

**HEBRON TOWN COUNCIL
HEBRON UTILITY REGULATORY COMMISSION
MINUTES OF JULY 15, 2008**

The Hebron Town Council and Hebron Utility Regulatory Commission Meeting of July 15, 2008 was called to order at 7:00 p.m. by President Donald Ensign. In attendance was Councilmen Donald Ensign, Peter Breuckman, Jeffery Grogan; Councilwomen Joyce Kaczmariski and Kelly Teel; Clerk-Treasurer Terri Waywood; Town Marshall Steve Sibbrell; Attorney Theodore A. Fitzgerald; and Recording Secretary Joanne Garrett-Hansen. It was noted that Public Works Director Steve Martin was on vacation.

Following the Pledge of Allegiance to the Flag, on motion of Councilman Breuckman, seconded by Councilwoman Teel, and duly carried 5-0, the minutes of the June 17, 2008 meeting were approved as presented.

Docket - President Ensign read the docket totals for July 15, 2008: Total Disbursed \$1,003,401.91; Transfers \$614,895.46; and Net Disbursed \$388,506.45. Clerk-Treasurer Terri Waywood asked for Council approval to void all checks currently under the Major Moves and reissue same from the CEDIT account. Discussion ensued. On motion of Councilman Grogan, seconded by Councilwoman Teel, and duly carried 5-0, the Council approved the docket with the noted corrections.

Clerk-Treasurer's Report - Clerk-Treasurer Waywood announced that the Town has started receiving this year's tax draws. She noted that she was informed that the Town will be getting about 75% of the funds taken in at this time in four installments. She noted that the first installment was \$69,145.15 which was placed into the General Fund and \$3,321.17 was put into CCD. She stated that the town should not receive the second payment until after January.

Mrs. Waywood reported that she invested \$350,000.00 in CDs at 2.6% interest. She described the funds as: \$150,000.00 from CEDIT; \$25,000.00 from Community Center; \$75,000.00 from Rainy Day; and \$100,000.00 from Waste Water. She noted that these CDs will not come due until July, but she requested permission to reinvest the same amount. She further noted that she probably will not be able to invest the CEDIT funds, but that \$400,000.00 can be invested from Major Moves. Discussion ensued. The Council expressed their approval.

Insurance - Mrs. Waywood asked for permission to reduce Theodore A. Fitzgerald health insurance to \$25.00 per pay period beginning in August 2008. On motion of Councilman Grogan, seconded by Councilwoman Teel, and duly carried 5-0, the Council approved the reduction.

Attorney Theodore A. Fitzgerald announced that he and Mrs. Waywood were successful in negotiating the Tax Anticipation Warrant interest rate with 1st Source Bank to 2.98%.

Utility Adjustments - Jerry Sexton's request for adjustment was due to filling a swimming pool (19,000 gallons). Discussion ensued. On motion of Councilman Grogan,

seconded by Councilman Breuckman, and duly carried 5-0, the Council approved the adjustment of 19,000 gallons.

Mary Frantz- Ms. Frantz was not in attendance. On motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, this matter was tabled until next meeting.

Old Business

Awarding of Street Bid - Discussion ensued regarding possible financing of the needed repairs to streets, the Monroe Street lift station and water plant. On motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, the Council approved the bid of Town & Country subject to the Town obtaining financing. It was noted that Town & Country was not the lowest bidder, but the Council believes they can provide the best service. At this time, the Council discussed the next detour route for the Main Street Project making sure none of the proposed streets will be used in this detour.

New Business

Monroe Street & Sigler Street Lift Station - Bid opening - Attorney Fitzgerald read the bids as follows:

H&G Underground	\$281,836.96
LGS Plumbing	410,000.00
Intrasource Underground	475,500.00

On motion of Councilman Breuckman, seconded by Councilman Grogan and duly carried 5-0, the Council took these bids under advisement.

