

MINUTES OF: LEBANON CITY COUNCIL

DATE: SEPTEMBER 8, 2009

Council of the City of Lebanon met in regular session on September 8, 2009 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Cole, Norris, Rodriguez, Aylor, Monroe, 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.

At this time Mayor Brewer asked for consideration of Council minutes for the August 25th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Mrs. Flick. Roll call vote to adopt was as follows: Mr. Norris, yes; Mr. Aylor, abstained; Mrs. Flick, yes; Mayor Brewer, yes; Dr. Monroe, yes; Mr. Cole, yes; Mr. Rodriguez, yes. Dr. Monroe asked to amend the September 1st minutes to reflect excusing Mr. Cole from the meeting. Motion to adopt the September 1st work session minutes as amended was made by Mrs. Flick seconded by Dr. Monroe. Roll call vote to adopt the amended minutes was as follows: Mr. Rodriguez, yes; Mr. Cole, abstained; Dr. Monroe, yes; Mayor Brewer, yes; Mrs. Flick, yes; Mr. Aylor, abstained; Mr. Norris, yes.

Mr. Brunka gave a slide brief on the sponsors of the Red Hot Blues Running event. He thanked the sponsors and participants of the event.

Rachel Hutzel, Warren County Prosecutor, presented City Council with a copy of her Annual Report and further explained its contents.

Mayor Brewer asked Mr. Yurick to state the purpose of tonight's public hearing. A public hearing for a proposed zoning map amendment to rezone 11.5332 acres of property located at 161 Miller Road from Residential One-C (R-1C) to Professional Office (PO). Motion to open the public hearing was made by Mr. Aylor seconded by Mr. Norris. There being no speakers concerning this public hearing, motion to close the public hearing was made by Mr. Norris seconded by Mr. Cole.

Mayor Brewer asked Mr. Yurick to state the purpose of the public hearing. A public hearing for a proposed zoning map amendment to rezone 1.333 acres of property located at 210 West Main Street from Residential One-Urban (R-IU) to Central Business District (CBD). Motion to open the public hearing was made by Mr. Cole seconded by Mr. Aylor. William Clark, Jeff Stayley, Cathy Crisenberry, Michael Skinski, Martha Daubenmire, and Steve Phillips all voiced their opposition and concern with parking to the rezoning request. Brant Lawyer, Director for Mental Health Recovery voiced his support and explained the possible building uses and advised that it met the standards for rezoning. There being no further speakers, motion to close the public hearing was made by Mr. Cole seconded by Dr. Monroe.

Ordinance No. 2009-071 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. Motion to adopt Ordinance No. 2009-071 was made by Mr. Aylor seconded by Mr. Norris. Mrs. Flick, Dr. Monroe and Mr. Rodriguez voiced their opposition to this legislation stating it was bad timing and that the new fees were too high. Mr. Aylor and Mr. Cole advised that there is that is perfect to increase the fees but Lebanon's fees were mid range compared to other cities. 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. 2009-092 An Ordinance authorizing the City Manager to execute an Athletic Field Usage Agreement with the Lebanon Youth Soccer Association was read in title only by the City Attorney. This legislation will approve a 4-year Athletic Field Agreement with LYSA establishing field space allocation and annual field usage fees at Lebanon Sports Complex. This agreement calls for LYSA to pay the City a total of \$17,000 in usage fees over the 4-year term of the agreement. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-092 was made by Mr. Aylor seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-093 An Ordinance authorizing the City Manager to execute an Athletic Field Usage Agreement with the Warren County Soccer Club was read in title only by the City Attorney. This legislation will approve a 4-year Athletic Field Agreement with the Warren County Soccer Club establishing field space allocation and annual field usage fees at Lebanon Sports Complex. This agreement calls for the Warren County Soccer Club to pay the City a total of \$25,800 in usage fees over the 4-year term of the agreement. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-093 was made by Mrs. Flick seconded by Mr. Aylor. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009-094 An Ordinance authorizing the City Manager to execute an Athletic Field Usage Agreement with the Thunder United Futbol Club was read in title only by the City Attorney. This legislation will approve a 4-year Athletic Field Agreement with the Thunder United Futbol Club establishing field space allocation and annual field usage fees at Lebanon Sports Complex. This agreement calls for the Thunder United Futbol Club to pay the City a total of \$22,600 in usage fees over the 4-year term of the agreement. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2009-094 was made by Mr. Aylor seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

Ordinance No. 2009- 095 An Ordinance of the City of Lebanon, Ohio to amend the Official Zoning Map thereof to rezone thereon 11.5332 acres of property located at 161 Miller Road from Residential One-C (R-1C) to Professional Office (PO) was read in title only by the City Attorney.

This legislation will approve the rezoning of the 11.5 acre parcel at 161 Miller Road, which is the location of Northside Baptist Church, from Residential One-C (R1-C) to Professional Office (PO), as recommended by the Planning Commission. Mr. Clements explained the legislation. Dr. Monroe seconded by Mr. Aylor made motion for this legislation to receive a first reading.

Ordinance No. 2009-096 An Ordinance to approve the Record Plan for the final plat of Northside Subdivision was read in title only by the City Attorney. This legislation will approve the re-plat of the lot at 161 Miller Road (Northside Baptist Church) to combine 2 lots into a single 11.5 acre parcel. Mr. Clements explained the legislation. Mr. Norris seconded by Dr. Monroe made motion for this legislation to receive a first reading.

Ordinance No. 2009-097 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. Mrs. Flick seconded by Mr. Aylor made motion for this legislation to receive a first reading.

Resolution No. 2009-098 A Resolution accepting Tax Rates was read in title only by the City Attorney. This legislation will accept the tax rates for fiscal year 2010 as certified by the Warren County Budget Commission. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2009-098 was made by Mr. Aylor seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised the next work session of Council would be September 14th, the next regular Council meeting would be September 22nd and the next Planning Commission meeting would be September 15th.

Mr. Aylor asked if statistics were available on the success of the "Thomas the Train" event. He said he was happy to see the streetscape moving along so fast and he asked when the trees would be planted. Mr. Brunka explained the contractors were waiting for cooler fall weather before planting the rest of the streetscape trees.

Mr. Norris reminded everyone there were many important September events and that it was a time for needed reflection. He also asked everyone to be mindful of school resuming and the added traffic.

Mayor Brewer said that she appreciated the input from the community this evening and she reminded everyone that these were challenging times for this City Council. She stated that the Churches in the city were doing a wonderful job with their community outreach programs and she asked everyone to be mindful of others in need.

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 8:10 p.m.

Passed:

Mayor

Clerk