

**LEBANON COMMON COUNCIL – MINUTES**  
**MONDAY, SEPTEMBER 12, 2022**

Mayor Matt Gentry; Councilmembers: Keith Campbell, Dick Robertson, Mike Kincaid, Sierra Messenger, John Copeland, Brent Wheat, Morris Jones.

Also present: Legal Counsel Rob Schein and Clerk-Treasurer Tonya Thayer

Mayor Gentry calls the meeting to order at 7:15 p.m. Everyone is led in the Pledge of Allegiance.

**ROLL CALL**

Roll Call conducted by Clerk-Treasurer Tonya Thayer – All present

**APPROVAL OF MINUTES AUGUST 22, 2022**

The minutes will be approved at the next meeting.

**SWEARING IN OF LEBANON POLICE OFFICERS** – Chief Morgan introduces the officers and Mayor Gentry swears in each new officer: Easton Williamson, Gage Pedigo, and Nathan Hosfield.

**OLD BUSINESS**

Mayor Gentry calls for a brief recess while guests leave the council chambers.

Mayor Gentry would like to take the agenda out of order – Council agrees.

## NEW BUSINESS

### **RESOLUTION 2022-21 BROWNING INVESTMENTS SEEKING TAX ABATEMENT –**

Molly Whitehead, Boone County Economic Development Corp. explains the 3-spec building on 57 acres that Browning Investments would like to construct, 2 of these buildings are anticipated to be 145,000 sf and the third building is about 360,000 sf. The demand for buildings is normally around 50,000 – 100,000 sf with the biggest request at 150,000 sf. Molly describes the tax abatement. Attorney, Rob Schein reads the Resolution.

***Motion by Councilmember Wheat to amend the Resolution to reflect 705 W. Cox Avenue, 2<sup>nd</sup> by Councilmember Campbell. Motion carries by a unanimous vote.***

Mayor Gentry asks for Public Comment – no one comes forward.

***Motion by Councilmember Kincaid to approve Resolution 2022-21 as amended, 2<sup>nd</sup> by Councilmember S. Messenger. Motion carries by a unanimous vote.***

## OLD BUSINESS

**ORDINANCE 2022-26 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA REZONING PROPERTY AND AMENDING THE ZONING MAP OF THE CITY OF LEBANON, INDIANA.** Planning & Zoning Matt Reynolds explains the rezoning for Donaldson's Chocolates on SR 39 North, they would like to add some additional retail and commercial space and expanding to offer a retail restaurant in the area. Currently zoned as Planned Business Industrial with a request to be zoned Planned Business Commercial. Attorney, Rob Schein reads on second reading.

Mayor Gentry asks for Public Comment – No one comes forward.

***Motion by Councilmember Robertson to approve Resolution 2022-26, 2<sup>nd</sup> by Councilmember Copeland. Motion carries by a unanimous vote.***

**ORDINANCE 2022-27 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA REZONING PROPERTY AND AMENDING THE ZONING MAP OF THE CITY OF LEBANON, INDIANA.** Planning & Zoning Matt Reynolds explains the rezoning at Dr. Cascione's property by adding commercial retail. Request Single Family 2 to Planned Business Commercial. Attorney, Rob Schein reads on second reading.

Mayor Gentry asks for Public Comment – No one comes forward.

***Motion by Councilmember Wheat to approve Ordinance 2022-27, 2<sup>nd</sup> by Councilmember Kincaid. Motion carries by a unanimous vote.***

**ORDINANCE 2022-25 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA TO AMEND ORDINANCE 2017-05, FLOOD HAZARD AREA.** Derek Warren, Planning & Zoning explains the reason to amend the Ordinance. Attorney, Rob Schein reads the Ordinance on second reading.

