



MINUTES OF: LEBANON CITY COUNCIL

Date: MAY 26, 2015

Council of the City of Lebanon met in regular session on May 26, 2015 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Norris, Dearie, Kaiser, Messer, Rodriguez, Mrs. Monroe and Mayor Brewer. Also present was City Manager, Pat Clements, City Auditor, Sharee' Dick, City Attorney, Mark Yurick, and Deputy City Manager, Scott Brunka.

The invocation was given by Mr. Doug Sibcy, City Chaplin. Mayor Brewer asked everyone to remain standing for the Pledge of Allegiance.

At this time Mayor Brewer asked for the consideration of Council minutes for the May 12th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Mr. Messer. Roll call vote to adopt was as follows: Mr. Norris, yes; Mr. Dearie, yes; Mr. Kaiser, yes; Mayor Brewer, yes; Mrs. Monroe, abstained; Mr. Messer yes; Mr. Rodriguez, yes. Motion to adopt the May 18th work session minutes was made by Mr. Dearie seconded by Mr. Norris. Roll call vote to adopt was as follows: Mr. Norris, yes; Mr. Dearie, yes; Mr. Kaiser, yes; Mayor Brewer, yes; Mrs. Monroe, yes; Mr. Messer, abstained; Mr. Rodriguez, yes.

Mayor Brewer presented Certificates of Appreciation to the Lebanon Youth Baseball Association, Lebanon Fastpitch Softball Association and the Lebanon Youth Soccer Association in recognition of their support for the youth baseball, softball and soccer programs.

Mayor Brewer asked the City Attorney to state the purpose to the Public Hearing. Mr. Yurick stated the purpose of the public hear was for a proposed Zoning Code Amendments to Chapters 1134 and 1136 to incorporate the Public Institutional (PI) Zone into the Site Development Standards. Mr. Dearie seconded by Mr. Messer made motion to open the public hearing. There being no speakers regarding the public hearing. Mr. Norris seconded by Mr. Messer made motion to close the public hearing.

Ordinance No. 2015-053 An Ordinance of the City of Lebanon, Ohio to amend Chapters 1134 and 1136 of the Official Zoning Code was read in title only by the City Attorney. This legislation will approve text amendments to Chapters 1134 and 1136 of the Official Zoning Code to incorporate the Public Institutional (PI) Zone into the Site Development Standards. Mr. Clements explained the legislation. Mr. Messer seconded by Mr. Kaiser made motion for this legislation to receive a first reading.

Resolution No. 2015-061 A Resolution authorizing the City Manager to prepare and submit a preliminary Grant applications to the Ohio Public Works Commission and to execute contracts as required was read in title only by the City Attorney. This legislation will approve the Ohio Public Works Commission preliminary grant application for the Bypass 48 Phase II resurfacing Project, which will resurface the Bypass from Turtlecreek-Union Road to Main Street in 2017. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2015-061 was made by Mr. Messer seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2015-062 An Ordinance authorizing the City Manager to execute a Collective Bargaining Agreement with American Federation of State, County, and Municipal Employees Ohio Council 8, Local 363 (AFSCME), and declaring an emergency was read in title only by the City Attorney. This legislation will approve a 3-year labor agreement with AFSCME Ohio Council 8, Local 363, comprised of the 12 staff members of the Street Division, Park & Cemetery Division, and Fleet Maintenance Division. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-062 was made by Mr. Norris seconded by Mr. Dearie. Roll call vote to adopt was unanimous in favor.

