



MINUTES OF: LEBANON CITY COUNCIL

Date: FEBRUARY 17, 2010

Council of the city of Lebanon met in regular session on February 17, 2010 in the large conference room in the City Building. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Cole, Monroe, Norris, Rodriguez, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, Deputy City Manager, Scott Brunka, City Attorney, Mark Yurick and City Auditor, Sharee' Dick.

Motion to excuse Mr. Aylor from tonight's meeting was made by Mr. Cole seconded by Dr. Monroe. Mayor Brewer asked for a show of hands, all were in favor.

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 Council minutes for the January 26<sup>th</sup> regular meeting. Motion to adopt the minutes as submitted was made by Mr. Cole and second by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor. Motion to adopt the February 2<sup>nd</sup> work session minutes was made by Mr. Cole and second by Dr. Monroe. Roll call vote was unanimous in favor.

**Ordinance No. 2010-009** An Ordinance of the City of Lebanon, Ohio to amend the Official Zoning Map thereof to Rezone thereon 1.333 acres of property located at 210 West Main Street from Residential One-Urban (R-1U) to Central Business District (CBD) was read in title only by the City Attorney. This legislation will approve the rezoning of the 1.3 acre parcel at 210 West Main Street, which is the former location of the Mental Health & Recovery Services facility, from Residential One-Urban (R-1U) to Central Business District (CBD), as recommended by the Planning Commission. Mr. Clements explained the legislation. Mayor Brewer requested herself from the vote. Vice Mayor Monroe asked for a motion to adopt. Motion to adopt Ordinance No. 2010-009 was made by Mr. Norris seconded by Mr. Cole. Vice Mayor Monroe asked for comments from the audience. Michael Shinski, Doug Ingram, Cathy Crisenberry, Martha and Dave Daubenmire all voice their opposition to this legislation. Brant Lawyer further explained that the issue here was rezoning and that his organization had a need to serve the mental health community in a larger facility hence the need to rezone and sell this property. Council had a lengthy discussion about their stance on this legislation. Roll call vote to adopt was as follows: Mr. Rodriguez, no; Dr. Monroe, yes; Mr. Norris, yes; Mr. Cole, yes; Mrs. Flick, no. Roll call vote failed.

**Ordinance No. 2010-011** An Ordinance authorizing the purchase of a Dump Truck and Snow Fighting Equipment for the Public Works Department was read in title only by the City Attorney. This legislation will approve the purchase of a 2010 International heavy duty dump truck and snow fighting equipment for the Public Works Department from Navistar International in the amount of \$101,668. This vehicle will replace a 20 year old unit that will be disposed of by auction. Mr. Clements explained the legislation and asked for emergency language to be added in order to lock in the price of the unit. Motion to adopt Ordinance No. 2010-011 with emergency language was made by Dr. Monroe seconded by Mr. Norris. After a brief discussion about State bid pricing and vehicle replacement, the roll call vote to adopt was unanimous in favor.

**Ordinance No. 2010-013** An Ordinance approving the PAWS Park Facility Sponsorship Program was read in title only by the City Attorney. This legislation will approve a Facility Sponsorship Program for the new Dog Park to be located on Cook Road near the Warren County Humane Association, as recommended by the Recreation Board. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-013 was made by Dr. Monroe seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

**Resolution No. 2010-014** A Resolution authorizing the City Manager to apply for an OEPA Surface Water Improvement Fund (SWIF) Grant Application to construct improvements to Miller Park was read in title only by the City Attorney. This legislation will approve a grant application in the amount of \$150,000 to the Ohio Environmental Protection Agency Surface Water Improvement Fund for the Miller Park porous pavement parking lot project, as recommended by the Recreation Board. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2010-014 was made by Mr. Cole seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2010-015** An Ordinance to approve the record plan for the final plat of Commerce Center West – Replat No. 3, and declaring an emergency was read in title only by the City Attorney. This legislation will approve Replat No. 3 of Commerce Center West, located on West Main Street, as recommended by the Planning Commission. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-015 was made by Mr. Cole seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2010-016** An Ordinance to approve the record plan for the final plat of Ulrich Estate, and declaring an emergency was read in title only by the City Attorney. This legislation will approve the replat of the Ulrich Estate Subdivision, located in the vicinity of 315 W. Orchard Avenue, consolidating 4 tracts of land into a single lot of record, as recommended by the Planning Commission. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-016 was made by Mr. Norris seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2010-017** An Ordinance authorizing the City Manager to execute an agreement with Stantec Consulting Services, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Stantec Consulting, Inc. to provide construction plans and specifications for the 2010 Sanitary Sewer System Improvement Project in the amount of \$48,540. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-017 was made by Mrs. Flick seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2010-018** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation approves additional appropriation in the Fire Insurance Fund in the amount of \$14,512.19 to support the collection and disbursement of fire damage demolition bonds. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2010-.18 was made by Mr. Norris seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Mayor Brewer asked for a motion on the Liquor License transfer request for Buffalo Wings and Rings at 745 Columbus Ave., Dr. Monroe seconded by Mr. Norris made motion to not request a hearing. Mayor Brewer asked for a show of hands, all were in favor.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised he had nothing this evening.

There being no further business to come before this Council, motion to adjourn the meeting was made by Mr. Cole seconded by Mr. Norris. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 7:45 p.m.

Passed:

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Mayor

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Clerk