



MINUTES OF: LEBANON CITY COUNCIL

Date: DECEMBER 13, 2011

Council of the City of Lebanon met in regular session on December 13, 2011 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Monroe, Norris, Rodriguez, Messer, Dearie, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, City Attorney, Mark Yurick, Deputy City Manager, Scott Brunka and City Auditor, Sharee' Dick.

The JROTC Color Guard presented the Colors and everyone said the Pledge of Allegiance. The invocation was given by Mr. Norris.

At this time Mayor Brewer asked for consideration of Council minutes for the November 21st regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor. Motion to adopt the December 8th work session minutes as submitted was made by Mr. Rodriguez seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

Sara Arseneau of the Chamber of Commerce thanked Council, staff and volunteers for their support during the 22nd annual Carriage Parade event. She gave Council a commemorative Christmas ornament.

Doug Sibcy thanked Council and staff for the Giving Tree program. He invited everyone to the Community Christmas program at the old Post Office building on December 24th.

**Ordinance No. 2011-100** An Ordinance authorizing the City Manager to execute an agreement with Triton Services was read in title only by the City Attorney. This legislation will approve an agreement with Triton Services to replace the existing City Building roof-mounted air condensing unit, which has reached the end of its service life. The cost of this project is \$55,320 and will be funded from the Capital Improvement Fund. Mr. Clements explained the legislation. Mrs. Flick seconded by Dr. Monroe made motion for this legislation to receive a first reading.

**Ordinance No. 2011-101** 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 design the Homan Road construction project in the Lebanon Commerce Center.

This new road will provide access to a 26 acre parcel which is the future site of an \$8.5 million Federal Express distribution facility. The design services will be funded from the Tax Increment Finance Fund in the amount of \$40,900. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-101 was made by Mr. Rodriguez seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-102** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation will approve an additional appropriation in the Tax

Increment Finance Fund in the amount of \$41,000 to support the Homan Road Design Project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-102 was made by Dr. Monroe seconded Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-103** An Ordinance authorizing the City Manager to execute an amended and Restated Interconnection Agreement between Duke Energy Ohio, Inc., the City of Lebanon, Ohio and PJM Interconnection, LLC, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an amendment to the City's electric transmission interconnection agreement with Duke Energy to change the City's Independent System Operator from the Midwest Independent System Operator (MISO) to the Pennsylvania, Jersey, Maryland Independent System Operator (PJM), effective January 1, 2012. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-103 was made by Mrs. Flick seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-104** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation will approve additional appropriations in the Street Fund in the amount of \$20,000, the Cemetery Fund in the amount of \$2,500, the Storm Water Utility Fund in the amount of \$5,000, and the Sanitation Fund in the amount of \$5,000 to support unbudgeted staffing expenses that may be required for snow response for the remainder of 2011. Additionally, this legislation approves appropriations in the Water Fund in the amount of \$500 and the Utility Guarantee Fund in the amount of \$10,000 to support unbudgeted customer account refunds. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-104 was made by Mrs. Flick seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-105** An Ordinance authorizing the City Manager to execute an agreement with Greater Cincinnati Credit Union and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of 1.1 acres consisting of two parcels located at 617 Deerfield Road for use as a storm water management area, from Greater Cincinnati Credit Union. The purchase price is \$57,000 and will be funded from the Storm Water Utility Fund. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-105 was made by Mr. Dearie seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-106** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation will approve an additional appropriation in the Storm Water Utility Fund in the amount of \$62,000 to support the purchase and closing costs of the property located at 617 Deerfield Road. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-106 was made by Mr. Dearie seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-107** An Ordinance authorizing the City Manager to execute a Fee Owner Consent to Leasehold Mortgage and modification to Leasehold and declaring an emergency was read in title only by the City Attorney. This legislation will approve consent to leasehold mortgage and modifications to the ground lease for 611 Norgal Drive, which is the site of the Eastgate Graphics facility, to provide for the tenant's refinancing of the building and facilities by The National Bank & Trust Company and Horizon Certified Development Company. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-107 was made by Mr. Norris seconded by Mr. Rodriguez. Roll call 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 January 3rd, Planning Commission would be December 20th and he reminded everyone that City Offices would be closed December 23rd and 26th for the Christmas holiday.

Mr. Rodriguez encouraged everyone to shop locally and wished everyone a Merry Christmas and a Happy New Year.

Mrs. Flick thanked staff for their support with all of the City's projects over the year.

Mr. Dearie said he was impressed with everything the City was accomplishing and wished everyone a Merry Christmas.

Mr. Norris thanked the Chamber for the Carriage Parade and wished everyone a Merry Christmas.

Mr. Messer wished a Merry Christmas to all.

Dr. Monroe stated that this year's parade was outstanding. He encouraged everyone to attend the services on Christmas Eve at the old Post Office building .

Mayor Brewer stated that Lebanon residents made it a great community and we are all blessed to be a part of it. She wished everyone a Merry Christmas and asked all to remember those in need during the holiday season.

There being no further business to come before this Council motion to adjourn the meeting was made by Mr. Rodriguez seconded by Mr. Dearie. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 7:35 p.m.

Passed:

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Mayor

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Clerk