

LEBANON COMMON COUNCIL – MINUTES
MONDAY, SEPTEMBER 11, 2023

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 Deputy Clerk-Treasurer Kelsey Carr.

Mayor Matt 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 Deputy Clerk-Treasurer Tonya Thayer

All present

NO MEETING MINUTES TO APPROVE

OLD BUISNESS

ORDINANCE 2023-14 – ORDINANCE OF THE COMMON COUNCIL FOR A REZONE OF 102 BIRCHWOOD DRIVE – 2nd READING – Matt Reynolds presents rezone that was in front of the Plan Commission last week. Lot is currently zoned commercial. Commercial to the west, Residential to the East and primarily Residential to the north. The pond would have to be modified and access would come from the south. Davis Homes is looking to rezone the residential area for a model home like Hallmark Homes next door. In future they would sell it as a residential home. The detention pond would still maintain both lots. Discussion follows. Applicant speaks. Attorney Rob Schein reads Resolution 2023-14.

Motion to approve Ordinance 2023-14 by Councilmember Kincaid, 2nd by Councilmember Messenger. Motion carried by unanimous vote.

ORDINANCE 2023-15 – ORDINANCE OF THE COMMON COUNCIL TO CONSIDER THE PADDOCK PLACE PUD REZONE FOR 605 W 300 N – 2nd READING - Matt

Reynolds Currently owned by the Brandenburg's. Property was Annexed 2-3 years ago zoned for multi-family uses. Corbett Towns road continuing through this development across 300 N into future Spring Creek development. Proposing for lease town homes and 7 apartment buildings with the buildings facing the road and the parking tucked behind on west and east sides. Including a club house that will have indoor and outdoor amenities. Ben turns it over to Amy Bermister, VIP of Development for Spectra. Amy states they are zoned for 180 units and states Spectra builds to own and has built in 7 states. Amy turns it over to Abby Wilson, Development Manager for Spectra. The PUD outlines 250 units but 230 are in the current site plan. Townhome 2 bed 2 ½ bath will be walk up style for rent townhomes with 3 stories with garage access and driveway. 7 apartment buildings will have approx. 30 units each 1 -2 bedroom and 5000 sq ft club house which will have leasing office, fitness center and resident lounge space. Outdoor amenities such as dog park, fire pits and grilling stations. Concept imagery modern farmhouse. Discussion follows. Attorney Rob Schein reads Resolution 2023-15.

Motion to approve Ordinance 2023-15 by Councilmember Robertson, 2nd by Councilmember Kincaid. Motion carried by unanimous vote.

RESOLUTION 2023-23 – A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, TO INCORPORATE STATEMENT OF TITLE VI ASSURANCE

Tonya Thayer describes Title VI as "Title VI prohibits discrimination on basis of race, color, national origin in any program or activity that receives federal funds or other federal financial assistance." City of Lebanon has a Title VI Non-Discrimination Plan. Attorney Rob Schein reads Resolution 2023-23.

Motion to approve Ordinance 2023-23 by Councilmember Copeland, 2nd by Councilmember Campbell. Motion carried by unanimous vote.

RESOLUTION 2023-18 - A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, FOR ADDITIONAL APPROPRIATION - This additional was already approved by council on August 14th but must be re-presented due to not being posted in the local newspaper for the appropriate amount of days.

Motion to approve Ordinance 2023-15 by Councilmember Messenger, 2nd by Councilmember Jones. Motion carried by unanimous vote.

RESOLUTION 2023-19 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, FOR ADDITIONAL APPROPRIATION - This additional was already approved by council on August 14th but must be re-presented due to not being posted in the local newspaper for the appropriate amount of days.

Motion to approve Ordinance 2023-15 by Councilmember Wheat, 2nd by Councilmember Robertson. Motion carried by unanimous vote.

NEW BUSINESS

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

RESOLUTION 2023-25 –A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, REGARDING CERTAIN REAL PROPERTY TAX ABATEMENT DEDUCTIONS FOR KEN’S FOODS, INC – Molly Whitehead Director of the Boone County EDC attends to represent Ken’s Foods which are looking at an expansion in the business park about 288,000 square foot expansion. Estimated real property 29.4 Million and then 10.3 Million personal property investment. Requesting a 4 year real and personal tax abatement with a 25% step down. This would have a 4.7 million assessed value impact for the city and 35,000 LIT impact.

Motion to approve Resolution 2023-25 by Councilmember Wheat, 2nd by Councilmember Robertson. Motion carried by unanimous vote.

