

**LEBANON COMMON COUNCIL – MINUTES**  
**MONDAY, AUGUST 14, 2023**

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

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 – Mike Kincaid absent

**APPROVAL OF MINUTES FOR JULY 24, 2023**

***Motion by Councilmember Copeland to approve said minutes, 2<sup>nd</sup> by Councilmember Jones. Motion carries by a unanimous vote.***

Mayor asks for consent to take agenda out of order, Council consents.

**OLD BUSINESS**

**ORDINANCE 2023-11 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA REPEALING AND REPLACING THE ELECTRIC UTILITY ECONOMIC DEVELOPMENT RIDER ESTABLISHED BY THE MUNICIPAL ELECTRIC UTILITY**

– Lebanon Utilities Attorney, Jeff Jacob gives a brief overview of the Ordinance, Jeff states he presented the Economic Development Rider, it's a program with IMPA, who is the City's co-op wholesale power provider, this program is for large power providers, and defined under their program as one megawatt or more so we need to amend our current Ordinance to stay in line with IMPA's program. The program discounts over a five-year period the power

consumption cost for large power providers that bring in excess of one million dollars of new construction to the city.

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

***Motion by Councilmember Wheat to approve Ordinance 2023-11, 2<sup>nd</sup> by Councilmember Jones. Motion carries by a majority vote, with Councilmember Messenger abstaining.***

**ORDINANCE 2023-13 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LEBANON, ESTABLISHING THE LEAP LEBANON INNOVATION PLANNED UNIT DEVELOPMENT DISTRICT** – Planning & Zoning Director Ben Bontrager gives a brief overview and a couple amendments in 5.1, 7.3, 5.6, 5.8, 5.10 B, 5.10 C, 5.12 C, 6.3 B2, 13.3 F2.

***Motion by Councilmember Campbell to amend the Ordinance with the corrections as presented, 2<sup>nd</sup> by Councilmember Robertson. Motion carries by a unanimous vote.***

With regards to the same Ordinance 2023-13 Scott Alexander with Taft Law who represents the IEDC references a couple of quick points, Alexander states that 6100 acres would be subject to the Planned Unit Development, which consist of annexation areas one and two that have previously been brought into the City of Lebanon. Alexander states the need for a PUD is to provide certainty and standards for the city, nearby residents, and the end users regarding the various types of anticipated uses.

Alexander introduces Aaron Kowalski from MKSK gives a re-cap on the LEAP District Ordinance Outline.

Mayor Gentry asks for Public Comment – Jody Stewart 4548 W 50 S expresses her grievances.

Attorney Rob Schein reads Ordinance 2023-13.

Planning & Zoning Director Ben Bontrager states all noticing requirements related to public hearings for Plan Commission and Council, notifying neighbors within 300 feet, along with notices to the newspaper in a timely fashion, we have posted all meeting agendas, notes, and materials on the City's website, we provided reminders facebook pages and social media and went to the Boone County Preservation page and reminded everyone of the meeting dates. Ms. Stewart contacted Ben about signage requirements, she was actually quoting the Boone County Area Plan Commission which are not applicable within the City.

Mayor Gentry asks Bontrager what happens if we don't adopt this Ordinance tonight; Bontrager answers that it would remain in the current zoning classification and would still be the LEAP zoning district that was established as a part of the annexation. This Ordinance provides additional protections both for the users who are looking and additional protections for neighbors in that area.

***Motion by Councilmember Robertson approves Ordinance 2023-13 as amended, 2<sup>nd</sup> by Councilmember Copeland. Motion carries by a unanimous vote.***

### **NEW BUSINESS**

**FOOD & BEVERAGEEQUEST – BOONE COUNTY HISTORICAL SOCIETY – LINCOLN DAYS** – Jane Hammock explains the event will happen on September 30 and October 1 at Memorial Park, they have an Abe Lincoln impersonator, a full reenactment of a civil war camp with battles. She is requesting \$1500 but in reality they will only receive \$840 because they pay Memorial Park \$660 to rent the park for the weekend. They use all local vendors.

***Motion by Councilmember Copeland to approve \$1500 from Food & Beverage Fund for Lincoln Days, 2<sup>nd</sup> by Councilmember Messenger. Motion carries by a majority vote, with Councilmember Wheat abstaining.***

**FOOD & BEVERAGE REQUEST – BACK TO THE 50'S** – Carmen Ottinger is requesting \$1500 for the Entertainment Tent. She states that this year will be a one-day event (in the past it has always been a 2-day event). This event will take

place on Saturday, September 16<sup>th</sup>. The Colts In Motion which is an interactive activity trailer will be in attendance, they will have food vendors and a car show.

***Motion by Councilmember Copeland to approve \$1000 from Food & Beverage Fund for Back to the 50's, 2<sup>nd</sup> by Messenger. Motion carries by a unanimous vote.***

**RESOLUTION 2023-18 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, FOR ADDITIONAL APPROPRIATION** – Planning & Zoning Director Ben Bontrager states earlier at the Board of Works meeting we awarded bids for the construction and furniture in the planning department office space. The construction bid went to TD Construction for the remodel for \$128,744 and the furniture package bid went to RJE for \$52, 849.99 plus additional appliances for approximately \$5,000 and contingency for any unknown issues that might arise, that brings us up to \$225,000 for this additional appropriation. Per Mayor Gentry this also includes construction for the new City Court that will begin in 2024. Attorney, Rob Schein reads the Resolution.

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

***Motion by Councilmember Messenger to approve Resolution 2023-18, 2<sup>nd</sup> by Councilmember Jones. Motion carries by a unanimous vote.***

**RESOLUTION 2023-19 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, FOR ADDITIONAL APPROPRIATION** – Clerk -Treasurer Tonya Thayer states there was a typographical error when we submitted the 2023 budget for \$10 and an employee in the mayor's office was overlooked for a rate increase of \$2500 for 2023, so the total for General Fund - Personnel Services is \$2510.

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

***Motion by Councilmember Wheat approves Resolution 2023-19, 2<sup>nd</sup> by Councilmember Robertson. Motion carries by a unanimous vote.***

**RESOLUTION 2023-16 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, FOR ADDITIONAL APPROPRIATION** – LFD Chief Chuck Batts states he is running in a deficit in their overtime line due to staffing shortages for \$60,000 and extenuating circumstances with the HVAC at Station 11 for \$30,000 and they also suffered catastrophic failure of the braking system on one of the oldest engines in the fleet and had to be replaced for \$10,000. The total for the General Fund is \$100,000.

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

***Motion by Councilmember Robertson to approve Resolution 2023-16, 2<sup>nd</sup> by Councilmember Jones. Motion carries by a unanimous vote.***

#### **CLAIMS**

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

#### **ADJOURNMENT**

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

The next regular City Council meeting is scheduled for Monday, August 28, 2023, at 7:15 p.m.

Respectfully submitted by Tonya Thayer, Clerk-Treasurer