

LEBANON COMMON COUNCIL – MINUTES
MONDAY, DECEMBER 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 – Sierra Messenger absent

Mayor Gentry asks for consent to take the agenda out of order – Council consents.

OLD BUSINESS

ORDINANCE 2022-37 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA AMENDING THE TEXT OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF LEBANON, INDIANA. Ben Bontrager, Director of Planning and Zoning gives a brief recap on the Ordinance. This is a text amendment to the Unified Development Ordinance adding a Leap Zoning District, this is in response to the Leap Annexation that's coming through the process, and we wanted to create a zoning district that was reflective of the goals of the Leap Zoning District, that had very specific set of uses as permitted. This comes to you with a positive recommendation from the Plan Commission to adopt the Leap Zoning District. Ben shows a chart with zoning district comparisons between the General Industrial Zoning District and the Leap Zoning District.

Mayor Gentry asks for Public Comment – one person comes forward to discuss his concerns.

Motion by Councilmember Jones to approve Ordinance 2022-37, 2nd by Councilmember Wheat. Motion carries by a unanimous vote.

RESOLUTION 2022-28 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, ESTABLISHING A FISCAL PLAN FOR THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF LEBANON, BOONE COUNTY, INDIANA. Ben Bontrager, Director Planning and Zoning explains annexations that are being considered by the Council which requires a fiscal plan prepared by Baker Tilly, our consultant. Ben goes over the highlights. Attorney Rob Schein reads the Resolution.

Mayor Gentry asks for Public Comment – numerous people come forward to discuss their concerns.

Motion by Councilmember Robertson to approve Resolution 2022-28, 2nd by Councilmember Jones. Motion carries by a unanimous vote.

ORDINANCE 2022-38 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA ANNEXING CERTAIN TERRITORY TO THE CITY OF LEBANON, BOONE COUNTY, INDIANA. Ben Bontrager, Director Planning and Zoning will summarize the Ordinance annexing about 5200 acres, it is a 100% voluntary annexation. This comes to the Council will a positive recommendation from the Plan Commission to assign the Leap Zoning District in the SF zoning district. Ben discusses the map. David Rosenberg, CEO with IEDC comes with answers to questions that were asked tonight and at the prior Council meeting. Council has a few questions for Mr. Rosenberg. Attorney Rob Schein reads Ordinance on second reading.

Mayor Gentry asks for Public Comment – numerous people come forward to discuss their concerns.

Motion by Councilmember Jones to approve Ordinance 2022-38, 2nd by Councilmember Wheat. Motion carries by a majority vote with Councilmember Kincaid voting nay.

ORDINANCE 2022-36 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA AMENDING ORDINANCE NO. 07-16, THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF LEBANON, INDIANA.

Matt Reynolds, Planning & Zoning explains the applicant is requesting a PUD rezone for 70 single-family two-story townhomes contained in 12 buildings along the single road with cul-de-sac, Matt shows a drawing of the area with 3 bedroom 2 ½ bath units with a single car garage along with a driveway that would accommodate 2 vehicles. Each building has trees and shrubs associated with it. David Klain, Onyx Point states construction should begin in July. Attorney Rob Schein reads Ordinance on second reading.

Motion by Councilmember Kincaid to approve Ordinance 2022-36, 2nd by Councilmember Copeland. Motion carries by a unanimous vote.

ORDINANCE 2022-31 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, CONCERNING AMENDMENT TO CHAPTER 35

ORDINANCE VIOLATIONS BUREAU. Mayor Gentry explains this is a solution to resolve enforcement of minor city ordinances, specifically parking enforcement, fireworks, golf carts and things of that similar nature that are fairly straightforward ordinance violations that can be handled by the future ordinance violations bureau which would be housed in the Clerk's office. These types of violations could be forwarded to the future city court or continue to be handled by the Violations Bureau. Attorney Rob Schein reads the Ordinance on second reading.

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

Motion by Councilmember Wheat approves Ordinance 2022-31, 2nd by Councilmember Robertson. Motion carries by unanimous vote.

ORDINANCE 2022-33 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, FOR THE PURPOSE OF ESTABLISHING COUNCILMAN IC DISTRICT. Mayor Gentry explains every 10 years the Council needs to redistrict, as the population changes, we need to make updates. The Mayor shows a map with the proposed districts, he states as they were drafting the maps the goal was to use natural barriers such as railroad tracks, large divider roads and get the districts as close in population as possible. Attorney, Rob Schein reads the Ordinance on second reading.

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

Motion by Councilmember Robertson to approve Ordinance 2022-33, 2nd by Councilmember Kincaid. Motion carries by a unanimous vote.

ORDINANCE 2022-34 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA TO VACATE PUBLIC WAYS. Matt Reynolds, Planning & Zoning will give a brief overview of the Ordinance regarding a vacation on Ann Street, there is currently 50 feet of right-of-way dedicated to the future development of Ann St. which is currently operating as an alley and will continue to always be an alley because it does not connect to a public street. The applicant is the property owner Alex Andrew at 623 E. Main St. who has requested 20 feet to be vacated to build an accessory structure to meet the setback requirements of our UDO. This Ordinance comes to Council with a favorable recommendation from the Plan Commission. Attorney Rob Schein reads the Ordinance on second reading.

Mayor asks for Public Comment – no one comes forward.

Motion by Councilmember Copeland to approve Ordinance 2022-34, 2nd by Councilmember Jones. Motion carries by a unanimous vote.

ORDINANCE 2022-35 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA TO VACATE PUBLIC WAYS. Matt Reynolds, Planning & Zoning explains a long stretch of land on Superior St. was given to the Superior St. right-of-way, so we have 66 feet of right-of-way. The applicant, David Gilman of ME Rental Properties owns the 4 parcels to the north is looking to develop single family homes and has requested a vacation of 18 feet of right-of-way to accommodate the single-family homes. This would leave 48 feet to accommodate sidewalks and road upgrades. The Lebanon Utilities does have a sanitary sewer line that runs through the proposed vacation area, so the sanitary sewer division said a 20 ft. easement must be recorded with the replat of the lots of this vacation to be approved. This Ordinance comes to Council with a favorable recommendation from the Plan Commission. Attorney Rob Schein reads the Ordinance on second reading.

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

Motion by Councilmember Wheat to approve Ordinance 2022-35, 2nd by Councilmember Robertson. Motion carries by a unanimous vote.

CLAIMS

Motion by Councilmember Copeland to approve the claims, 2nd by Councilmember Jones. Motion carries by a unanimous vote.

Mayor Gentry thanks the Council for tonight, it was a long process, but I think it's been good to allow the public to be heard. We are here to represent the best interests of our city. I understand and hear all your comments very poignantly

that there needs to be a lot of discussions and expectations that come along with the Leap Project, I hope I will live up to your expectations with that and plan to involve you in those conversations and make sure you are aware of the progression because this is not just about me it's not just about this Council or the city this is really about the people that live here and how we use this opportunity we have to make their lives better every single day, so in the spirit of that I want to wish everyone a Merry Christmas and Happy New Year. I appreciate all the hard work and dedication from both City staff but also this Council as we move through this year and appreciate all the long nights and efforts.

ADJOURNMENT

Motion to adjourn made by Councilmember Wheat, 2nd by Councilmember Robertson. Motion carries by a unanimous vote.

The next regular City Council meeting is scheduled for Monday, January 9, 2023, at 7:15 p.m.

Respectfully submitted by Tonya Thayer, Clerk-Treasurer