RESOLUTION 2023-21 – RESOLUTION OF THE LEBANON COMMON COUNCIL APPROVING THE LEBANON PUBLIC LIBRARY’S ISSUANCE OF BONDS – Bo Cunningham, Director of the Lebanon Public library states the library needs to establish their new bond for 2023. The new bond will be renovating restrooms and taking care of downspouts and sidewalk regrade for water runoff. Inside furniture replacement, meeting rooms, window

replacement on west side, lighting projects. Replacing existing debt service payment dropping off in 2024 in the amount not to exceed \$2,760,000, 9 year bond estimated 5 year payoff to provide flexibility, 5% interest cost to be \$445,000, \$685,000 payment replacing existing, small increase to the library debt service tax rate, currently debt service tax rate is 2.61 cents, in 2022 it was 4.9 cents and will go back up to that with the new debt service bond.

Motion to approve Resolution 2023-21 by Councilmember Messenger, 2nd by Councilmember Campbell. Motion carried by unanimous vote.

ORDINANCE 2023-17 – AUTHORIZING CITY OF LEBANON, INDIANA TO ISSUE ITS TAXABLE ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2023 (PATTERSON STREET PROJECT) AND AUTHORIZING AND APPROVING OTHER

ACTIONS IN CONNECTION THEREWITH - Rob Schein explains the building on Patterson Street Building is already in the works and this is the last step in providing the incentive package from the city. Emma Adlam with Baker Tilly explains the ordinance is to approve taxable Economic Development Revenue bonds these would be supporting that Patterson Street Project would be payable solely from the tax increment generated from this project. The RDC created a separate allocation area that is only this one particular parcel and so only the TIF generated from this project goes to repay the debt service. No risk to the city if the TIF is short the developer will be purchasing the bonds. It is a 25-year term estimated par amount of \$634,000 over the 25 year period with the city ordinance allowing a maximum \$700,000 with an estimated zero percent interest.

Ordinance has been read on 1st reading, will continue to 2nd on September 25th meeting at 7:15pm.

FOOD & BEVERAGE REQUEST – AUDIO AND VISUAL EQUIPMENT – Joe Lepage states audio upgrades to city council chambers and utilities conference room was once visited in 2016, then again in 2021 leading now to Dick Robertson going to Lepage and Hutton to revisit. Visited Monroe County Courthouse and City of Bloomington for ideas on upgrades we could use for a positive experience. Broke down concerns from citizens audio and visual concerns along with utilities wanting to have people join remotely to their meetings. Jumping off point was Leap Meeting being difficult to hear leading the public to believe something was being hidden. Reached out to 3 different entities, Blades Audio Video Security, All-Pro Integrated Systems and AV Designers (company that installed video and current audio within the two rooms). Had 3 different proposals with 3 different price points hoping to pick one for approval. Blade's Audio Video Security at \$106,293.20, All Pro Integrated Systems an incomplete proposal at \$118,817.48 and they have not been able to be reached, AV Designers

at \$172,479.05. Utilities have agreed to go in 60% 40% with the city being 60%. AV Designers was the company of choice putting the Cities portion at 103,487.43 Utilities \$68,991.62.

Motion to approve Food and Beverage Request by Councilmember Robertson, 2nd by Councilmember Campbell. Motion carried by unanimous vote.

MEMORANDUM OF UNDERSTANDING WITH BOONE COUNTY COMMISSIONERS CONCERNING PLANNING AUTHORITY –

Mayor Gentry gives background explaining where the current jail sits and also the Boone County 4-H Fairgrounds it's within the city limits of Lebanon. Prior to this administration there was an agreement in place that the county was exempt from any planning jurisdiction but was never found in writing. This MOU is to codify clarification with the county concerning those properties of who has planning jurisdiction over them. Seeding the planning jurisdiction authority to the county so they will have to go through county planning overview through their process but does state they will still have to pay all applicable fees that any other property within city limits would have to pay such as Road Impact Fees, Park Impact Fees, and Availability Fees for Utilities. Approved by the commissioners on their September 5th meeting just waiting on City Council approval.

Motion to approve MOU by Councilmember Robertson, 2nd by Councilmember Wheat. Motion carried by unanimous vote.

CLAIMS

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

ADJOURNMENT

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

The next regular City Council meeting is scheduled for Monday, September 25th at 7:15 p.m.

Respectfully submitted by Kelsey Carr, City of Lebanon Deputy Clerk – Treasurer