



MINUTES OF: LEBANON CITY COUNCIL

Date: JULY 8, 2014

Council of the City of Lebanon met in regular session on July 8, 2014 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Norris, Dearie, Rodriguez, Kaiser, Messer, Mrs. Monroe and Mayor Brewer. Also present was Acting City Manager, Scott Brunka, City Attorney, Mark Yurick, 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 June 24th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Kaiser seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor. Motion to adopt the July 1st work session minutes was made by Mr. Kaiser seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

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 Map Amendment to rezone 1.9 acres at the northeast corner of Main Street and Neil Armstrong Way (St. Rt. 123) from I-1 (Light Industrial) to NC (Neighborhood Commercial). Motion to open the public hearing was made by Mr. Norris seconded by Mr. Dearie. The public hearing was opened at 7:05 p.m. Mr. Brunka explained the amendment. There were no speakers from the audience. Motion to close the public hearing was made by Mr. Norris seconded by Mr. Dearie. The public hearing was closed at 7:07 p.m.

**Ordinance No. 2014-059** An Ordinance adopting the City of Lebanon Pay Plan was read in title only by the City Attorney. This legislation will approve the 2015 City Pay Plan which includes a 1.25% across the board pay increase and departmental performance based pay allowances equivalent to 1.25% of each department's aggregate base pay expenses which will be allocated to staff members based on the results of the annual performance review process. Mr. Brunka explained the legislation. Motion to adopt Ordinance No. 2014-059 was made by Mr. Messer seconded by Mrs. Monroe. Roll call vote to adopt was as follows: Mr. Norris, yes; Mrs. Monroe, yes; Mr. Kaiser, yes; Mr. Dearie, yes; Mr. Rodriguez, no; Mr. Messer, yes; Mayor Brewer, yes.

**Ordinance No. 2014-060** An Ordinance approving the 2015-2019 Capital Improvement Plan for the City of Lebanon, Ohio was read in title only by the City Attorney. This legislation will approve the proposed 2015-2019 Capital Improvement Plan. Mr. Brunka explained the legislation. Motion to adopt Ordinance No. 2014-060 was made by Mr. Dearie seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Resolution No. 2014-067** A Resolution approving the provision of City services in support of the Lebanon Oktoberfest event was read in title only by the City Attorney. This legislation will approve the provision of City Services in support of the Lebanon Oktoberfest Event to be held October 18, 2014, with a value not to exceed \$3,000. Mr. Brunka explained the legislation. Motion to adopt Resolution No. 2014-067 was made by Mr. Norris seconded Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2014-068** An Ordinance for Amendment to the Zoning Map from I-1 to NC was read in title only by the City Attorney. This legislation will approve a Zoning Map Amendment to rezone 1.9 acres at the corner of West Main and Neil Armstrong Way (State Route 123) from I-1 (Light Industrial) to NC (Neighbor Commercial), as recommended by the Planning Commission. Mr. Brunka explained the legislation. Mr. Norris seconded by Mr. Rodriguez made motion for this legislation to receive a first reading.

**Ordinance No. 2014-069** An Ordinance authorizing the City Manager to execute an agreement with Fred Nemann Company, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Fred Nemann Company, Inc. to reconstruct West Street from West Silver Street to West Main Street in the amount of \$819,607.37. The City was awarded a grant from Ohio Public Works Commission in the amount of \$298,900 to assist with the costs of the roadway reconstruction and new storm sewer installation. Mr. Brunka explained the legislation. Motion to adopt Ordinance No. 2014-069 was made by Mr. Dearie seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2014-070** An Ordinance authorizing the City Manager to execute an agreement with Welsh Excavation Company, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Welsh Excavation Company, Inc. to reconstruct South East Street from East Park Avenue to Deerfield Road in the amount of \$1,130,725.50. The City received a grant from Ohio Public Works Commission in the amount of \$669,500 to assist with the costs of the roadway reconstruction and new storm sewer installation. Mr. Brunka explained the legislation. Motion to adopt Ordinance No. 2014-070 was made by Mr. Rodriguez seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

**Resolution No. 2014-071** A Resolution authorizing the City Manager to file with the Ohio Department of Natural Resources an application for the Natureworks Grant was read in title only by the City Attorney. This legislation will authorize the City Manager to apply for an ODNR Natureworks Grant in the amount of \$23,300 to support the rehabilitation and fencing repair of the Harmon Park tennis courts. Mr. Brunka explained the legislation. Motion to adopt Resolution No. 2014-071 was made by Mr. Rodriguez seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Resolution No. 2014-072** A Resolution declaring it necessary to place an Operating Levy in excess of the Ten-Mill Limitation to the Electorate was read in title only by the City Attorney. This legislation will approve the placement of a proposed 1.5 Mill Street Maintenance Levy on the November 4, 2014 general election ballot for the purpose of providing additional funds for maintenance, resurfacing, new construction, and repair of public roadways in the City of Lebanon. Mr. Brunka explained the legislation. Motion to adopt Resolution No. 2014-072 was

made by Mr. Norris seconded by Mr. Dearie. Mr. Norris, Mr. Dearie and Mr. Kaiser voiced their support of this legislation. Mr. Rodriguez, Mrs. Monroe voiced their opposition. Roll call vote to adopt was as follows: Mr. Dearie, yes; Mr. Norris, yes; Mayor Brewer, yes; Mr. Messer, no; Mr. Rodriguez, no; Kaiser, yes; Mrs. Monroe, no. Motion to adopt failed.

**Resolution No. 2014-073** Resolution declaring necessity of placing before the Electors of the City of Lebanon, Ohio at the next General Election the issue of increasing the Lebanon, Ohio City Earnings Tax, from One Percent (1%) Per Annum to One and a Quarter Percent (1.25%) Per Annum was read in title only by the City Attorney. This legislation will approve the placement of a proposed additional earnings tax of one quarter of one percent (.25%) per annum on the November 4, 2014 general election ballot for the purpose of providing additional funds necessary to address roadway service level issues. Mr. Brunka explained the legislation. Motion to adopt Resolution No. 2014-073 was made by Mr. Norris seconded by Mr. Kaiser. Council had a lengthy discussion regarding this legislation. Roll call vote to adopt was as follows: Mrs. Monroe, no; Mr. Rodriguez, no; Mr. Kaiser, yes; Mayor Brewer, no; Mr. Messer, no; Mr. Norris, yes; Mr. Dearie, yes. Motion to adopt failed.

Mayor Brewer asked for the City Manager's report. Mr. Brunka advised there were numerous road construction projects going on and he asked for everyone to be patient.

Mr. Norris thanked everyone involved the Independence Day event. He encouraged everyone to attend the Historical Society's Summer Music Festival at Armco Park.

Mr. Rodriguez said that this year's Independence Day event was incredible. He asked staff to consider having the parade on the 4th and earlier in the day.

Mayor Brewer said she appreciated this evening's debate. She reminded everyone there were no other meetings of Council for the month of July.

There being no further business to come before this Council motion to adjourn the meeting was made by Mr. Rodriguez seconded by Mr. Messer. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 8:05 p.m.

Passed:

---

Mayor

---

Clerk