



**Minutes for the Lebanon City Council Meeting
May 25, 2021
7:00 p.m. 50 S. Broadway, Lebanon, Ohio**

Council of the City of Lebanon met in regular session in the Council Chambers at the City Building. The meeting was called to order at 7:00 p.m. on May 25, 2021 with the following members present: Mayor Brewer, Vice Mayor Messer, Mr. Mathews, Mrs. Monroe, Mr. Shafer, and Mr. Shope. Present from the City Staff was Manager Scott Brunka, Attorney Mark Yurick, and Clerk / Auditor Dan Burke.

The invocation was given by Mr. Shope and the Pledge of Allegiance was recited.

Consideration of Regular Meeting Minutes: May 11, 2021

Vice Mayor Messer made a motion to adopt the minutes, seconded by Mr. Shope. Roll call vote was approved 6-0.

Consideration of the Work Session Minutes: April 19, 2021

Mr. Shafer made a motion to adopt the minutes, seconded by Vice Mayor Messer. Roll call vote was approved 5-0 with Mr. Mathews abstaining.

Mr. Yurick read the rules for those who wish to speak to City Council this evening. Mayor Brewer stated that everyone will be permitted to speak for a maximum of 3 minutes.

Recognition of Visitors

Previous Business:

Ordinance 2021-045 Approving the application for the establishment of the Downtown Lebanon Community Entertainment District was read in title only by Mr. Yurick. Mr. Brunka stated that his ordinance approves the application to establish a Downtown Lebanon Community Entertainment District in an effort to enhance and provide dining, retail, and entertainment opportunities for the City as authorized by the Ohio Revised Code 4301.80. Mr. Mathews made a motion to adopt Ordinance 2021-045, seconded by Mrs. Monroe. Roll call vote was approved unanimously.

New Business:

Ordinance 2021-049 Authorizing the City Manager to purchase road salt from Cargill Inc. Deicing Technology Business Unit was read in title only by Mr. Yurick. Mr. Brunka stated that this ordinance to purchase road salt from Cargill Inc. Deicing Technology Business Unit through the Warren County Engineer's Office Bulk Rock Salt Purchasing Cooperative at a unit price of \$72.29 per ton for dump delivery and \$86.00 per ton for piler delivery as established in the contract. Vice Mayor Messer made a motion for a first reading of Ordinance 2021-049, seconded by Mr. Shope.

Ordinance 2021-050 Approving the final plat as recommended by the Planning Commission for Countryside Place Subdivision and Declaring an Emergency was read in title only by Mr. Yurick. Mr. Brunka stated that this ordinance approves the record plan for the Final Plat of Countryside Place Section 1, combining two

parcels into one for the purpose of constructing a multi-tenant retail center on Deerfield Road in front of Rural King. Vice Mayor Messer made a motion to adopt Ordinance 2021-050, seconded by Mr. Shafer. Roll call vote was approved unanimously.

Ordinance 2021-051 Approving the final plat as recommended by the Planning Commission for Sheppard Trail and Declaring an Emergency was read in title only by Mr. Yurick. Mr. Brunka stated that this ordinance approves the record plan for the final plat of Sheppard Trail Subdivision, combining two small parcels to create a larger single lot for construction of a single family home. Mr. Brunka notified Mayor Brewer that the property owner has requested that this ordinance be postponed while the lot configuration is reviewed. Mr. Mathews made a motion to postpone Ordinance 2021-051, seconded by Vice Mayor Messer. Roll call vote was approved unanimously.

Ordinance 2021-052 Authorizing the Mayor to Execute an Employment Agreement with Daniel Burke and Declaring an Emergency was read in title only by Mr. Yurick. Mr. Brunka stated that this ordinance establishes an employment agreement between the City of Lebanon and Daniel Burke as the City Auditor. Mr. Mathews made a motion to adopt Ordinance 2021-052, seconded by Mr. Shope. Roll call vote was approved unanimously.

Ordinance 2021-053 Outlawing abortion and declaring Lebanon, Ohio a sanctuary city for the unborn and Declaring an Emergency was read in title only by Mr. Yurick. Mr. Yurick clarified that the maximum penalties prescribed in the ordinance are 6 months in jail and a \$1,000 fine. Mr. Brunka stated that this ordinance will outlaw abortion and declare Lebanon a sanctuary city for the unborn as well as making various provisions and findings, providing for severability and establishing an effective date. Mr. Shope clarified that no City funds were spent to develop this ordinance and no travel was involved during the process.

The first speaker began at 7:13 p.m. and approximately 65 speakers addressed City Council. Anyone who signed-in was permitted to address City Council for a maximum of 3 minutes. The speakers included representatives from the faith-based organizations, social service organizations, medical and legal professionals and various ordinance proponents and opponents. The overwhelming majority of the speakers encouraged City Council to adopt this ordinance. When the final speaker concluded at 10:21 p.m. Mayor Brewer thanked everyone who spoke and recognized that the overwhelming majority of the comments were orderly and respectful. Mayor Brewer requested that everyone in attendance show the same respect as City Council members make their comments.

