

**HEBRON TOWN COUNCIL
HEBRON UTILITY REGULATORY COMMISSION
MINUTES OF MARCH 16, 2010**

The Hebron Town Council and Hebron Utility Regulatory Commission Meeting of March 16, 2010 was called to order at 7:00 p.m. by President Donald Ensign. In attendance was Councilmen Jeff Grogan, David Peeler, Pete Breuckman and Donald Ensign; Councilwoman Joyce Kaczmarski; Clerk-Treasurer Terri Waywood; Public Works Director Jim Shelhart; Attorney Theodore A. Fitzgerald and Recording Secretary Joanne Garrett-Hansen.

Following the Pledge of Allegiance to the Flag, on motion of Councilman Peeler, seconded by Councilman Grogan and duly carried 4-0, the minutes of February 16, 2010 regular meeting and the minutes of March 10, 2010 Executive Session were approved as presented.

Docket - President Ensign read the docket totals for March 16, 2010: Total Disbursed \$483,862.98; Transfers \$321,273.93 and Net Disbursed \$162,589.05. On motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, the Council approved the docket as presented.

Clerk-Treasurer's Report - Clerk-Treasurer Terri Waywood asked for approval to prepaid Continental Research's invoice in the amount of \$221.08 for meltaway used on roads. On motion of Councilman Breuckman, seconded by Councilman Peeler and duly carried, the Council approved the payment of \$221.08.

Mrs. Waywood stated that the Events Committee will be conducting a meeting on March 25, 2010 at 7:00 p.m. at the Community Center. She invited anyone interested in helping on this committee to work on various things like the July 3rd celebration and our Street Fair.

Mrs. Waywood reported that the Credit Card/Debt Card function for the water bills is ready to go. She noted that you can now pay your utility bills, contractor licenses, permits fees and fines by going to the Town website which contains a "log on button" to access these payments. She said there is a user fee, but no fees to the Town. President Ensign thanked the Clerk's office for getting this started.

Utility Adjustments - None.

New Business

Ordinance 2010-03-16 - An Ordinance to Revise the Schedule of Monthly Water Rates and Minimum Monthly Charges to be Collected by the Town of Hebron, Indiana from Customers Served by the Town's Water Utility - President Ensign read Ordinance 2010-03-16. He explained that at last month's meeting the Town took the first steps in undertaking this Ordinance. He then introduced Ted Sommer of London Witte Group who did the water rate

study. Mr. Sommer then gave a brief explanation stating that the reason this is due to President Obama's American Resources Recovery Act of 2009. He stated that the Town took advantage of several hundred thousand dollars worth of funds in the form of a loan to the sewer utility to do some absolute necessary UV lights. He stated that if not for these funds there would have had to be a sewer rate increase. He noted that when the State Revolving Fund was in process of looking at whether or not to give the grant to the Town, they said that they wanted to look at the Water State Revolving Fund bonds of 2001 to see if there was coverage consistent with the bond coverage. The Bond Covenant requires that when they are issued they have 1.25 times coverage (whatever your debt service is plus 25% of your debt service). The Bond Covenant asked the Town to review its coverage. I prepared a study that illustrated that a 11.07% rate increase was the absolute minimum to the dollars that the Town absolutely had to have to meet this 1.25 times coverage. He noted in all the time he has been working with the Town there has never been a spare dime when something goes wrong with the water or sewer utilities. He stated that another 3% was added on so that there would be an emergency fund for repair. He noted that he fully endorses this and as a result there needs to be a 15% increase. He noted that this rate contains no fluff. Discussion ensued. President Ensign stated that the Council doesn't want to increase the rate and that the Council tried to raise the necessary funds without raising rates, but they were unable to do so. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, Ordinance 2010-03-16 was passed and adopted.

Donation of Viant Property - John Bryant, Executor of the Estate of Edith Viant, presented the Town with a deed to the property located on the corner of Sigler and Main Street. President Ensign noted that a lot of work was involved in getting this property by John Bryant, Petry, Fitzgerald & Less and the Town Council. John Bryant noted that remediation of the property due to the fact that gas was leaking into the soil, was required before the Town could accept this gift. He noted that the Town was able to obtain a grant to provide for this remediation. Attorney Fitzgerald said that the Town finally receive the NFA (no further action) letter from IDEM which states that the ground is not perfect but it is acceptable and does not need any further action. Mr. Fitzgerald thanked Mr. Bryant for the donation and Mike Aylesworth for his help in getting this project moving down state.

County Animal Shelter - President Ensign said that this is a yearly contract for 2010 and the cost is \$2,015.00. Item #5 of the contract was discussed which states that the Town will pay for emergency vet care, if needed, if an animal is picked up in Hebron. Discussion ensued. In response to a question, Attorney Fitzgerald stated that the Town has to contain the animal until the County Animal Control arrives. On motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, the Council approved the County Animal Shelter contract in the amount of \$2,015.00.

Bowmen Payment Request #2 - President Ensign read a letter requesting payment for the UV Project: total complete \$227,329.90 less retainage \$732.19 less amount previously paid \$18,655.11, current payment due \$185,934.60. On motion of Councilman Breuckman, seconded by Councilman Peeler and duly carried 5-0, the Council approved this Payment Request #2.

Resolution 2010-03-16- Transfer of Appropriations - President Ensign read the transfers. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, Resolution 2010-03-16 was passed and adopted.

Ordinance 2010-03-16A - An Ordinance Amending Ordinance 2003-06-30 and Transferring Control of the Downtown Beautification Funds to the Hebron Redevelopment Commission for the Town of Hebron, Porter County, Indiana - This Ordinance was explained by Attorney Fitzgerald. On motion of Councilman Peeler, seconded by Councilman Breuckman and duly carried 5-0, Ordinance 2010-03-16A was passed and adopted.

