

**HEBRON TOWN COUNCIL
HEBRON UTILITY REGULATORY COMMISSION
MINUTES OF JULY 21, 2009**

The Hebron Town Council and Hebron Utility Regulatory Commission Meeting of July 21, 2009 was called to order at 7:00 p.m. by President Donald Ensign. In attendance was Councilmen Jeff Grogan, Pete Breuckman, Donald Ensign and David Peeler; Councilwoman Joyce Kaczmariski; Clerk-Treasurer Terri Waywood; Town Marshall Steve Sibbrell; Public Works Employee Larry Worley; Attorney Theodore A. Fitzgerald and Recording Secretary Joanne Garrett-Hansen. Also, in attendance was Ted Sommer of London Witte.

Following the Pledge of Allegiance to the Flag, on motion of Councilman Peeler, seconded by Councilman Breuckman and duly carried 5-0, the minutes of June 15, 2009 Regular meeting and July 11, 2009 Executive Session were approved as presented.

Docket - President Ensign read the docket totals for July 21, 2009: Total Disbursed \$480,693.00; Transfers \$276,429.80 and Net Disbursed \$204,263.20. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, the Council approved the docket as presented.

Clerk-Treasurer's Report - Clerk-Treasurer Waywood reported that the Town currently has CEDIT funds of \$350,000.00 invested at Horizon Bank in Valparaiso at the interest rate of 6.5%. She stated that she would like Council approval to move these funds to 1st Source, Hebron Branch at an interest rate of 7%. On motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, the Council approved this request.

Utility Adjustments - None

Old Business - None

New Business

Ordinance 2009-07-21A - An Ordinance to Revise the Schedule of Monthly Sewer Rates and Minimum Monthly Charges to be Collected by the Town of Hebron, Indiana from Customers Served by the Town's Sewer Works - President Ensign noted the raise would be approximately a 9.88% increase in sewer. He noted that this is a preliminary start to the process and that an advertised hearing will be held at a later date. Attorney Fitzgerald stated that the only thing being accomplished this evening was for the Council to approve this on a first reading which does not mean the Ordinance is adopted. He further explained that the statute requires a procedure of setting a public hearing, giving notice, and then a public hearing would be conducted several weeks down the road after which a vote would be taken.

President Ensign stated that Ted Sommer of London Witte is also looking at a water rate increase. Mr. Sommer explained that he looked at the rate based with and without some

anticipated construction projects and the rate could be anywhere between 26.29% (if all the projects are done) and .7% or zero if none are completed. He noted that without doing any of the projects, the Town is maintaining, just paying bills. He asked the Council to consider the construction projects and to get back to him.

On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, the Council approved Ordinance 2009-07-21A on first reading.

Comprehensive Plan - President Ensign asked the Council to revisit this issue noting that this plan was recommended by the Plan Commission and the Hebron Redevelopment Commission. He noted that the project would take over a year to develop and would be billed monthly at the rate of \$1,600.00 with the funds coming from CEDIT which is currently drawing \$2,400.00 per month. Discussion ensued. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, the Council approved proceeding with the Comprehensive Plan.

Stop Signs - President Ensign read the Traffic Committee's recommendation. Discussion ensued. On motion of Councilman Peeler, seconded by Councilman Breuckman and duly carried 5-0, the Council approved a three-way stop sign at Poplar and Aspen, a three-way stop sign at Locust and Park Place and to make permanent the stop signs at Hickory and Apple.

New Business

Ordinance No. 2009-07-21 - An Ordinance Approving the Revised Zone Map - President Ensign read a letter from the Hebron Plan Commission which recommended approval of the Zone Map. Attorney Fitzgerald noted that this map doesn't change anything in the previous zone map, it merely adds the newly annexed properties and makes it easier to read. On motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, Ordinance No. 2009-07-21 was passed and adopted.

Transfer of Employee's Salary - Mrs. Waywood asked for Council approval to move one public work's employee's salary to the MVH account. She stated that is a saving to public works of \$37,194.78 per year. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, this request was approved.

Resolution 2009-07-21- A Resolution to Reduce the 2009 Budget - President Ensign read Resolution 2009-07-21. On motion of Councilman Peeler, seconded by Councilman Breuckman and duly carried 5-0, Resolution 2009-07-21 was passed and adopted.

Resolution 2009-07-21A - Transfer of Appropriations - President Ensign read Resolution 2009-07-21A. On motion of Councilman Breuckman, seconded by Councilman Grogan and duly carried 5-0, Resolution 2009-07-21A was passed and adopted.

Resolution 2009-07-21B - A Resolution to Borrow from Major Moves - President Ensign read Resolution 2009-07-21B. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, Resolution 2009-07-21B was passed and adopted.

Sealing of Municipal Parking Lots - On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried , the Council approved the sealing of the lots at the Fire Station and behind Country Kitchen at the cost of \$3,500.00. The bid was submitted by Stockman.

Department Reports

Parks - Steve Sibbrell stated that there was nothing to report.

Police Department

Hiring - Chief Sibbrell asked for approval to hire former Officer Jim Stahl for a period of three (3) months. He stated that since one part-time officer was hired full time and the other part-time officer is away at the academy, the Department is in need of additional help and Officer Stahl, although currently working for County, has agreed to help out. On motion of Councilwoman Kaczmarski, seconded by Councilman Grogan and duly carried 5-0, this request was approved.

Chief Sibbrell reported that the Department has been working hard on an ongoing burglary case and an alleged offender is currently in jail.

Fire Department - No report.

Hebron Redevelopment Commission - No report.

Rental properties' Water/Sewer Bill - Wanda Robertson asked the Council to reconsider the current policy regarding billing of rental properties water/sewer bills. She stated that the municipality has three options: 1) collect the deposit and if the bill is unpaid at the time the tenant vacates the property to apply the deposit to the unpaid bill, 2) civil suit, and 3) to place a lien against the property. She noted that Crown Point placed in the utility bill in the tenant's name and if the final bill is unpaid, the utility service can't be put into another name until the bill is paid in full. A lengthy discussion ensued. President Ensign asked if the Council wished to revisit this issue. He polled the Council:

Pete Breuckman - Revisit

Joyce Kaczmarski - No

Dave Peeler - Revisit

Jeff Grogan - Revisit

Don Ensign - Revisit

President Ensign stated that the Council is will revisit the issue and that the Council is willing to work with the landlords.

Hebron All Stars - At this point in the meeting the Hebron All Stars entered the meeting and President Ensign announced that the Hebron All Stars had just won a semi-state match and they are going to State. The room echoed with the sound of applause.

Public Works - Larry Worley reported that the properties on Park Place and Wilson were mowed. Terri Waywood noted that the property at 803 W Wilson was going up for sale. Mr. Worley further reported that the property known as Village Walk was mowed at the cost of \$590.00 which included man hours and repair of tires.

Community Center Porch - President Ensign announced that the front porch of the Community Center needs to be extended. He noted that an estimate of \$3,900.00 was received, but this estimate is for concrete only. Councilman Breuckman stated that more bids are need and he asked Steve Sibbrell to get the bids. Attorney Fitzgerald recommended that contractors assure that the bids are ADA compliant. Steve Sibbrell reported that he is looking into grants for a door opener for the building.

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:

Peter Breuckman, Vice President