



MINUTES OF: LEBANON CITY COUNCIL

Date: FEBRUARY 12, 2013

Council of the City of Lebanon met in regular session on February 12, 2013 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, City Auditor, Sharee' Dick and Deputy City Manager, Scott Brunka.

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 January 22nd regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor. Motion to adopt the February 5th work session minutes as submitted was made by Mr. Norris seconded by Mrs. Flick. Roll call vote to adopt was as follows: Mr. Norris, yes; Mr. Dearie, yes; Mrs. Flick, yes; Mayor Brewer, abstained; Dr. Monroe, yes; Mr. Messer, yes; Mr. Rodriguez, abstained.

Mayor Brewer asked for a motion to open the Public Hearing. Mr. Yurick stated that the purpose of the Public Hearing was for the Proposed Zoning Text Amendment to Chapter 1133, Section 1133.11 of the Official Zoning Code. Motion to open the public hearing was made by Mrs. Flick seconded by Mr. Norris. The public hearing was opened at 7:05 p.m. Mr. Clements explained the amendment. There were no speakers from the audience. Motion to close the public hearing was made by Mr. Norris seconded by Mr. Rodriguez. The public hearing was closed at 7:08 p.m.

**Ordinance No. 2013-014** An Ordinance of the City of Lebanon, Ohio to amend Chapter 1133 of the Official Zoning Code was read in title only by the City Attorney. This legislation will approve text amendments to Section 1133.11 of the Zoning Code deleting assembly type uses, including churches, from the Industrial Zones and adding churches to the Neighborhood Commercial and General Commercial Zones as permitted uses, as recommended by the Planning Commission. Mr. Clements explained the legislation. Mr. Dearie seconded by Dr. Monroe made motion for this legislation to receive a first reading.

**Ordinance No. 2013-015** An Ordinance to approve the record plan for the final Plat of Keever Place Subdivision, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the re-plat of the property at 317 Keever Street to split the lot and create a new .34 acre parcel, and establish necessary right-of-way along Orchard Avenue and Cincinnati Avenue, as recommended by the Planning Commission. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-015 was made by Mr. Messer seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-016** An Ordinance approving the internal Asset Sale of City-Owned property from the Water Fund to the Tax Increment Financing Fund was read in title only by the City Attorney. This legislation

will approve the internal asset sale of the 17.7 acre City-owned parcel located in Kingsview Industrial Park, which was previously used as a water well field, from the Water Fund to the Tax Increment Financing Fund at the property's current appraised value of \$885,000. Mr. Clements explained the legislation. Dr. Monroe seconded by Mr. Messer made motion for this legislation to receive a first reading.

**Ordinance No. 2013-017** A Supplemental Appropriation Ordinance was read in title only by the City Attorney. This legislation will approve additional appropriation in the Tax Increment Financing Fund in the amount of \$885,000 to support the internal asset sale of the 17.7 acre parcel located in the Kingsview Industrial Park from the Water Fund to the Tax Increment Financing Fund. Mr. Clements explained the legislation. Dr. Monroe seconded by Mrs. Flick made motion for this legislation to receive a first reading.

**Ordinance No. 2013-018** An Ordinance authorizing the City Manager to execute a Collective Bargaining agreement with International Brotherhood of Electrical Workers AFL-CIO-CLC and Local Union No. 648, and declaring an emergency was read in title only by the City Attorney. This legislation will approve a 3-year labor agreement with the IBEW for the unionized members of the Electric Department. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-018 was made by Mr. Norris seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-019** 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 Section 133.02 of the Codified Ordinances, which is the list of approved staff positions, by adding the Electric Equipment Operator I and II positions, and deleting the Electric Equipment Operator and Line Worker Second Class positions. Mrs. Flick seconded by Mr. Dearie made motion for this legislation to receive a first reading.

**Ordinance No. 2013-020** An Ordinance authorizing the purchase of a 2013 Ford F-550 Dump Truck for the Street Department, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of a 2013 Ford F-550 light dump truck for the Street Department from the state bid list in the amount of \$47,200, to replace a 1992 model truck that has reached the end of its service life. Motion to adopt Ordinance No. 2013-020 was made by Mr. Norris seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-021** An Ordinance Authorizing The City Manager To Execute A Pole And Conduit Use Agreement With Fibertech Networks, LLC was read in title only by the City Attorney. This legislation will approve a Pole and Conduit Use Agreement with the Fibertech Networks, LLC to install fiber optic lines on City-owned poles and/or conduits. Mr. Clements explained the legislation. Mrs. Flick seconded by Mr. Norris made motion for this legislation to receive a first reading.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised the next work session of Council would be February 20th but that Planning Commission had been canceled and Council could move the work session back to Tuesday. Council agreed to move the work session from the 20th to the 19th. The next regular meeting would be February 26th and City offices would be closed the 18th for Presidents Day.

Mr. Rodriguez reminded everyone to get out and support their local businesses.

Mr. Norris asked everyone to remember the importance of Presidents Day.

Mayor Brewer thanked the Optimist Club for their support throughout the community. She also thanked our EMS teams for their outstanding service.

There being no further business to come before this Council motion to adjourn the meeting was made by Mr. Rodriguez seconded by Mr. Norris. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 7:20 p.m.

Passed:

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Mayor

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Clerk