

**Martinsville
Common Council
Meeting Agenda
Monday, June 23,
2025
7:00 PM - Council
Chambers**

THE CITY OF
Martinsville
INDIANA



Call to Order, Invocation, and Pledge of Allegiance

Roll Call

Consideration of the Minutes

Documents:

[JUNE 9, 2025, COMMON COUNCIL MEETING MINUTES.PDF](#)

Reports

- A. Redevelopment Commission
- B. Planning Commission
- C. Morgan County Economic Development Corporation

New Business

- A. First Reading of Ordinance 2025-1902 - Amendment to Zoning Ordinance Chapter 58, Section 3

Documents:

[ORDINANCE 2025-1902 - AMENDMENT TO ZONING ORDINANCE CHAPTER 58, SECTION 3.PDF](#)

Consideration of Claims

Council Comments

Public Comments

Announcements

Next Regular Meeting

The next Regular Meeting will be on Monday, July14, 2025, at 7:00 PM in the Council Chambers

Adjournment

Adjournment

Any individual who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a public meeting, program, service, or activity of the City of Martinsville, IN contact Ben Merida, ADA Coordinator, 995 Rogers Road, Martinsville, IN 46151, 765-342-6012, as soon as possible, but no later than 48 hours before the scheduled event.

**MARTINSVILLE COMMON COUNCIL
MARTINSVILLE INDIANA
MORGAN COUNTY, INDIANA
MONDAY, JUNE 9, 2025**

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Mayor Costin called the Martinsville Common Council meeting to order on Monday, June 9, 2025. Pastor Jason Abney led the prayer for those in attendance. Mayor Costin then led the attendees in the Pledge of Allegiance.

ROLL CALL

Kenny Costin, Mayor - Present
Phil Deckard Sr, District 1 - Present
Ben Mahan, District 2 - Absent
Josh Ferran District 3 - Present
Suzie Lipps, District 4 - Present
Phil Deckard II, District 5 - Present
Ann Miller, Councilwoman-at-Large - Present
John Badger XIV, Councilman-at-Large - Present
Dale Coffey, Attorney - Present
Ben Merida, Clerk Treasurer - Present

A quorum was declared present.

MINUTES

Mayor Costin presented the minutes of the May 27, 2025, meeting to the Council. A motion to approve the minutes as presented was made by Councilman Phil Deckard II. Councilman John Badger seconded the motion. The minutes were approved 5-0. Councilwoman Ann Miller abstained.

CLAIMS

A motion to approve the claim dockets as presented was made by Councilman Phil Deckard II. Councilwoman Suzie Lipps seconded the motion. The claims were approved 6-0.

ADJOURNMENT

There being no further business, the meeting was adjourned by unanimous consent.

**MARTINSVILLE COMMON COUNCIL
MARTINSVILLE INDIANA
MORGAN COUNTY, INDIANA
MONDAY, JUNE 9, 2025**

Name		Signature
Phil R. Deckard II, Member, District 5, President Pro Tempore	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Phil R. Deckard Sr, Member, District 1	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Ben Mahan, Member, District 2	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Josh Ferran, Member, District 3	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Suzie Lipps, Member, District 4	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Ann Miller, Member-at-Large	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
John Badger, XIV, Member-at-Large	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
ATTEST		
Name	Signature	Date
Benjamin K. Merida, Clerk-Treasurer		
MAYOR ACTION		
Name	Signature	Date
Kenneth W. Costin, Mayor	Approve <input type="checkbox"/> Veto <input type="checkbox"/>	

ORDINANCE: 2025-1902

AMENDMENT TO ZONING ORDINANCE OF THE CITY OF MARTINSVILLE CHAPTER 58, SECTION 3 PLAN COMMISSION AND BOARD OF ZONING APPEALS PROCEDURE FOR NOTICE; AND CHAPTER 94-145 FILING PROCEDURES

Comes now the Common Council of the City of Martinsville, Indiana, and pursuant to its legislative authority, hereby now amends the Zoning Ordinance of the City of Martinsville, Indiana, specifically as to Chapter 58, Section 3, Plan Commission and Board of Zoning Appeals Procedure for Notice; and Chapter 94, Section 145, Filing Procedures, and in so doing finds that it is in the best interest that an amendment to Chapter 58, Section 3 and Chapter 94, Section 145 of the Zoning Ordinance of the City of Martinsville be made. Therefore, the following amendment is hereby made to Chapter 58, Section 3 and Chapter 94, Section 145 of the Zoning Ordinance for the City of Martinsville.

Sec. 58-3. - Plan commission and board of zoning appeals procedure for notice.

This section applies to notices given by the plan commission and board of zoning appeals. Public notice shall be given in accordance with I.C. 5-3-1 (I.C. 5-3-1-1 et seq.) and due notice given both by publication and with a stamped Certificate of Mailing from the US Postal Service (USPS), to the public and, in particular, to each adjoining or abutting property owner, to the subject real estate disregarding any streets, highways, alleys or other public property in determining abutting real estate, all of which notices shall be served at least fifteen days prior to the hearing as scheduled by the appropriate board. Seven days before the hearing, the petitioner shall present the notice as issued, both for publication and to adjoining property owners, together with an affidavit of mailing and the stamped Certificate of Mailing for all mailed notices.

Sec. 94-145. - Filing procedures.