***Motion by Councilmember S. Messenger to approve Ordinance 2022-25, 2<sup>nd</sup> by Councilmember Jones. Motion carries by a unanimous vote.***

Lebanon Utilities General Manager, Ed Basquill gives a brief recap and slide show regarding the following 4 Ordinances, 2022-21, 2022-22, 2022-23, 2022-24. John Brand with Butler, Fairman and Seufert speaks regarding the water sources. Ryan Ottinger, Lebanon Utilities Water Operations explains operations of L. U. Aaron Smith, resident of Lebanon has a presentation.

**ORDINANCE 2022-21 AN ORDINANCE AMENDING ORDINANCE NOS. 2022-13 AND 2012-11 ESTABLISHING A SCHEDULE OF NON-RECURRING RATES AND CHARGES COLLECTED FOR THE USE OF AND SERVICES PROVIDED BY THE**

**MUNICIPAL ELECTRIC UTILITY OF THE CITY OF LEBANON.** Attorney, Rob Schein reads Ordinance on second reading.

Mayor Gentry opens a Public Hearing – no one comes forward.

***Motion by Councilmember Robertson to approve Ordinance 2022-21, 2<sup>nd</sup> by Councilmember Campbell. Motion carries by a unanimous vote.***

**ORDINANCE 2022-22 AN ORDINANCE AMENDING ORDINANCE NOS. 2022-12, 18-06, 10-10, 09-06, 04-09, 03-10, 99-8, 80-12, AND 78-24 ESTABLISHING A SCHEDULE OF NON-RECURRING RATES AND CHARGES COLLECTED FOR THE USE OF AND SERVICES PROVIDED BY THE WATER WORKS UTILITY OF THE CITY OF LEBANON.** Attorney, Rob Schein reads the Ordinance on second reading.

Mayor Gentry opens a Public Hearing – no one comes forward.

***Motion by Councilmember S. Messenger to amend Section 1 to read \$2700 per edu, No one seconds the Motion so this Motion dies.***

***Motion by Councilmember Kincaid to approve Ordinance 2022-22, 2<sup>nd</sup> by Councilmember Wheat. Motion carries by a majority vote with S. Messenger voting nay.***

**ORDINANCE 2022-23 AN ORDINANCE AMENDING ORDINANCE NOS. 2015-07, 2010-07, 05-09, 04-10, 03-11, AND 1991-sew-5 ESTABLISHING A SCHEDULE OF NON-RECURRING RATES AND CHARGES COLLECTED FOR THE USE OF AND SERVICES PROVIDED BY THE WASTEWATER WORKS UTILITY OF THE CITY OF LEBANON.** Attorney, Rob Schein reads the Ordinance on second reading.

Mayor Gentry opens a Public Hearing – no one comes forward.

***Motion by Councilmember Kincaid to approve Ordinance 2022-23, 2<sup>nd</sup> by Councilmember Copeland. Motion carries by a majority vote with S. Messenger voting nay.***

**ORDINANCE 2022-24 AN ORDINANCE AMENDING ORDINANCE NOS. 08-09, 07-11, AND 05-07 ESTABLISHING A SCHEDULE OF NON-RECURRING RATES AND CHARGES COLLECTED FOR THE USE OF AND SERVICES PROVIDED BY THE TELECOMMUNICATIONS UTILITY OF THE CITY OF LEBANON. Attorney, Rob Schein reads the Ordinance on second reading.**

Mayor Gentry opens a Public Hearing – no one comes forward.

***Motion by Councilmember Robertson to approve Ordinance 2022-24, 2<sup>nd</sup> by Councilmember Wheat. Motion carries by a unanimous vote.***

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### **CLAIMS**

***Motion by Councilmember Copeland to approve the claims, 2<sup>nd</sup> by Councilmember Kincaid. Motion carries by a unanimous vote.***

### **ADJOURNMENT**

***Motion to adjourn made by Councilmember Robertson, 2<sup>nd</sup> by Councilmember Jones. Motion carries by a unanimous vote.***

The next regular City Council meeting is scheduled for Monday, September 26, 2022, at 7:15 p.m.

Respectfully submitted by Tonya Thayer, Clerk-Treasurer