



MINUTES OF: LEBANON CITY COUNCIL

Date: JANUARY 22, 2013

Council of the City of Lebanon met in regular session on January 22, 2013 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Norris, Messer, Dearie, Rodriguez, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, City Attorney, Mark Yurok, Deputy City Manager, Scott Brunka and City Auditor, Sharee' Dick.

Motion to excuse Dr. Monroe and Mr. Messer from the January 14th work session was made by Mr. Dearie seconded by Mrs. Flick. Mayor Brewer asked for a show of hands, all were in favor.

Motion to excuse Dr. Monroe from tonight's meeting was made by Mrs. Flick seconded by Mr. Dearie. 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 January 8th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor. Motion to adopt the January 14h work session minutes as submitted was made by Mr. Dearie seconded by Mr. Norris. Roll call vote to adopt was as follows: Mr. Norris, yes; Mr. Dearie, yes; Mrs. Flick, yes; Mayor Brewer, yes; Mr. Messer, abstained; Mr. Rodriguez, abstained.

**Ordinance No. 2013-001** An Ordinance amending Chapter 133 of the Codified Ordinances providing for Employment Provisions was read in title only by the City Attorney. This legislation will approve updates to Chapter 133.02, which approves City staff position titles and grades, by replacing the Street Superintendent (Grade 7) position with the Street Supervisor (Grade 5) position, and reclassifying the Deputy Tax Commissioner position from Grade 6 to Grade 5. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-011 was made by Mrs. Flick seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-006** An Ordinance authorizing the City Manager to execute a Settlement Agreement between Duke Energy Ohio, Inc. and the City of Lebanon, Ohio and declaring an emergency was read in title only by the City Attorney. This legislation will approve a settlement agreement with Duke Energy regarding the City's share of Duke's fees, and stranded capital improvement costs, resulting from Duke Energy's transition from MISO Regional Transmission Organization (RTO) to the PJM RTO. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-006 was made by Mr. Messer seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-007** An Ordinance authorizing the City Manager to execute an Agreement with HD Supply Utilities Ltd., and declaring an emergency was read in title only by the City Attorney. This legislation will approve a 2-year blanket purchase agreement with HD Supply Utilities Ltd. to supply various supplies and materials used by the Electric Department. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-007 was made by Mr. Dearie seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-008** An Ordinance authorizing the City Manager to execute an Agreement with Power Line Supply Company, and declaring an emergency was read in title only by the City Attorney. This legislation will approve a 2-year blanket purchase agreement with Power Line Supply Company to supply various supplies and materials used by the Electric Department. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-008 was made by Mr. Norris seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-009** An Ordinance authorizing the City Manager to execute an Agreement with Solomon Corporation, and declaring an emergency was read in title only by the City Attorney. This legislation will approve a 2-year blanket purchase agreement with Solomon Corporation to supply various supplies and materials used by the Electric Department. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-009 was made by Mr. Dearie seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-010** An Ordinance authorizing the City Manager to execute an Agreement with WESCO Distribution Incorporated, and declaring an emergency was read in title only by the City Attorney. This legislation will approve a 2-year blanket purchase agreement with WESCO Distribution Incorporated to supply various supplies and materials used by the Electric Department. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-010 was made by Mr. Norris seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-011** An Ordinance authorizing the City Manager to execute an Agreement with Osborne Excavating, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Osborne Excavating to perform the

demolition of four obsolete structures from the former Water Treatment Facility located on West Main Street. The cost of this demolition project is \$32,100. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-011 was made by Mr. Dearie seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Resolution No. 2013-012** An Resolution approving the City of Lebanon's Civic Donation Program Allocation for 2013 was read in title only by the City Attorney. This legislation will approve the allocation of funding and free utility service to 8 local organizations. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2013-012 was made by Mr. Dearie seconded by Mr. Norris. Robert Waters of 926 Meadow Lane spoke to Council regarding his opposition to this legislation. Mr. Rodriguez also voiced his concerns with the program. He motioned to suspend the Resolution for further discussion at the next work session. The motion did not receive a second, motion failed. Roll call vote to adopt Resolution No. 2013-012 was as follows: Mr. Norris, yes; Mrs. Flick, yes; Mr. Messer, yes; Mr. Rodriguez, no; Mr. Dearie, yes; Mayor Brewer, yes.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised the next work session of Council would be February 5th that would include the 2012 Financial, Insurance and Economic Development updates. The next regular Council meeting would be February 12th.

Mrs. Flick said she was happy to see the Police Department establishing an office in our schools.

Mr. Norris elaborated on the importance of MLK day.

Mayor Brewer thanked all the people involved in the Jr. High Schools MLK day event.

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 7:25 p.m.

Passed:

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Mayor

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Clerk