

MINUTES OF: LEBANON CITY COUNCIL

DATE: MAY 26, 2009

Council of the City of Lebanon met in regular session on May 26, 2009 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Cole, Monroe, Rodriguez, Norris, Aylor, Mrs. Flick and Mayor Brewer. Also present was City Manager Pat Clements, Deputy City Manager, Scott Brunka, and City Attorney, Mark Yurick.

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 May 12th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Mr. Cole. Roll call vote to adopt was as follows: Mr. Norris, yes; Mayor Brewer, yes; Dr. Monroe, yes; Mr. Cole, yes; Mr. Aylor, yes; Mrs. Flick abstained due to absence; Mr. Rodriguez, yes.

Ordinance No. 2009-044 An Ordinance adopting the City of Lebanon Pay Plan was read in title only by the City Attorney. This legislation will approve the 2010 Pay Plan for non-unionized City staff members providing for a 2% increase to all 9 pay bands, effective January 1, 2010. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-044 was made by Mr. Aylor seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-045 An Ordinance amending Chapter 925 of the Codified Ordinances relating to Park Rules and Regulations was read in title only by the City Attorney. This legislation will amend Section 925.12 (Firearms and Weapons) of the Codified Ordinances by providing for the ability for the carrying of concealed handguns in City parks by individuals who are properly licensed to do so by state statute. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-045 was made by Mr. Aylor seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-046 An Ordinance amending Chapter 1304 of the Codified Ordinances providing for Building and Zoning Fees was read in title only by the City Attorney. This legislation will amend Chapter 1304 of the Codified Ordinances establishing revised fees for Zoning and Building Permits. Mr. Clements explained the legislation. Dr. Monroe seconded by Mrs. Flick made motion to postpone this legislation for further discussion at the next work session of Council. Roll call vote to postpone was unanimous in favor.

Ordinance No. 2009-047 An Ordinance approving the 2010-2014 Capital Improvement Plan for the City of Lebanon, Ohio was read in title only by the City Attorney. This legislation will approve the proposed 2010 -2014 Capital Improvement Plan. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-047 was made by Mr. Aylor seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-048 An Ordinance amending Chapter 151 of the Codified Ordinances providing for Income Tax was read in title only by the City Attorney. This legislation will amend Section 151.14 (Allocation of Funds) of the Codified Ordinances, approving changes in the allocation of income tax revenue to the General Fund (increase from 45% to 56%) and the Capital Improvement Fund (decrease from 44% to 33%). Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-048 was made by Mr. Aylor seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-050 An Ordinance authorizing the purchase of Thermal Imaging Cameras and related accessories for the Fire Division was read in title only by the City Attorney. This legislation will approve the purchase of three replacement thermal imaging cameras from Finley Fire Equipment Company for a total cost of \$44,384.16. Mr. Clements explained the legislation. Mrs. Flick seconded by Mr. Rodriguez made motion for this legislation to receive a first reading.

Ordinance No. 2009-051 An Ordinance authorizing the City Manager to execute an agreement with Strand Associates, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Strand Associates, Inc. to provide design services for the replacement of the Wastewater Treatment Plant influent screen system in the amount of \$67,600. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-051 was made by Mr. Aylor seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-052 An Ordinance authorizing the City Manager to execute an agreement with Kinnison Excavating, and declaring an emergency was read in title only by the City Attorney. This legislation approves an agreement with Kinnison Excavating to perform the Water Street Improvement Project, which will include the repaving of Water Street from West Silver Street to West Warren Street, provide new curb along the east side of the pavement, extend an 8" water main and provide storm sewer improvements at the intersection of West Warren Street and Water Street. The cost of the project is \$139,900 and it is scheduled to be completed by the end of July 2009. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-052 was made by Mr. Aylor seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-053 An Ordinance approving Property Owner Assessments related to the 2009 Concrete Repair Program, and declaring an emergency was read in title only by the City Attorney. This legislation will require the repair of certain sidewalks and driveway aprons by private property owners as part of the City's annual street resurfacing program. The concrete repair assessment area includes Desales Ave from North Broadway to Hartz Drive, Lawndale Ave from Broadway to Cardinal Drive, and Harmon Ave and West Street between Main and Cincinnati Avenue. Property owners with defective sidewalks and driveway aprons will be provided the opportunity to perform the work using private contractors or use the City's contractor and be assessed for the cost of the repairs on their property tax bill. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-053 was made by Mr. Aylor seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-054 An Ordinance authorizing the City Manager to execute an agreement with Prus Construction Company, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Prus Construction Company to perform the 2009 Concrete Repair and Replacement Program, in the amount of \$364,529.70. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-054 was made by Mr. Aylor seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-055 An Ordinance authorizing the City Manager to execute an agreement with LJB, Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with LJB, Inc. to provide construction plans and specifications for the Carson Drive Culvert Replacement Project, in the amount of \$56,450. Funding for this project has been included in the 2009 Storm Water Utility budget. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-055 was made by Mrs. Flick seconded by Mr. Rodriguez. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-056 An Ordinance authorizing the City Manager to execute an agreement with Kleingers & Associates, and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with Kleingers & Associates to provide construction plans and specifications for the installation of a new storm sewer on Glenview Avenue, in the amount of \$25,380. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 200-056 was made by Mrs. Flick seconded by Mr. Aylor. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-057 An Ordinance authorizing the City Manager to execute an agreement with Municipal Energy Services Agency and American Municipal Power-Ohio, Inc. was read in title only by the City Attorney. This legislation will approve a 3-year agreement with Municipal Energy Services Agency (MESA), under the Master Service Agreement with AMP-Ohio, to provide tree-trimming service in the vicinity of electric lines on an as-needed basis for the City's Electric Department. Mr. Clements explained the legislation. Mr. Norris seconded by Dr. Monroe made motion for this legislation to receive a first reading.

Ordinance No. 2009-058 A Supplemental Appropriation Ordinance, and declaring an emergency was read in title only by the City Attorney. This legislation will approve additional appropriation in the General Fund in the amount of \$20,000 to support the City of Lebanon-Lebanon City Schools ball field construction project; \$45,000 in the Fire Fund to support the purchase of three thermal imaging cameras; and \$14,000 in the Computer Improvement Fund to support the purchase of a replacement computer server for the Municipal Court. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-058 was made by Mrs. Flick seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised that the next work session of Council would be June 2nd, the next regular Council meeting would be June 9th and Planning Commission would be June 16th all at 7:00 p.m.

Dr. Monroe asked if tours of the Wastewater Treatment Plant were available. Mr. Clements advised that they certainly were and could be scheduled with the division head.

Mr. Norris congratulated the Historical Society for the success of their Civil War Enactment event. He also thanked the VFW for the Memorial Day parade. He congratulated the seniors of the Class of 2009.

Mrs. Flick thanked all those involved in the Memorial Day parade.

Mayor Brewer also thanked those involved in the parade and the children that participated. She reminded everyone the Military Appreciation Day event would be Saturday, June 6th. She asked everyone to observe a moment of silence for Judge Heath.

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 the meeting was unanimous in favor. The meeting was adjourned at 7:50 p.m.

Passed:

Mayor

Clerk