Resolution No. 2015-063 A Resolution authorizing the City Manager to execute a Landlord Waiver, Consent Nondisturbance, and Attornment Agreement was read in title only by the City Attorney. This legislation will approve a Landlord Waiver, Consent, Nondisturbance and Attornment Agreement to allow JIT Packaging, Inc., 1550 Kingsview Drive, to obtain financing. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2015-063 was made by Mr. Messer seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2015-064 An Ordinance rescinding Ordinance No 2015-059 approving the donation of the City-Owned property at 14 West Silver Street to support the Silver Street and Broadway Ave. Redevelopment Project, and declaring an emergency was read in title only by the City Attorney. This legislation will rescind Ordinance No 2015-059 pertaining to the donation of the City-owned property at 14 West Silver Street to support the Silver Street and Broadway Ave redevelopment project to Bunnell Hill Development Company on behalf of Lebanon Citizens National Bank. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2015-064 was made by Mr. Messer seconded by Mr. Dearie. Mr. Yurick explained the legislative procedures for rescinding legislation and Council's decision to either abstain or recuse themselves from voting on certain legislation. Mr. Rodriguez stated he was bewildered as to why Mr. Norris would desire to change his vote on this legislation since it has already been passed at the last meeting. He said he did not agree with the emergency language in Ordinance No. 2015-059 and this legislation.

Mayor Brewer stated that it was disturbing to her that fellow councilmember's would use the media rather than communicating with each other on this legislation. She said she was troubled by the process. Mr. Kaiser advised he would make his comments at the end of the meeting. Mr. Norris stated that perception is everything to the public and he would be recusing himself from the vote on this legislation. Roll call vote to adopt was as follows: Mr. Kaiser, recused; Mr. Norris, recused; Mrs. Monroe, yes; Mayor Brewer, yes; Mr. Dearie, yes; Mr. Rodriguez, no. This legislation receives a first reading.

Ordinance No. 2015-065 An Ordinance approving the donation of the City-Owned property at 14 West Silver Street to support the Silver Street and Broadway Avenue Redevelopment Project and declaring an emergency was read in title only by the City Attorney. This legislation will approve the transfer of ownership of the City-owned property at 14 West Silver Street to Bunnell Hill Development Co., which is acting on behalf of Lebanon Citizen's National Bank, to support the Broadway Avenue-Silver Street Redevelopment Project. This project includes the construction of a new 45,000 square foot office building and parking lot to support the expansion of LCNB's presence in the City's Central Business District. The transfer of this property will be contingent upon the Ohio Development Services Agency's approval of grant funding from the Racetrack Redevelopment Fund that has been established by the State to promote economic development to offset the City's loss of tax revenue due to the relocation of the racetrack. Mr. Clement explained the legislation. Motion to postpone Ordinance No. 2015-065 was made by Mr. Rodriguez seconded by Mr. Dearie. Roll call vote to postpone was as follows: Mr. Dearie, yes; Mr. Rodriguez, yes; Mr. Kaiser, recused; Mrs. Monroe, no; Mayor Brewer, no; Mr. Messer, no; Mr. Norris, recused. This legislation failed. After some discussion, Mayor Brewer stated that she would sponsor this legislation to go on the next agenda to be considered again.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised the next work session would be June 2nd, the next regular meeting would be June 9th. He reminded everyone that the City building parking lot would be closed for repaving this Thursday through Saturday.

Mr. Kaiser thanked the City Attorney for his advice regarding Council recusing themselves from voting on legislation. He explained why he had recused himself from voting on 2015-064 and 065 was due to LCNB being one of his clients. He stated that he had mentioned to Mr. Yurick and Mr. Budd that Mr. Norris was an employee of LCNB and that he did not see anything wrong with doing so. He said that he had attended the Memorial Day ceremony, and the Police Chief gave an excellent speech at the event.

Mr. Messer wanted to know if the land donation to LCNB would hold up the grant application process. Mr. Clements said that this property transfer would be completed at the end of the process and that this delay should not hold up the grant application.

Mayor Brewer reminded everyone of the upcoming Country Music Festival and she asked everyone to volunteer. She congratulated Mr. Clements in placing at the Mudd, Guts and Glory event. She said she had been traveling around the area and visiting many small communities and that it was amazing at the vitality of Lebanon's great downtown.

Mr. Norris congratulated the Mayor on her recent retirement. He encouraged everyone to participate in the 5k run on June 13th. He asked Mr. Hackman to show the clip of the Washington D.C. Thunder Run event honoring our veterans.

There being no further business to come before this Council motion to adjourn the meeting was made by Mr. Dearie seconded by Mr. Rodriguez. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 7:55 p.m.

Passed:

Mayor

Clerk