



MINUTES OF: LEBANON CITY COUNCIL

Date: FEBRUARY 26, 2013

Council of the City of Lebanon met in regular session on February 26, 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, Monroe, 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 February 12th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Dearie seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor. Motion to adopt the February 19th work session minutes as submitted was made by Mrs. Flick seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Sherriff Larry Sims, Warren County Sherriff's Office gave Council an update on the Sherriff's Department 2012 activities.

**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. Motion to adopt Ordinance No. 2013-014 was made by Mr. Dearie seconded by Mr. Norris. 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. Motion to adopt Ordinance No. 2013-016 was made by Dr. Monroe seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**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. Motion to adopt Ordinance No. 2013-017 was made by Mr. Dearie seconded by Mrs. Flick. 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. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-019 was made by Mr. Norris seconded by Mrs. Flick. 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. Motion to adopt Ordinance No. 2013-021 was made by Mr. Dearie seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-022** An Ordinance authorizing the purchase of four vehicles for the Police Division and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of four 2013 Chevrolet Tahoe's from the state bid list at a total cost of \$110,197, to replace four police vehicles that have reached the end of their service life. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-022 was made by Mr. Norris seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-023** An Ordinance approving the Will and Harriet Miller Ecological Park Nature Playscape Sponsorship Program was read in title only by the City Attorney. This legislation will approve a sponsorship policy for the Miller Ecological Park Nature Playscape area in order to generate funding to support future park improvements. Mr. Clements explained the legislation. Mrs. Flick seconded by Dr. Monroe made motion for this legislation to receive a first reading.

**Ordinance No. 2013-024** An Ordinance authorizing the City Manager to execute Lease Addenda for use of Office Space in the Sams House was read in title only by the City Attorney. This legislation will approve 2-year lease extensions with the Optimist Club, Rotary Club, and Lions Club for use of office space in the Sams building located on North Broadway. Mr. Clements explained the legislation. Mr. Norris seconded by Mr. Messer made motion for this legislation to receive a first reading.

**Ordinance No. 2013-025** An Ordinance providing for the Issuance of not to exceed \$5,355,000 Road Improvement Refunding and New Money Bonds, Series 2013, by the City of Lebanon, Ohio, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the refunding of the \$2.5 million 2003 Road Improvement Bond and the Issuance of \$2.9 million in Bonds to support the SR 123-63 Connector Project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-025 was made by Mr. Dearie seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-026** An Ordinance providing for the Issuance of not to exceed \$3,100,000 Road Improvement Bond Anticipation Notes, Series 2013, by the City of Lebanon, Ohio, in Anticipation of the Issuance of Bonds of the City, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the issuance of a \$3.1 million Bond Anticipation Note for the State Route 123 - State Route 63 Connector Project. The City applied for and received a federal grant in the amount of \$3.1 million, and when the grant funding is received the note will be paid in full. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-026 was made by Mr. Dearie seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-027** An Ordinance providing for the Issuance of not to exceed \$1,000,000 Sewer Improvement Bond Anticipation Notes, Series 2013, by the City of Lebanon, Ohio, in Anticipation of the Issuance of Bonds of the City, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the issuance of a \$1.0 million Bond Anticipation Note for the Kingsview Industrial Park Sanitary Sewer Improvement Project. This project will increase the capacity and reliability of the sanitary sewer system serving the southern industrial park area. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-027 was made by Mrs. Flick seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-028** An Ordinance providing for the Issuance of not to exceed \$4,100,000 Various Purpose Bond Anticipation Notes, Series 2013, by the City of Lebanon, Ohio, in Anticipation of the Issuance of Bonds of the City, and declaring an emergency was read in title only by the City Attorney. This legislation will approve combining the \$1.0 million Bond Anticipation Note for the Kingsview Industrial Park Sanitary Sewer Project and the \$3.1 million Bond Anticipation Note for the SR 123-63 Connector Project. Combining these two Notes is a legal requirement and will reduce the City's cost of issuing the notes. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-028 was made by Dr. Monroe seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-029** An Ordinance repealing Chapter 713 of the Codified Ordinances relating to Taxicabs was read in title only by the City Attorney. This legislation will approve the repeal of the City's taxicab regulations enacted in 2004. Mr. Clements explained the legislation. Mrs. Flick seconded by Mr. Dearie made motion for this legislation to receive a first reading.

**Ordinance No. 2013-030** An Ordinance authorizing the purchase of a 2013 Ford F-550 Dump Truck for the Electric 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 dump truck for the Electric Department from the state bid list, in the amount of \$50,100, to replace a 1989 truck that has reached the end of its service life. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-030 was made by Mr. Messer seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-031** An Ordinance authorizing the purchase of a 2013 Chevrolet 3500 Pickup Truck for the Electric Department, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of a 2013 Chevrolet 3500 pickup truck for the Electric Department from the state bid list, in the amount of \$41,400, to replace a 2000 truck that has reached the end of its service life. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-031 was made by Mr. Dearie seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2013-032** An Ordinance authorizing the City Manager to execute an agreement with Westside Paving and Excavation, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation approves contract agreement with Westside Paving and Excavation, Inc. to resurface and color coat the 3 west side tennis courts in Harmon Park, at a cost of 33,470. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2013-032 was made by Mr. Dearie seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Mayor Brewer asked for a motion to excuse Mr. Rodriguez from tonight's meeting. Mr. Dearie seconded by Mrs. Flick made motion for Mr. Rodriguez to be excused. Mayor Brewer asked for a show of hands, all were in favor.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised the next work session of Council would be March 5th, the next regular meeting would be March 12th, the Chamber of Commerce's LebFest would be held at the High School this Saturday from 10:00 to 4:00 p.m. with the Rotary Pancake Breakfast beginning at 7:00 a.m.

Mr. Norris encouraged everyone to attend the Rotary Pancake Breakfast & LebFest event.

Mayor Brewer said it was wonderful to see the new Rural King open at the vacant Wal-Mart building. She asked everyone to support our local businesses.

Motion to adjourn into executive session to discuss legal matters was made by Dr. Monroe seconded by Mr. Messer. Roll call vote to adjourn was unanimous in favor. Council adjourned into executive session at 7:42 p.m.

Motion to adjourn from executive session was made by Dr. Monroe seconded by Mrs. Flick. Roll call vote to reconvene was unanimous in favor. Council reconvened at 8:15 p.m.

There being no further business to come before this Council motion to adjourn the meeting was made by Mrs. Flick seconded by Mr. Messer. Roll call vote to adjourn the meeting was unanimous in favor. The meeting was adjourned at 8:16 p.m.

Passed:

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Mayor

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Clerk