



MINUTES OF: LEBANON CITY COUNCIL

Date: JANUARY 27, 2015

Council of the City of Lebanon met in regular session on January 27, 2015 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Norris, Dearie, Rodriguez, Kaiser, Messer, and Mayor Brewer. Also present was City Manager, Pat Clements, City Auditor, Sharee' Dick, City Attorney, Mark Yurick, and Deputy City Manager, Scott Brunka.

Motion to excuse Mrs. Monroe from this evenings meeting was made by Mr. Dearie seconded by Mr. Rodriguez. Mayor Brewer asked for a show of hands, all were in favor.

At this time Mayor Brewer asked for consideration of Council minutes for the January 13th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor. Motion to adopt the January 21st work session minutes as submitted was made by Mr. Dearie seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

Vicky Van Harlingen spoke to Council the possibility of the Summer Festival being held in the CBD this year on July 11th or 18th. Council said they were supportive of the festival being downtown and suggested the WCHS meet with the City's marketing department soon as possible to work out the details of the event. Ms. Van Harlingen also informed Council the WCHS had sent a revised Civic donation request letter amending by lowering the previous request.

Mayor Brewer asked the City Attorney to state the purpose of the Public Hearing. Mr. Yurok stated the purpose of the public hearing was a proposed Zoning Code Amendments to Chapters 1133, 1137 and 1142 to permit microbreweries in the CBD, NC, GC, I-1 and MU zones. Mr. Norris seconded by Mr. Rodriguez made motion to open the public hearing. There were no speakers regarding the public hearing. Motion to close the public hearing was made by Mr. Messer seconded by Mr. Norris.

Mayor Brewer asked the City Attorney to state the purpose of the Public Hearing. Mr. Yurick stated the purpose of the public hearing was a proposed Zoning Map Amendment to rezone 5 school sites owned by the Lebanon City School District to PI (Public Institutional) Zoning. Mr. Rodriguez seconded by Mr. Messer made motion to open the public hearing. There were no speakers regarding the public hearing. Mr. Norris seconded by Mr. Messer made motion to close the public hearing.

**Ordinance No. 2015-001** An Ordinance amending Chapter 910 of the Codified Ordinances relating to Public Utilities was read in title only by the City Attorney. This legislation will approve updates to Chapter 910 “Public Utilities” to clarify the procedures for handling overbilling and under-billing of utility accounts; simplify the computation of the reconnection fee for non-standard electric service; and, codify the various charges for City labor and equipment. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-001 was made by Mr. Dearie seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-002** An Ordinance amending Chapter 911 of the Codified Ordinances relating to Water Charges was read in title only by the City Attorney. This legislation will approve updates to Chapter 911 “Water Charges” to clarify the procedures for use of temporary sewer deduct meters and hydrant meters; and, clarify procedures and reduce the fees associated with the use of backflow prevention devices for water irrigation systems. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-002 was made by Mr. Dearie seconded by Mr. Kaiser. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-003** An Ordinance amending Chapter 129 of the Codified Ordinances relating to Advisory Boards was read in title only by the City Attorney. This legislation will amend Section 129.03 (B) Term of Office, to clarify the procedure for filing an application for an appointment to any advisory board, and eliminating the Cultural Affairs Commission. Mr. Clements explained the legislation. Motion to postpone this legislation for further discussion at the next work session was made by Mr. Norris seconded by Mr. Messer. Roll call vote to postpone was as follows: Mayor Brewer, yes; Mr. Norris, yes; Mr. Rodriguez, yes; Mr. Kaiser, no; Mr. Dearie, yes.

**Ordinance No. 2015-004** An Ordinance amending Chapter 133 of the Codified Ordinances relating to Health Insurance and Life Insurance was read in title only by the City Attorney. This legislation will amend Section 133.12 of the Codified Ordinances providing for the increase in the level of term life insurance coverage for City staff members from \$40k to \$50k, and eliminate the 30-day waiting period to provide insurance coverage to new staff members. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-004 was made by Mr. Messer seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-005** An Ordinance amending Chapter 133 of the Codified Ordinances relating to Employment Provisions was read in title only by the City Attorney. This legislation will amend Section 133.02 of the Codified Ordinances, which is the list of approved staff positions and grades, to add the Police Captain, Grade 7 classification. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-005 was made by Mr. Kaiser seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-006** An Ordinance amending Chapter 131 of the Codified Ordinances relating to Purchasing was read in title only by the City Attorney. This legislation will approve various updates to Chapter 131 in order to clarify the City's purchasing regulations and increase the threshold for the mandatory use of a formal Request for Qualifications process for the selection of providers of professional design services from \$25,000 to \$50,000. Mr. Clements explained the legislation. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-006 was made by Mr. Norris seconded by Mr. Dearie. Roll call vote to adopt was as follows: Mr. Kaiser, no; Mr. Norris, yes; Mayor Brewer, yes; Mr. Dearie, yes; Mr. Rodriguez, no; Mr. Messer, yes.

