

MINUTES OF: LEBANON CITY COUNCIL

DATE: DECEMBER 9, 2008

Council of the City of Lebanon met in regular session on December 9, 2008 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Aylor, Cole, Monroe, Norris, Rodriguez, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, 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.

Mayor Brewer recognized the Donovan Elementary 3rd grade class and explained their special "City Council Project" in the make believe town of Roxaboxen. She gave Certificates of Appreciation to the Council members of the project.

Mayor Brewer invited the 3rd grade White Warrior football team to the front to give them special recognition for their successful football year.

Mayor Brewer invited the LWYFL 5th grade football team to the front for special recognition for winning the WOJFC Championship. The coaches gave the Mayor a signed football.

At this time Mayor Brewer asked for consideration of Council minutes for the November 24th regular meeting and the December 2nd work session. Motion to adopt the minutes as submitted was made by Mr. Aylor seconded by Mr. Norris. Roll call vote to adopt the minutes as submitted was unanimous in favor.

Sara Arseneau from the Lebanon Chamber of Commerce thanked Council and City staff for their partnership with the Chamber on the 20th annual Christmas Carriage Parade event. She gave Council ornaments commemorating the event.

Joan Townsend of 16 S. Broadway asked Council to consider changing the scheduling of the upcoming downtown streetscape project to have less economic impact on the already struggling businesses. She stated that the downtown merchants wanted to survive.

Leslie Moeller of Whit's Frozen Custard also asked Council to reconsider the schedule for the Streetscape project.

Ordinance No. 9788 An Ordinance amending Section 911.02 of the Codified Ordinances providing for Water Use Charges was read in title only by the City Attorney. This legislation will approve a water rate increase of 6% effective January 1, 2009 and an increase of 6% effective January 1, 2010, as recommended by the September 2008 Water Rate Study. Mr. Clements explained the legislation.

Motion to adopt Ordinance No. 9788 was made by Mr. Aylor seconded by Mr. Norris. Mrs. Flick voiced her opposition to the legislation stating she did not agree with much of the rate study. Mr. Flick also spoke to Council regarding his concern over the number curves in the rate study. Dr. Monroe stated he has concerns about the City's operating budget as well as the budgets of our citizens in these hard economic times. The Mayor stated that she did not want to raise rates, however it was Council's responsibility to maintain proper fund balances and to protect the City's water infrastructure and that this was not an issue to keep delaying. Roll call vote to adopt was as follows: Mr. Rodriguez, no; Dr. Monroe, no; Mr. Norris, yes; Mayor Brewer, yes; Mr. Aylor, yes; Mr. Cole, yes; Mrs. Flick, no.

Ordinance No. 9798 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 the addition of the Income Tax Auditor, Grade 4, position to the list of Approved Positions and Titles in Section 133.02 of the Codified Ordinances. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 9798 was made by Mr. Cole seconded by Dr. Monroe. After a brief discussion roll call vote to adopt was unanimous in favor.

Adam Schneider spoke briefly to Council and the City Manager about documents he considered being issues in his personnel file when he felt he had been assured those past matters had been laid to rest when he resigned. He asked for Councils' forgiveness and stated he was trying to move forward with his life. Mr. Yurick explained that the City could not withhold public records that had been requested by another government agency.

Ordinance No. 9800 An Ordinance amending Chapter 137 of the Codified Ordinances pertaining to Donations Policy for City-Sponsored Events was read in title only by the City Attorney. This legislation will amend the City's Civic Donation Program procedures by changing the donation request due date from July 1 to December 31 each year. Mr. Clements explained the legislation. Dr. Monroe seconded by Mrs. Flick made motion for this legislation to receive a first reading.

Ordinance No. 9801 An Ordinance authorizing the City Manager to execute an agreement with Kelchner, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an Agreement with Kelchner for the Janet Way Roadway Extension Project in Lebanon Commerce Center in the amount of \$398,800. This project consists of a 587 foot roadway and utility service extension of Janet Way to support the expansion of the Mane Inc facility and provide access to additional industrial acreage in Lebanon Commerce Center. The City has received a state grant which will provide 50% of the cost of the roadway portion of this project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 9801 was made by Mr. Aylor seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

Ordinance No. 9802 A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation approves additional appropriation in the Tax Increment Financing Fund in the amount of \$439,000 to support the cost of the Janet Way Roadway and Utility Extension Project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 9802 was made by Mr. Aylor seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

Mayor Brewer asked for the City Manager's report. Mr. Clements commented on Mr. Schneider's remarks regarding Law Enforcement Agency background checks related to his personnel file. He said the City, as required, must provide public records when they have been formally requested and that he would provide Council with additional information related to Mr. Schneider's comments this evening. Mr. Clements advised that the next work session of Council would be December 15th, the next regular Council meeting would be December 23rd, Planning Commission would be December 16th and there would be a Board of Zoning Appeals meeting December 17th. He invited everyone to the grand opening of Anytime Fitness December 10th.

Dr. Monroe stated that tonight's meeting was great! He thanked all the visitors for coming and said that it just shows what a fabulous community we live in. He thanked Sara Arseneau and the Chamber for the successful Carriage Parade event. He also thanked the business owners for coming this evening and stating their concerns about the downtown streetscape project. He reminded everyone to please shop the City's downtown business district.

Mr. Cole said it was great to see the youth of the community here this evening. He thanked the Chamber for a wonderful Carriage Parade event.

Mr. Rodriguez thanked all Chamber, City staff and all the volunteers involved in the Carriage Parade event.

Mr. Norris stated he enjoyed all the references to character building in the community this evening with the recognition of the City's youth. He thanked all of those involved in supporting the special events in the community. He said that the Jr. High had raised \$1,000 for Toys for Tots and that was just one of the activities happening here that is related to building character in our youth. He said that even with the downturn in our economy there were many great things happening in this City.

Mr. Aylor stated that he would also like to thank the group of teachers behind the scenes who volunteered to feed the Carriage Parade participants. He offered his congratulations to the Chamber for a successful event. He asked everyone to get out and support our small business because they were certainly struggling in this economy. He said everyone should continue to spend normally and responsibly in order to keep our economy from going further into a recession. He offered Happy Holidays to all.

Mrs. Flick reminded everyone that there were great sales going on in our stores downtown and said that we needed to work with the downtown merchants. She stated the Golden Lamb kitchen renovations were fabulous as was the Carriage Parade.

Mayor Brewer reminded everyone that the Lebanon Theater Company was having a gala event this Friday and Saturday and she asked everyone to come out and support the group.

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

Passed:

Mayor

Clerk