



MINUTES OF: LEBANON CITY COUNCIL

Date: AUGUST 28, 2012

Council of the City of Lebanon met in regular session on August 28, 2012 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Monroe, Norris, Messer, Dearie, Rodriguez, 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 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 August 14th regular meeting and August 20th work session. Motion to adopt the minutes as submitted was made by Mr. Dearie seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor. Note: Later in the meeting Mrs. Flick and Mr. Rodriguez amended their motion to adopt the minutes to abstaining. There were no objections to the amendment.

Mayor Brewer, Council and Police Chief Jeff Mitchell recognized the sponsors for National Night Out. Sponsors were Seeger's, Impact Church, Elks, Bryan's Pharmacy and Destiny Church.

**Ordinance No. 2012-075** An Ordinance authorizing the City Manager to execute an agreement with DTM Properties, LLC, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of the property located at 160 Harmon Avenue at a cost of \$915,000. Following renovations with an estimated cost of \$2.3 million, this facility would become the City's Municipal Service Facility, and replace the current Public Works facility located at 511 N. Broadway. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-075 was made by Mr. Norris seconded by Dr. Monroe. Mr. Rodriguez voiced his opposition to the project. All other members of Council stated their support. After a lengthy discussion about the project, roll call vote was as follows: Mr. Rodriguez, no; Dr. Monroe, yes; Mr. Norris, yes; Mayor Brewer, yes; Mr. Messer, yes; Mr. Dearie, yes; Mrs. Flick, yes.

**Ordinance No. 2012-076** 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 General Fund in the amount of \$970,000 to support the purchase of 160 Harmon Avenue and project design fees to reconfigure the property for use as the City's Municipal Service Facility, and additional appropriation in the Street Fund in the amount of \$100,000 to support project design fees. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-076 was made by Mr. Norris seconded by Dr. Monroe. Roll call vote to adopt was as follows: Mr. Norris, yes; Dr. Monroe, yes; Mrs. Flick, yes; Mr. Dearie, yes; Mr.

Rodriguez, no; Mr. Messer, yes; Mayor Brewer, yes.

**Ordinance No. 2012-077** An Ordinance authorizing the City Manager to execute a agreement with Rack and Ballauer Excavating Co., LLC, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an Agreement with Rack and Ballauer Excavating Co., LLC to replace the deteriorated storm sewer on Farview Avenue and slip line the sanitary sewer on Farview Avenue and South Broadway. The cost of this project is \$89,404. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-077 was made by Mrs. Flick seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2012-078** An Ordinance authorizing the City Manager to execute an agreement with MOBRO, LLC, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of right-of-way from MOBRO, LLC in the amount of \$72,960 necessary to construct the State Route 123 - State Route 63 Connector Project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-078 was made by Mr. Dearie seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2012-079** An Ordinance authorizing the City Manager to execute an agreement with Michael and Michelle Benner, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of right-of-way from Michael and Michelle Benner in the amount of \$84,360. The acquisition of this right of way is necessary to construct the State Route 123 - State Route 63 Connector Project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-079 was made by Mr. Norris seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2012-080** An Ordinance authorizing the City Manager to execute an agreement with Larry and Charlotte Buchanan, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the sale of 1.6 acres of City-owned property to Larry and Charlotte Buchanan at its appraised value of \$103,230, and the purchase of 0.3 acres of right-of-way from Larry and Charlotte Buchanan at its appraised value of \$53,715. The acquisition of this right of way is necessary to construct the State Route 123 - State Route 63 Connector Project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-080 was made by Mr. Messer seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2012-081** 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 Capital Improvement Fund in the amount of \$350,000 to support the acquisition of right-of-way and easements necessary to construct the State Route 123 - State Route 63 Connector Project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2012-081 was made by Mr. Dearie seconded by Mr. Norris. 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 would be September 4th, the next regular Council meeting would be September 11th and there would also be a Warren County 9/11 Memorial Dedication ceremony at 9:00 a.m. that day. He

reminded everyone that City offices would be closed September 3rd for the Labor Day holiday.

Mr. Norris said that with Labor Day approaching he would like to commend the men, women and City staff that work so hard to make our community a wonderful place to live and work.

Mr. Messer commended City staff as well.

Dr. Monroe said that he had served on this Council for over six years and he reminded everyone that this Council had been very cautious regarding calling each other out at the dais. He said that this Council takes their job responsibilities very seriously and he commended the board for moving forward on the Municipal Service Facility.

Mayor Brewer advised there were many new businesses opening up around town and she encouraged everyone to get out there and support them. She reminded everyone that Applefest was coming up September 29th.

There being no further business to come before this Council motion to adjourn the meeting was made by Mr. Messer seconded by Dr. Monroe. Roll call vote to adjourn the meeting was unanimous in favor. The meeting was adjourned at 7:30 p.m.

Passed:

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Mayor

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Clerk