(A)

Notice procedure for all public hearings. All petitions before the city's plan commission and board of zoning appeals shall be filed at the **Building office** at least 20 calendar days prior to the date of public hearing at which the petitions are to be heard and must be on file prior to the date any public notices are sent out. Petition shall include three copies of any plans, plats or exhibits. The petitioner is responsible for cost and preparation of: all filing documents; legal notice; notice to adjacent owners; notice to agencies; notice to commission and board members; placement of "notice of public hearing"; plans, plats and exhibits; and all other requirements for filing and presentation of a petition before the commission or board.

(B)

Limit on subsequent filing of petitions. Any petition to the commission or board that has been denied shall not be again presented to the commission or board for a period of one-year from the date of denial unless the subsequent petition has substantial and material changes from the denied petition. Change in ownership, in and of itself, is not a substantial or material change with respect to filing of a petition.

(C)

Notice of publication. Legal notice in a newspaper of general circulation in the city shall be published at least 15 days prior to the hearing date and proof of publication shall be made by an affidavit of the publisher attached to a copy of the notice taken from the paper in which it was published. Such affidavit shall include the name of the newspaper and the time of publication. Proof of publication shall be returned to the **Building office** not later than seven days prior to the public meeting.

(D)

Property notice posting. The petitioner shall post on the land that is the subject of the petition before the commission or board a "notice of public hearing." The notice will be provided by the **Building office** at the time of application. Notice shall be prominently located and easily visible from the road or street at the address of the property and shall remain until final action by the commission or board.

(E)

Notice to adjacent owners. Additional notice shall be given to all adjacent landowners who are within two parcels in depth or 660 feet from the subject property, whichever is least. Such notification shall be made at least 15 days prior to the hearing date and be made by **Certificate of Mailing through the US Postal Service (USPS)**. For purposes of this notice requirement, where the petitioner owns any of the adjacent parcels of ground, the subject property shall be deemed to include such adjacent land owned by the petitioner. For the purpose of determining the names and addresses of the legal adjacent property owners, the records in the bound volumes of the most recent tax assessment records as they appear in the offices of the county auditor shall be deemed to be the true names and addresses of persons entitled to be notified.

PUBLICATION AND NOTICE TO ADJACENT LAND OWNER SHALL STATE:

- 1. The location, by address with distance and direction to nearest intersecting streets, together with legal description of the land involved in the petition.**
- 2. That the petition may be examined in the Building office, during regular business hours at City Hall, 59 So. Jefferson St., Martinsville, Indiana.**
- 3. The docket number and the specific request set out in the petition. For a zoning map, a change the current zoning classification and the proposed district being requested, and in the case of a variance, special exception or other matter, sufficient detail shall be included for the public to determine the extent of proposed change, modification or use.**
- 4. The time and location that said petition has been set for public hearing and which body, commission or board, will hear the petition.**

(F)

Notice to checkpoint agencies. Notice shall also be provided to the following checkpoint agencies stating that plans are available for their review and comment at the Building office. The notice shall state specifically the nature of the development, the number of employees or potential households and traffic impact. Notice shall be sent by Certificate of Mailing through the US Postal Service (USPS), or hand delivered with proof of delivery to the following not less than 15 days prior to the hearing:

- (1) The city's police department;
- (2) Metropolitan school district of the city;
- (3) The city's fire department; and
- (4) The county's board of health if the development is to be serviced by individual waste treatment (septic) systems.

(G)

Affidavit of notice. The petitioner shall furnish evidence of compliance of the notice requirements by filing a notarized statement with the board or commission as is appropriate. The stamped Certificate of Mailing listing names and addresses of the property owners to whom the notices sent out and the Proof of Publication shall be attached to the affidavit and returned to the Building office not less than seven days prior to the public meeting.

(H)

Plan commission meeting date. The plan commission meets on the fourth Tuesday of each month at 7:00 p.m., unless otherwise posted, and conducts hearings for zoning map changes, subdivision plats, minor plats and planned unit developments. The regular meeting of the plan commission shall be in session until 10:30 p.m. At the discretion of the chairperson, the meeting can continue

for the completion of an item past 10:30 p.m. In the event there are additional items still scheduled on the agenda, those items that have not been heard shall be continued until the following Tuesday at 7:00 p.m. at the city hall at which time the plan commission shall reconvene without additional notices being required and the continued items shall then be heard.

(I)

Proposed forms for rezoning. Minor plats, subdivisions, planned unit development, board of zoning appeals variance applications, model permits and special exceptions are all on file with the office of the city superintendent.

(J)

Fees. All filing fees are posted with the clerk/treasurer's office and shall be paid prior to the acceptance of the petition for zoning map change, variance, plat, planned unit development, subdivision plat, minor plat, model permit or special exception. All filing fees are non-refundable.

(K)

Forms. Filing forms, example letter to adjacent property owners, petition application and affidavit of notice of public hearing can be obtained from the Building office City Hall, 59 South Jefferson Street, P.O. Box 1415, Martinsville, Indiana 46151.

All of which is ADOPTED by the Common Council of the City of Martinsville,
Indiana, this _____ day of _____, 2025.

Name		Signature
Phil R. Deckard II, Member, District 5, President Pro Tempore	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Phil R. Deckard Sr, Member, District 1	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Ben Mahan, Member, District 2	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Josh Ferran, Member, District 3	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Suzie Lipps, Member, District 4	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Ann Miller, Member-at-Large	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
John Badger, XIV, Member-at-Large	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	

ATTEST

Name	Signature	Date
Benjamin K. Merida, Clerk-Treasurer		

MAYOR ACTION

Name		Signature	Date
Kenneth W. Costin, Mayor	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		