turtlecreek Union Road), and on West Turtlecreek Union Road (from Glosser-Richardson Road to Calloway Farms). The cost of this design project is \$170,650. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-012 was made by Mr. Norris seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2010- 013 An Ordinance approving the PAWS Park Facility Sponsorship Program was read in title only by the City Attorney. This legislation will approve the Facility Sponsorship Program for the City’s new Dog Park to be located on Cook Road near Bypass 48, as recommended by the Recreation Board. Mr. Clements explained the legislation. Mr. Norris seconded by Mr. Cole made motion for this legislation to receive a first reading.

Mayor Brewer asked for the City Manager’s report. Mr. Clements advised the next Council work session would be February 2nd and the next regular Council meeting would be February 9th.

Dr. Monroe acknowledged that this Council truly listens and cares about this community and he commended his fellow Council members on their hard work and dedication to this board.

Mr. Norris said that the Martin Luther King Jr. Observance event was beautifully planned. He told everyone that the Jr. High students were selling lollipops for Haiti charity fund raiser.

Mrs. Flick welcomed Jan Edward as the newly elected President HDLI board and she said that Jan was certainly their number one volunteer. She said that the HDLI board was a very talented group and that they were going to do great things in our downtown.

Mayor Brewer thanked everyone for being here this evening. She said that this Board had to make some very tough decisions and that it was a hard job being here; and, with that being said, the citizens would have the opportunity to tell Council by voting just what they would like Council to do. She reminded everyone they were the representatives of the community.

Motion to adjourn into executive session to discuss negotiations or bargaining sessions with public employees was made by Dr. Monroe seconded by Mr. Cole. Roll call vote to adjourn into executive session was unanimous in favor. Council adjourned into executive session at 8:02 p.m.

Motion to adjourn out of executive session was made by Mr. Norris seconded by Mrs. Flick. All were in favor. The meeting reconvened at 8:24 p.m.

There being no further business to come before this Council, motion to adjourn the meeting was made by Mrs. Flick seconded by Mr. Norris. Roll call vote to adjourn the meeting was unanimous in favor. The meeting was adjourned at 8:25 p.m.

Passed:

Mayor

Clerk