Mr. Mathews thanked everyone who spoke this evening; thanked Mayor Brewer for managing a respectful meeting; and thanked Mr. Shope for taking the initiative to support the most vulnerable among us. Based on his religious faith, scientific research, and helping people at the precipice of life, Mr. Mathews believes that human life must be respected and protected from the moment of conception. This right-to-life from the moment of conception until natural death must be recognized and respected by a civilized society and political authority. When the state does not place its power at the service of the rights of each citizen, particularly the most vulnerable, the foundation of states based on law is undermined. The state must provide appropriate sanctions for every deliberate violation of the child's rights. The City of Cincinnati has shown that Council has the authority to protect specific rights when they banned certain types of medical procedures and care between patients and their therapists. An appellate court has upheld a case that banned aborting babies because they have Down Syndrome and the Supreme Court is considering cases like the Ohio Heartbeat Bill. There is still a lot of work to be done and Mr. Mathews thanks everyone for their civic engagement this evening. He would like to join residents to engage City Council in the process of improving foster care at the local level. Mr. Mathews believes that one of the greatest ways to be pro-life is to live your life fully and joyfully in a community and he encouraged everyone to stay involved and volunteer in Lebanon. Mr. Mathews' contact information is available on the City website and he is available by phone or email for suggestions or discussions. He is excited and proud to co-sponsor this ordinance.

Mr. Shope thanked everyone for engaging in a respectful and courteous dialogue on this topic. Mr. Shope clarified that he first began working on this ordinance concept about two weeks ago. He stated that Lebanon resident Josh Beckman suggested the sanctuary city concept. Mr. Shope recognizes and accepts that his decision will not please everyone. During the election process Mr. Shope identified himself to residents as a Christian, Conservative Republican who makes his decisions based on a belief that the word of God is the truth and speaks to all of life. He is pro-life and spends a lot of time, effort and resources supporting single moms. Mr. Shope will also lend his support to improve the lives of foster children in Warren County. In reference to the separation of church and state argument, Mr. Shope stated that the purpose is to prevent government from creating laws that restrict religion. Proverbs 31:8 states that we should speak for those who cannot speak for themselves and Mr. Shope believes that is what City Council is doing tonight.

Mrs. Monroe stated that she is standing up for the very vulnerable population that is yet to be born. Several months ago she voted to support legislation that she believed stood up for residents who were marginalized and discriminated against due to many factors including race, religion, age and disability and she is doing the same for the yet to be born this evening. This is a local, grass roots effort. All lives including those of unborn children need to be protected. This issue is not a religious or political opinion, this is about freedom and how it is appropriately curtailed when actions interfere with someone else's freedom. The rights of the mother are not more important than the rights of the unborn baby. Mrs. Monroe will use every opportunity to stand up for the rights of the vulnerable including unborn babies and the sick, disabled or elderly among us.

Vice Mayor Messer appreciates the respect that everyone showed to one another this evening. He believes in a culture of life and that protecting the most vulnerable citizens in our City is an emergency. Nobody has the right to murder another human being once it has been uniquely created. Vice Mayor Messer stated that City Council and the community strive to get more people involved with social service and faith-based organizations and he will support initiatives that improve the life of foster children in Warren County. Vice Mayor Messer is excited to support this ordinance.

Mr. Shafer asked Mr. Yurick if the drugs referenced in the ordinance can be used for other purposes than abortion. Mr. Yurick did not know the answer to that question. Mr. Shope asked Mark Lee Dixon to clarify and he stated that the intent must be for the drug use to end the life of an innocent child. Mr. Shafer asked what the duration was for the Texas attorney to represent the City of Lebanon if this ordinance is challenged in court. Mr. Shope stated that no time limits have been placed on this pledge. Mr. Dixon clarified that the ordinance does not prevent anyone from leaving the City of Lebanon to get an abortion. Mr. Shope clarified that this ordinance does not penalize a woman for getting an abortion regardless of the location.

Mayor Brewer stated that the last couple of days have been brutal, she has been threatened and accused of not believing in women's rights. Women talk about empowering women until your opinion doesn't agree with their opinion. Prior to the discussions about this ordinance, Lebanon residents could leave the City of Lebanon for an abortion and that will not change if this ordinance is approved. Mayor Brewer will not apologize for not wanting an abortion clinic in the City of Lebanon. She realizes that her vote may draw some criticism but leaders need to make difficult decisions and there is no way that everyone will be pleased with any decision. Mayor Brewer thanked everyone again for an amazing, eye-opening discussion. Hopefully everyone will leave this meeting with a better understanding of everyone's thoughts and ideas along with a recognition that we have more in common than we might expect.

Mr. Yurick thanked everyone for a respectful discussion and reminded the crowd to restrain themselves after the vote occurs.

Mr. Mathews made a motion to adopt Ordinance 2021-053, seconded by Vice Mayor Messer. Roll call vote was approved unanimously.

General Discussion Topics

City Manager's Report
No report.

There being no further business to come before this Council a motion to adjourn the meeting was made by Mr. Mathews, seconded by Vice Mayor Messer. Roll call vote was approved unanimously. Meeting adjourned at 11:01 p.m.

Passed:

June 8, 2021

Maya H. Bruce

Mayor

David Bruce

Clerk