**Ordinance No. 2015-007** An Ordinance authorizing the City Manager to execute a Mutual Aid Assistance Agreement with Warren County for the Execution of Law Enforcement Mutual Aid was read in title only by the City Attorney. This legislation will approve a Mutual Aid Assistance Agreement with Warren County to outline procedures for the cooperative use of law enforcement assets. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-007 was made by Mr. Dearie seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-011** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation will approve an additional appropriation in the General Fund in the amount of \$561,000 to execute the purchase of the Burnell Property located at 532 N. Broadway and the 17 acre Leathery Property located at 726 E. Main Street, as provided for by the OPWC Clean Ohio Fund Grant awarded to the City to support the expansion of Colonial Park West and the Bowman Nature Preserve. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-011 was made by Mr. Dearie seconded by Mr. Messer. Roll call vote to adopt was as follows: Mr. Norris, yes; Mr. Kaiser, no; Mr. Messer, yes; Mr. Rodriguez, no; Mr. Dearie, yes; Mayor Brewer, yes. This legislation receives a first reading.

**Ordinance No. 2015-012** An Ordinance of the City of Lebanon, Ohio to amend Chapters 1133, 1137 and 1142 of the Official Zoning Code was read in title only by the City Attorney. This legislation will amend Chapters 1133, 1137 and 1142 of the Zoning Code to permit microbreweries and/or brewpubs in the NC, GC, CBD, I-1 and MU Zones, as recommended by the Planning Commission. Mr. Clements explained the legislation. Mr. Rodriguez seconded by Mr. Kaiser made motion for this legislation to receive a first reading.

**Ordinance No. 2015-013** An Ordinance for Amendment to the Zoning Map Lebanon City School Properties to PI (Public Institutional) was read in title only by the City Attorney. This legislation will approve a Zoning Map amendment to rezone 5 parcels owned by the Lebanon City School District to PI (Public Institutional), as recommended by the Planning Commission. Mr. Clements explained the legislation. Mr. Norris seconded by Mr. Messer made motion for this legislation to receive a first reading.

**Ordinance No. 2015-014** An Ordinance authorizing the City Manager to execute an agreement with Paul Revelson, Esq., and declaring an emergency was read in title only by the City Attorney. This legislation will authorize an employment agreement with Paul Revelson to serve as Municipal Court Prosecutor for the City of Lebanon. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-014 was made by Mr. Dearie seconded by Mr. Messer. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-015** An Ordinance authorizing the City Manager to execute an Addendum to the agreement with the Lebanon Police Employees Association and declaring an emergency was read in title only by the City Attorney. This legislation will approve an addendum to the Lebanon Police Employees Association (LPEA) labor contract to establish the classification of the Police Captain position. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-015 was made by Mr. Messer seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-016** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation will approve an additional appropriation in the General Fund to facilitate the transfer of \$200,000 from the General Fund to the Fire Fund. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-016 was made by Mr. Dearie seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-017** An Ordinance authorizing the transfer from the General Fund to the Fire Fund and declaring an emergency was read in title only by the City Attorney. This legislation will approve the transfer of \$200,000 from the General Fund to the Fire Fund. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-017 was made by Mr. Messer seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2015-018** An Ordinance authorizing Forgiveness of Advances from the General Fund to the Fire Fund and declaring an emergency was read in title only by the City Attorney. This legislation will authorize the forgiveness of the remaining \$125,000 advance from the General Fund to the Fire Fund to support the purchase of a new ambulance. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-018 was made by Mr. Norris seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

Mayor Brewer asked for the City Managers report. Mr. Clements advised that the next work session would be February 3rd and the next regular meeting would be February 10th.

Mr. Kaiser voiced his concerns regarding the Commissions of Council and how currently these volunteers are really reporting to staff and not Council. He would like to be appointed and/or volunteer to be on any of these commissions because one member of Council should be on every Board and he'd be happy to serve.

Mr. Rodriguez said Council used to have Council Commissions and he has been asking for months, actually about 4 years, and where they have gone and why aren't there appointments being made to these boards anymore. He asked the City Attorney to look into this matter for discussion at a future work session.

Mr. Norris said he was thankful we were not having Boston's weather here in Lebanon and he thanked staff for their efforts when our weather does bad.

Mayor Brewer advised the Recreation Board member vacancy would be addressed at the next work session and she thanked Vicky Van Harlingen for coming this evenings.

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 7:40 p.m.

Passed:

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Mayor

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Clerk