

K.  
10/12/21  
CC

ORDINANCE NO. 2021-24

**AN ORDINANCE OF THE COMMON COUNCIL OF THE  
CITY OF LEBANON, INDIANA, AMENDING ORDINANCE NO. 2019-01  
AUTHORIZING THE ISSUANCE OF WATERWORKS REVENUE BONDS IN ONE  
OR MORE SERIES**

WHEREAS, the Common Council of the City of Lebanon, Indiana (the "Council") previously adopted its Ordinance No. 2019-01 ("Ordinance 19-01") concerning, the authorization of the issuance of waterworks revenue bonds by the City of Lebanon, Indiana (the "City") in one or more series in an aggregate principal amount of not to exceed \$14,700,000; and

WHEREAS, to provide additional clarity and flexibility for the issuance of the additional series of waterworks revenue bonds, the Council now desires to amend Ordinance 19-01 as set forth herein.

**NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE  
CITY OF LEBANON, INDIANA, THAT:**

Section 1. The third WHEREAS clause is hereby amended to read:

"WHEREAS, the City, through its Utility Service Board, has or will: (i) obtain engineer's estimates for the costs of the construction of the Project, (ii) advertise for and receive proposals for a guaranteed savings contract; (iii) advertise for and receive bids for the Project; and/or (iv) procure the construction of the Project through the build-operate-transfer provisions of IC 5-23, as amended, which each will be subject to the City's determination to construct all or a portion of the Project and subject to the City's obtaining funds to pay for all or a portion of the Project, that on the basis of said engineer's estimates, the maximum cost of the Project, including incidental expenses, is in an amount not to exceed \$14,700,000; and"

Section 2. Section 1 of Ordinance 19-01 is hereby amended to read:

"Section 1. Authorization of Project. The City, in conjunction with its Utility Services Board, shall proceed with the construction of the Project in accordance with the cost estimates and the plans and specifications heretofore prepared and filed or upon such cost estimates and plans and specifications to be prepared and filed by the consulting engineers employed by the City either directly or through its Utility Service Board. Such cost estimates and plans and specifications that have currently been filed are hereby adopted and approved, and by reference made a part of this ordinance as fully as if the same were attached hereto and incorporated herein. Two copies of the plans and specifications and the cost estimates are on file or will be placed on file when available in the office of the Clerk-Treasurer of the City and open for public inspection pursuant to IC 36-1-5-4. The estimated cost of construction of the Project will not exceed the sum of \$14,700,000, plus investment earnings on the bond and BAN proceeds. The terms "waterworks," "waterworks system," "works," "system," and other like terms where used in this ordinance shall be construed to mean and include the Drinking Water System, as defined in the Financial Assistance Agreement, and includes all real estate and equipment used in connection therewith and appurtenances thereto, and all extensions,

additions, and improvements thereto and replacements thereof now or at any time hereafter constructed or acquired. The Project shall be constructed in accordance with the plans and specifications heretofore mentioned. The Project shall be constructed and the bonds herein authorized shall be issued pursuant to and in accordance with the Act.”

Section 3. Except as modified by this Ordinance, all provisions of Ordinance 19-01 shall remain in full force and effect.

Section 4. This Ordinance shall be in effect from and after its passage by the Common Council and approval by the Mayor of the City of Lebanon, Indiana.

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ALL OF WHICH IS ADOPTED this 12 day of October 2021 by the Common Council of

the City of Lebanon, Indiana.

Voting For

Voting Against

Abstain

Keith Campbell  
Keith Campbell

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Keith Campbell

\_\_\_\_\_  
Keith Campbell

ABSENT  
John Copeland

\_\_\_\_\_  
John Copeland

\_\_\_\_\_  
John Copeland

Morris Jones  
Morris Jones

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Morris Jones

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Morris Jones

Mike Kincaid  
Mike Kincaid

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Mike Kincaid

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Mike Kincaid

Sierra Messenger  
Sierra Messenger

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Sierra Messenger

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Sierra Messenger

Dick Robertson  
Dick Robertson

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Dick Robertson

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Dick Robertson

Brent Wheat  
Brent Wheat

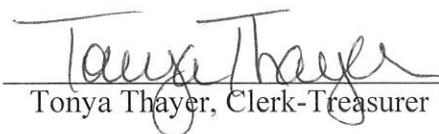
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Brent Wheat

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Brent Wheat

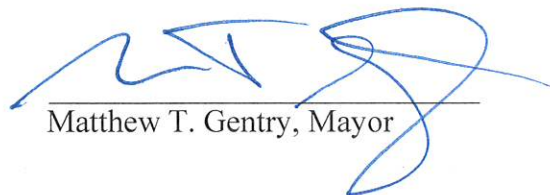
ATTEST:

Tonya Thayer  
Tonya Thayer, Clerk-Treasurer

I hereby certify that Ordinance No. 2021-24 was delivered to the Mayor of Lebanon on the 12 day of October, 2021, at 7:33 p.m.

  
Tonya Thayer, Clerk-Treasurer

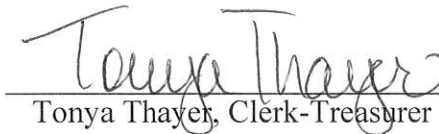
I hereby APPROVE ORDINANCE 2021-      
this 12<sup>th</sup> day of October, 2021, at  
8:15.m.

  
Matthew T. Gentry, Mayor

I hereby VETO ORDINANCE 2021-     this  
     day of     , 2021, at  
    :    .m.

      
Matthew T. Gentry, Mayor

ATTEST:

  
Tonya Thayer, Clerk-Treasurer

This document prepared by:

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