



MINUTES OF: LEBANON CITY COUNCIL

Date: JANUARY 10, 2012

Council of the City of Lebanon met in regular session on January 10, 2012 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 December 12th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Rodriguez seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor. Motion to adopt the January 3rd work session minutes as submitted was made by Dr. Monroe seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-100** An Ordinance authorizing the City Manager to execute an agreement with Triton Services and declaring an emergency 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. Motion to adopt Ordinance No. 2011-100 was made by Mr. Norris seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2012-001** An Ordinance amending Chapter 910 of the Codified Ordinances relating to Public Utilities was read in title only by the City Attorney. This legislation will approve an update to Section 910.01, Application for Utility Service, which will prohibit the establishment of a new utility account for any property that cannot be issued a Zoning Permit due to non-compliance with the Zoning Code. Mr. Clements explained the legislation. Mrs. Flick seconded by Mr. Dearie made motion for this legislation to receive a first reading.

**Ordinance No. 2012-002** An Ordinance amending Chapter 907 of the Codified Ordinances relating to Trees was read in title only by the City Attorney. This legislation will approve an update to Chapter 907 of the Codified Ordinances relating to Trees, to clarify tree maintenance and preservation requirements, as recommended by the Shade Tree Commission. Mr. Clements explained the legislation. Mr. Messer seconded by Mr. Norris made motion for this legislation to receive a first reading.

**Ordinance No. 2012-003** An Ordinance authorizing the City Manager to execute a Ground Lessor's Estoppel Certificate and declaring an emergency was read in title only by the City Attorney. This legislation will approve an Estoppel Certificate to allow H.B. Sisters, LLC to refinance their existing facility located at 3750 Taft Drive in Columbia Business Park. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-003 was made by Dr. Monroe seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2012-004** An Ordinance authorizing the City Manager to execute an Amended and Restated Landlord Consent, Subordination and Estoppel agreement and declaring an emergency was read in title only by the City Attorney. This legislation will approve an Amended and Restated Landlord Consent, Subordination and Estoppel Agreement to provide for the tenant's refinancing of their mortgage for their existing facility located at 601 and 603 Norgal Drive. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-004 was made by Dr. Monroe seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2012-005** An Ordinance authorizing the City Manager to execute a modified Lease with Cincinnati Bell Extended Territories, LLC and declaring an emergency was read in title only by the City Attorney. This legislation will approve a 3-year lease extension agreement with Cincinnati Bell for portions of the first floor of the Electric Administration Building located on Sycamore Street. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-005 was made by Dr. Monroe seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2012-006** An Ordinance authorizing the City Manager to execute a modified Channel 6 Agreement with Cincinnati Bell Extended Territories, LLC and declaring an emergency was read in title only by the City Attorney. This legislation will approve a 5-year extension to the Channel 6 Agreement with Cincinnati Bell which provides for a payment to the City of \$1 per subscriber per month. Motion to adopt Ordinance No. 2012-006 was made by Mr. Norris seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised that the next work session of Council would be January 18th, the next regular Council meeting would be January 24th and Planning Commission would be January 17th, all at 7:00 p.m. He reminded everyone City Offices would be closed on Monday, January 16th for Martin Luther King Day holiday.

Mr. Norris spoke about his students recent Washington DC trip with the highlight being the new Martin Luther King Memorial. He said there was always something new and exciting to see in our nation's Capital.

Mr. Rodriguez stated that he was going to begin approaching businesses in town that deserve to be highlighted and recognized for their contribution to the community. He thanked Steve Bonds and his family for the sign they recently made for his new business.

Mrs. Flick inquired about Mound Court being opened. Mr. Clements advised that it was open to residents for access but that the street would not have its final surface completed until Spring.

There being no further business to come before this Council motion to adjourn the meeting was

made by Mr. Norris seconded by Mr. Rodriguez. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 7:17 p.m.

Passed:

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Mayor

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Clerk