

MINUTES OF:     LEBANON CITY COUNCIL

DATE:            JANUARY 27, 2009

Council of the City of Lebanon met in regular session on January 27, 2009 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, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, Deputy City Manager, Scott Brunka, City Attorney, Mark Yurick, and Deputy City Auditor, Pam Stotts.

Motion to excuse Mr. Rodriguez from tonight's meeting was made by Mrs. Flick seconded by Mr. Cole. 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 of Council minutes for the January 13<sup>th</sup> regular meeting and the January 15<sup>th</sup> and 21<sup>st</sup> work session. Motion to adopt the minutes as submitted was made by Mr. Aylor seconded by Mr. Cole. Roll call vote to adopt the minutes as submitted was unanimous in favor.

Mayor Brewer asked the City Attorney to state the purpose of the Public Hearing. Mr. Yurick stated the purpose of the public hearing was to consider the proposed 2009 Comprehensive Plan. Mr. Norris seconded by Mrs. Flick made motion to open the public hearing. Erin Prosser and Chris Hermann of MSI gave a slide overview on the proposed plan. Mr. and Mrs. Harmon of 1511 Drake Rd. voiced their concerns the possible annexation and land use of their property to the City in relationship to the proposed plan. Mr. Cole seconded by Mrs. Flick made motion to close the public hearing.

**Ordinance No. 2009-003** An Ordinance adopting the 2009 Comprehensive Plan Update for the City of Lebanon was read in title only by the City Attorney. This legislation will approve the 2009 Comprehensive Plan Update. Mr. Clements explained the legislation. Mr. Aylor seconded by Mr. Norris made motion for this legislation to receive a first reading.

**Ordinance No. 2009-004** An Ordinance authorizing the purchase of a 2009 Road Rescue/Freightliner Ambulance for the Fire Division was read in title only by the City Attorney. This legislation will approve the purchase of a new ambulance for the Fire Department from the state bid list, in the amount of \$200,275. This vehicle will replace a 1998 unit that has reached the end of its service life. Mr. Clements explained the legislation. Mr. Aylor seconded by Mr. Cole made motion for this legislation to receive a first reading.

**Ordinance No. 2009-005** An Ordinance authorizing the City Manager to execute an agreement with the Warren County Fire Response and Life Safety Council of Governments was read in title only by the City Attorney. This legislation will approve an Agreement with the Warren County Fire Response and Life Safety Council of Governments and to provide public safety services with other agencies within Warren County. Mr. Clements explained the legislation. Mr. Aylor seconded by Dr. Monroe made motion for this legislation to receive a first reading.

**Ordinance No. 2009-006** An Ordinance authorizing the purchase of an Aerial Bucket Truck for the Electric Division and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of a 2008 Ford F550 40' aerial bucket truck for the Electric Department from the state bid list in the amount of \$94,900. This vehicle will replace a 1994 truck that has reached the end of its service life. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-006 was made by Mr. Aylor seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2009-007** An Ordinance to accept the final plat of Lebanon East Industrial Park, Section Three was read in title only by the City Attorney. This legislation will approve the replat to combine lots 4100 and 4101 currently occupied by McDonald's on East Main Street, as recommended by Planning Commission. Mr. Clements explained the legislation. Mr. Aylor seconded by Dr. Monroe made motion for this legislation to receive a first reading.

**Resolution No. 2009-008** Approving the application for the FY2009 Warren County CDBG Program was read in title only by the City Attorney. This legislation will approve the 2009 CDBG funding application to support the West Street (from Main St to Silver St) reconstruction project. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2009-008 was made by Mr. Cole seconded by Mr. Aylor. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2009-009** An Ordinance authorizing the City Manager to execute an agreement with Schrudde & Zimmerman, Inc. was read in title only by the City Attorney. This legislation will approve an Agreement with the Schrudde & Zimmerman, Inc. for renovation of the Communications Center at a cost of \$257,996. Mr. Clements explained the legislation and requested emergency language with the second reading. Mrs. Flick seconded by Dr. Monroe made motion for this legislation to receive a first reading.

**Ordinance No. 2009-010** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation approves additional appropriations in the General Fund (911 Wireless Program) in the amount of \$220,000 to support the Communications Center Renovation Project, and in the amount of \$3,000 to support the 2009 Civic Donation Program; in the Water Fund in the amount of \$12,600 and the Sewer Fund in the amount of \$14,875 to support the reimbursement of utility service over-charges to Tipton Corporation and Ohio Premium Provisions. Further, a reduction of appropriation in the General Fund (CIP transfer – Communications Center) in the amount of \$105,000. Mr. Clements explained the legislation. Mr. Norris seconded by Mr. Aylor made motion for this legislation to receive a first reading.

**Resolution No. 2009-011** A Resolution approving the City of Lebanon's Civic Donation Program was read in title only by the City Attorney. This legislation will approve the 2009 Civic Donation Program. Mr. Clements explained the legislation. Dr. Monroe advised there was another request to consider and could this legislation be postponed until the next work session. Motion to postpone until the next work session was made by Dr. Monroe seconded by Mr. Cole. Roll call vote to postpone was unanimous in favor.

**Ordinance No. 2009-012** An Ordinance authorizing the City Manager to execute an agreement with Matthew J. Graber, Esq. was read in title only by the City Attorney. This legislation will approve a 1-year extension of the legal services agreement with Mathew J. Graber to perform the duties of City Prosecutor. Mr. Clements explained the legislation. Mr. Aylor seconded by Mrs. Flick made motion for this legislation to receive a first reading.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised the next work session of Council would be February 3<sup>rd</sup> and that the Electric rate study results had been postponed until the 21<sup>st</sup> work session. He said the next regular Council meeting would be February 10<sup>th</sup> and that the Arbor Day poster winners would be on the agenda and the next Planning Commission meeting would be February 17<sup>th</sup> all at 7:00 p.m.

Dr. Monroe thanked staff for the fantastic job on the water main break on Navaho Drive.

Mr. Cole asked about the recent electric outages. Mr. Clements advised they were related to substation failures and the problems had been resolved.

Mrs. Flick thanked City crews for their great work and asked about backup generators for electric outages. Mr. Clements advised that with the nature of the outages backup generators would not have helped.

Mr. Aylor stated he was excited about the possibility of a horse park group looking to come to this community.

Mr. Norris commended City crews and the Fire Chief for their dedication to this community.

Mayor Brewer said that the MLK event had a great turnout this year.

There being no further business to come before this Council, motion to adjourn the meeting was made by Mr. Aylor seconded by Mr. Cole. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 8:15 p.m.

Passed:

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Mayor

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Clerk