

MINUTES OF: LEBANON CITY COUNCIL

DATE: JUNE 9, 2009

Council of the City of Lebanon met in regular session on June 9, 2009 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Cole, Monroe, Rodriguez, Norris, Mrs. Flick and Mayor Brewer. Also present was City Manager Pat Clements, City Attorney, Mark Yurick and City Auditor, Sharee' Dick.

Dr. Monroe seconded by Mr. Rodriguez made motion to excuse Mr. Aylor from this evenings meeting. 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 May 26th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor. Motion to adopt the June 2nd work session minutes was made by Mrs. Flick seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-046 An Ordinance amending Chapter 1304 of the Codified Ordinances providing for Building and Zoning Fees was read in title only by the City Attorney. This legislation will amend Chapter 1304 of the Codified Ordinances establishing revised fees for Zoning and Building Permits. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-046 was made by Mr. Norris seconded by Mr. Cole. Council had a lengthy discussion about various sections of the Ordinance that several still had difficulty supporting. Dr. Monroe seconded by Mrs. Flick made motion to postpone this legislation for further discussion at the next work session. Roll call vote to postpone was unanimous in favor.

Ordinance No. 2009-050 An Ordinance authorizing the purchase of Thermal Imaging Cameras and related accessories for the Fire Division was read in title only by the City Attorney. This legislation will approve the purchase of three replacement thermal imaging cameras from Finley Fire Equipment Company for a total cost of \$44,384.16. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-050 was made by Mrs. Flick seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-057 An Ordinance authorizing the City Manager to execute an agreement with Municipal Energy Services Agency and American Municipal Power-Ohio, Inc. was read in title only by the City Attorney. This legislation will approve a 3-year agreement with Municipal Energy Services Agency (MESA), under the Master Service Agreement with AMP-Ohio, to provide tree-trimming service in the vicinity of electric lines on an as-needed basis for the City's Electric Department. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-057 was made by Mr. Norris seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

Resolution No. 2009-059 A Resolution authorizing the City Manager to prepare and submit preliminary Grant Applications to the Ohio Public Works Commission and to execute Contracts as required was read in title only by the City Attorney. This legislation will approve the Grant Pre-application submittal to the OPWC for three 2012 Projects: 1) Columbia Road Improvement (from Mason-Morrow-Milgrove Road to Kingsview Drive), 2) Walnut/Summit/Oak Street Storm Sewer, and , 3) Wright Avenue/Suncrest Drive/Walnut Street/Stokes Street water main replacements. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2009-059 was made by Mr. Rodriguez seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Resolution No. 2009-060 A Resolution authorizing the City Manager to prepare and submit final Grant Application to the Ohio Public Works Commission and to execute Contracts as required was read in title only by the City Attorney. This legislation will approve a final grant application to the OPWC for the 2010 Mulberry Street Reconstruction Project (between West Street and Sycamore Street). Mr. Clements explained the legislation. Motion to adopt Resolution No. 2009-060 was made by Dr. Monroe seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-061 An Ordinance authorizing the City Manager to execute an Agreement with Stantec Consulting Services, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation approves an agreement with Stantec Consulting Services, Inc. to perform a Hydrologic and Hydraulic (H&H) analysis of Turtle Creek, between West Street and Glosser Road, in the amount of \$56,600. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-061 was made by Mr. Norris seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-062 A Supplemental Appropriation Ordinance, and declaring an emergency was read in title only by the City Attorney. This legislation will approve additional appropriation in the Storm Water Utility Fund in the amount of \$56,600 to support the Turtle Creek Hydrologic and Hydraulic analysis. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-062 was made by Mr. Norris seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-063 An Ordinance authorizing the City Manager to execute an Agreement with ME Companies, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with ME Companies to provide construction plans and specifications for the reconstruction of East Street from the bridge at Harmon Park to Maple Avenue and Water Main Upsizing Project from Main Street to Cook Road, in the amount of \$134,720.75. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-063 was made by Mr. Norris seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-064 An Ordinance authorizing the City Manager to execute an Agreement with Triton Services Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Triton Services, Inc. for the reconstruction of Cook Road from Deerfield Road to Navaho Drive and resurfacing of Cook Road from By-Pass 48 to Navaho Drive. The total cost of this project is \$775,940, of which, \$378,174 will be funded by an OPWC grant. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-064 was made by Mr. Norris seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-065 An Ordinance authorizing the City Manager to execute a First Amendment Agreement with American Electric Power Service Corporation, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an amendment to the whole purchase power agreement with AEP and authorize the City to provide performance assurances in the form of a letter of credit. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-065 was made by Dr. Monroe seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-066 An Ordinance authorizing the City Manager to execute a Settlement Agreement with Ohio Council 8, AFSMCE, AFL-CIO, and declaring an emergency was read in title only by the City Attorney. This legislation will approve a settlement agreement with AFSCME resolving all disputes between them regarding an unfair labor practice charge filed against the City. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-066 was made by Mr. Cole seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-067 An Ordinance approving Property Owner Assessments related to the Owners request for a change order to relocate a Traffic Signal Controller Box, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the property owners (whose real estate address is 3 South Broadway) request to assess his property for the expenses relating to the relocation of a traffic signal controller box located directly in front of his property, in the amount not to exceed \$9,845. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-067 was made by Mr. Cole seconded by Mr. Norris. After a brief discussion about the unsightliness of the traffic controller box and Mr. Miller's generosity, roll call vote to adopt was unanimous in favor.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised the next work session of Council would be June 15th, the next regular Council meeting would be June 23rd and the next Planning Commission meeting would be June 16th all at 7:00 p.m.

Mr. Norris reminded everyone that it was the 65th anniversary of D-Day and that there are residents who served in that event living in our community. He wanted them all to know how much they are appreciated for fighting for our freedom. He also reminded everyone that school was out for the summer and to please be extra careful.

Mrs. Flick advised that the HDLI is currently in the process of hiring a director and she felt that this group really brings the downtown community together and that they are really focused on the health of our downtown. She thanked all the people involved in Military Appreciation Day event that was held at Lebanon Ford. She said the event was very humbling.

Mr. Cole said that Boy Scout Troop #842 had their sleepover event at the Cincinnati Zoo and it was a great experience that he encouraged others to participate in.

Mayor Brewer also thanked everyone involved in the Military Appreciation event that was sponsored by Lebanon Ford. She said that the event was very powerful and there had been a good crowd of people attending. She also said it was a very humbling experience for her as well. She advised that she was on the 25th Anniversary Committee for MLK, and she would keep Council apprised on upcoming events.

There being no further business to come before this Council, motion to adjourn the meeting was made by Mr. Norris seconded by Mr. Cole. Roll call vote to adjourn the meeting unanimous in favor. The meeting was adjourned at 7:55 p.m.

Passed:

Mayor

Clerk