



**Minutes of the Lebanon City Council Meeting  
December 1, 2021 – 7:33 P.M.  
50 S. Broadway, Lebanon, Ohio**

Council of the City of Lebanon met in work session on December 1, 2021, in the Council Chambers. The meeting was called to order at 7:33 p.m. with the following members present Mayor Messer, Mr. Cope, Mr. Lamoreaux, Vice Mayor Mathews, Mr. Norris, Mr. Sellers, and Mr. Shafer. Also present were City Manager Scott Brunka, Attorney Mark Yurick, and Clerk / Auditor Dan Burke.

The Pledge of Allegiance was recited.

**Previous Business**

Ordinance – Approving updates to Chapter 133 Employment Provisions of the City of Lebanon Code. Mr. Brunka stated that staff has reviewed the employee manual over the past year. Some of the changes require City Council approval, most of the changes do not require City Council approval. There are some minor modifications in sick time accrual and holiday designations.

**New Business**

Ordinance – Approving the acceptance of terms of the One Ohio Subdivisions Settlement as it relates to opioid litigation. Mr. Yurick stated that the city participated in a lawsuit against the manufacturers and distributors of opioid medications. It was difficult to track damages because the plaintiffs didn't realize this was a problem as it was occurring. The One Ohio group was tasked with distributing the settlement funds. The City of Lebanon expects to receive between \$8,000 and \$20,000 for this component of the settlement, and there were no costs for the city to participate. Additional funds will be distributed to community organizations to assist with opioid education and prevention measures. In response to a question from Mr. Shafer, Mr. Yurick explained different components of the litigation and that the City of Lebanon should receive at least another \$130,000 for opioid distributor cases that were previously settled. In response to a question from Mr. Norris, Mr. Yurick stated that some cities chose not to participate so they could file their own lawsuits, but that litigation is very expensive. There was a discussion about whether a portion of the city's settlement could be distributed to opioid counseling providers located in Lebanon. Mr. Burke will determine if there are restrictions on distributing the city proceeds and whether a new fund should be established to track the funding. Mayor Messer and Vice Mayor Mathews sponsored legislation for the next City Council meeting.

Ordinance – Approving the final plat for Sheppard Trail creating a new single lot of record and dedicating public right-of-way. Mr. Brunka stated that the city has arranged to swap city-owned property on Cherry Street with Amy Elizabeth Sheppard. A visual overview of the parcels was displayed. This swap will allow the city to pave an alley that is used by neighboring residents, garbage trucks, and emergency vehicles. Ms. Sheppard intends to build a new home on the

parcel that expands her existing land. In response to a question from Mr. Sellers, Mr. Brunka stated that these types of land swaps have occurred occasionally in the past. Mr. Yurick stated that this typically happens in the downtown area because the old surveys are not always accurate. Mayor Messer, Vice Mayor Mathews, Mr. Cope, Mr. Lamoreaux, Mr. Norris, and Mr. Sellers sponsored legislation for the next City Council meeting.

Ordinance – Approving the transfer of .04 acres of property between the City of Lebanon and Amy Elizabeth Sheppard to facilitate improvements in a public alley. Mayor Messer, Vice Mayor Mathews, Mr. Cope, Mr. Lamoreaux, Mr. Norris, and Mr. Sellers sponsored legislation for the next City Council meeting.

Ordinance – Approving a 3-year bargaining agreement with IBEW establishing contract terms for the electric division bargaining unit. Mr. Brunka stated that the contract proposal has been approved by the union. The wage adjustments will be 3.25% in 2022, 3.25% in 2023 and 3.00% in 2024. The union has agreed to forgo a one-time \$250 inflationary cost-of-living adjustment that was budgeted for 2022. Mr. Yurick stated that it is difficult to find comparison rates because there are not many similar sized municipal electric utilities in Ohio. The city's compensation rate is very competitive because training costs are significant, and we do not want to pay to train employees who then leave to work somewhere else. Mayor Messer, Mr. Cope and Mr. Lamoreaux sponsored legislation for the next City Council meeting.

### **General Discussion Topics**

Public Records – Mr. Yurick briefed City Council on a public records lawsuit involving City of Cincinnati council members who used text messages to circumvent the Ohio Sunshine Laws. A Cincinnati council member just pled guilty to a crime after it was found that he deleted text messages that were later determined to be public records. Mr. Yurick reminded everyone on City Council that emails, text messages, and other forms of correspondence dealing with city business are considered public records and must be retained.

Civic Donation Program – Mr. Brunka stated that the Civic Donation applications are due by the end of this month and all the known local non-profit organizations have been notified. Information about this program will be reviewed by City Council in January.

The next meeting of City Council is scheduled for 7:00 p.m. on December 14.


Mayor Messer asked Mr. Brunka to email City Council a list of the current Council Committee structure.

Mr. Sellers and Mr. Lamoreaux stated that they have a lot to learn and are looking forward to working with everyone on City Council. Mr. Norris thanked everyone in the community who supported his candidacy. Vice Mayor Mathews thanked everyone on City Council for their support and is looking forward to the annual Horse Carriage Parade on December 4. Mr. Shafter welcomed the new City Council members and thanked Mayor Messer for continuing to promote freedom and liberty. He thanked Vice Mayor Mathews for his humble service with organizations throughout the City of Lebanon. City Council leadership is in great shape. Mr. Cope thanked everyone for helping him navigate the first several months on City Council. City staff continues to do a great job. Mr. Cope believes that the voters clearly support the path that City Council is taking, and he looks forward to continuing that work. Mayor Messer is very humbled this evening, he congratulated everyone and thanked City Council for trusting him with the position of Mayor.

## Adjourn

Vice Mayor Mathews made a motion to adjourn the meeting, seconded by Mr. Shafer. The meeting was adjourned at 8:20 p.m.

Passed: December 14, 2021

  
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Mayor

  
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Clerk