Resolution 2008-07-15 Transfer Resolution - This Resolution was read by President Ensign. On motion of Councilwoman Teel, seconded by Councilwoman Kaczmariski and duly carried 5-0, this Resolution was passed and adopted.

Ordinance 2008-07-15 Storm Water User Fees - Attorney Fitzgerald reported that at the Council's request, he prepared this Ordinance. Mr. Fitzgerald noted that this Ordinance will put the Storm Water User Fees back to their original amount. Discussion ensued. This matter is tabled until next month.

Ordinance 2008-07-15A Tap fees and Sewer Availability - Attorney Fitzgerald stated that these fees and availability numbers were taken from Ted Sommer's study. On motion of Councilman Grogan, seconded by Councilwoman Teel and duly carried 5-0, Ordinance 2008-07-15A was passed and adopted.

Acceptance of Donations - Clerk-Treasurer Waywood reported that this for the

acceptance of a \$100.00 check from Auto Depot. On motion of Councilwoman Teel, seconded by Councilman Breuckman and duly carried 5-0, the donation was accepted.

Jeffrey Porter vs Town of Hebron - Attorney Fitzgerald reported that the Town has been in litigation with Mr. Porter for the past five years regarding the water plant construction. Mr. Fitzgerald noted that originally the Town was sued for approximately \$160,000.00. He further reported that numerous court proceedings have taken place including an appeal. He noted that during a settlement conference, which lasted the greater part of the day, Mr. Porter agreed to receive as settlement in full, the \$57,573.79 retainage which is currently being held at DeMotte State Bank Mr. Fitzgerald noted that Ethel Morgan was involved in the settlement conference and that she has agreed not to bill the Town for her time. Mr. Fitzgerald strongly recommended that the Town accept this settlement agreement. On motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, the settlement agreement was accepted.

INDOT Report - Attorney Fitzgerald reported that the Town was able to negotiate an easement through the Cox property. He further noted that INDOT now has an access to Cobb Creek and that Porter County has approved the connection to Cobb Creek. He stated that he will continue to work on the project and will keep the Town posted on any developments.

Murphy Plan - Clerk-Treasurer Waywood explained the Murphy Plan noting that due to the sale of the Porter Hospital, Mr. Murphy has decided to give back to the Town \$9,749.71. She further noted that Mike Bucko has a plan that would allow the Town to borrow from the hospital. Mrs. Waywood stated the Mr. Murphy would like the Town to adopt a Resolution accepting his plan. Discussion ensued. This matter was tabled.

Department Reports

Parks - Mike Spicer reported that the Soap Box Derby Race was a great success. He further reported that the next meeting will be July 16, 2008 at 7:00 p.m.

Police Department

Chief Sibbrell reported that his Department is working ten hour shifts. He further noted that the Department saved 105 gallons of gas in June.

Chief Sibbrell reported that the Department wrote 56 citations, 26 were Town citations, 96 warnings, 106 citizens requested assists, 26 911 calls, helped the County 71 times, and helped with the drug bust and DEA in Hebron and Cedar Lake.

Chief Sibbrell announced that the Department received Emmanuel Baptist Church thanking the Department for their service.

Crossing Guard - It was noted that this matter is still undecided. President Ensign

reported that he did have the opportunity to speak with Mr. Lentz and is waiting for a response from him.

Squad Car Repairs - Chief Sibbrell reported that one the officers is a certified mechanic and he has saved the Department \$2,500.00 in repairs.

Public Works

President Ensign reported that there are pumps in need of repair and that a boil advisory was issued this week. He further noted that everyone was notified of the advisory.

Hebron Redevelopment Commission - No report

Public comments - It was noted that the mosquito spraying is working.

Jack Hansen noted that the Town is once again featured in the ABATE Motorcycle Magazine.

Main Street Committee needs to meet to discuss Christmas decorations and the cost of the plaques for the street lights.

There being no further business before the Council, on motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, the meeting was adjourned.

Respectfully submitted,

Terri Waywood, Clerk-Treasurer

Approved:

Donald Ensign, President