Ordinance 2010-03-16B - Ordinance Authorizing Facade Grants in the Town of Hebron - President Ensign stated that the original Ordinance was passed about five years ago, but the Town is unable to locate the Ordinance and, therefore, needs to once again pass the Ordinance. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, Ordinance 2010-03-16B was passed and adopted.

Ordinance 2010-03-16C - An Ordinance Establishing the Bowen Engineering UV Project Retainage Fund 2010 - President Ensign read the Ordinance. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, Ordinance 2010-03-16C was passed and adopted.

Out of Town Function Request - On motion of Councilman Grogan, seconded by Councilman Breuckman and duly carried 5-0, the Council approved the Out of Town function Request submitted by George Harness. This request is for the Indiana Residential Code Chapters 1 through 10 Training Session in Indianapolis which includes two sessions.

Salary Ordinance 2009-12-15 Revision - Clerk-Treasurer Waywood noted that this revision is due to Police Clerk starting pay. On motion of Councilman Peeler, seconded by Councilman Grogan and duly carried 5-0, Salary Ordinance 2009-12-15 Revision was passed and adopted.

Flower Baskets - President Ensign reported that 30 baskets which will be placed on the street lights have been ordered at an approximate cost of \$1,000.00.

Department Reports

Parks - Mike Spicer reported that 8,000 eggs were be used, some donations have been received and anticipating approximately 250 gifts. He noted that the Easter Bunny will be arriving by Fire Truck.

Mr. Spicer noted that plans are still in the works for three Satchawaii events this summer and a soapbox derby will be held.

Police Department

Officer Danderan noted that the Chief could not be attendant due to an emergency situation.

Officer Danderan reported that the Department received a call from the Criminal Justice Department about a grant package which will be delivered this week.

Officer Danderan noted that the Department received quotes on the copier and furniture for the station radio rooms and the generators for the station and the water towers.

Officer Danderan stated that the Department has an OPD (Operation Pull Over Grant) grant in progress and the officers are now working south county patrol which supplies the officers with extra money. President Ensign stated that Hebron Officers can now be seen outside of Town limits which ends March 21st.

Speed limit sign for Sigler & Ben Butler - DOT was going to reevaluate the speed limit sign for this location. Officer Danderan stated that a no parking here to corner sign at Main Street south bound at Country Kitchen and a No Turn on Red sign at Sigler and Main will be installed.

Local Ordinance for house numbers - Officer Danderan stated that 80 ordinance violation letters were given out. Jack Hansen noted that the Fire Department does make address signs and he asked if we can post something in the paper.

Spring cleaning is coming up and the Department will start ticketing for violations.

Part-Time Officer Mat Anderson has been hired full time by North Judson. Officer Anderson wants to stay on as part-time and North Judson will allow him to stay on as part-time.

Police car repair - It was noted that the light bar was defective which was draining the battery.

Sidewalk repairs - A resident asked about responsibility of repairing broken sidewalks on Beech Court. President Ensign noted that the Town does have a grant which reimburses the homeowner up to \$200 of costs. The Town will take out the sidewalk, reform the area and the homeowner pays for concrete. President Ensign stated that the homeowner should contact the Clerk-Treasurer's office. President Ensign said that a grant of \$225,000.00 has been applied for through NIRPC so that sidewalks can be updated. Councilman Grogan stated that he would like to see sidewalks along all highways. President Ensign gave a brief update of his meeting with the school regarding the 25 Year Master Plan.

A resident thanked the Council for installing the sidewalk at Madison and Crest Knoll.

Fire Department

It was announced the Department's Chili Supper scheduled for March 20th from 4:00 to 7:00 which is an "all you can eat" event.

Public Works - Public Works Director Jim Shelhart reported that his department is patching streets and picking up limbs.

Water plant painting - Mr. Shelhart stated that the painting of the inside of the Water Plant will be completed next week at a total cost of \$8,000.00. He noted that his Department is painting the plant. He said the old bid was \$30,000.00.

UV light installation - Mr. Shelhart asked the community to conserve water usage on Thursday and Friday between the hours of 8:00 a.m. to 12:00 p.m. as the UV lights are being installed. President Ensign asked the police department to post signs indicating the dates and times of the installation at the various apartment complex laundry rooms.

Hebron Redevelopment Commission - President Mike Reick reported that the Easter Egg Hunt notice is on the Community Calendar and the UV light installation information is on the website.

Mr. Reick stated that the Main Street Committee and the HRC have met and are gathering information regarding bids and pricing for benches, clock tower and gateway signs.

Mr. Reick stated that the Choo-Choo is available for July 3rd and he will confirm its attendance at the July 3rd celebration.

Mr. Reick stated that the 122 kids were in attendance Winterfest event and they came close to running out of food.

Mr. Reick announced the March 18, 2010 workshop between the Plan Commission and Hebron Redevelopment Commission to discuss the Master Plan. The workshop will begin at 7:00 p.m. at the Community Center.

Town Information

President Ensign reminded the Community about the Easter Egg Hunt, Chili Supper and the Drainage Board, Porter County wide, meeting. He noted that the County Comprehensive Plan will be discussed at a meeting on March 17th at 8:00 p.m. in the County Chambers.

Drainage Projects will be begin in Park Place and Crest Knoll.

Dwayne Dobson stated that the Town needs to get sump pumps out of the sewer drains. Attorney Fitzgerald stated that the Town has a fine established for this problem and he suggested a 2nd offense find should be \$1,000.00. Public Works Director Shelhart stated that his Department will be checking on cross connections.

Attorney Fitzgerald asked for permission to record the Viant deed and restrictive covenants. On motion of Councilman Grogan, seconded by Councilman Peeler and duly carried 5-0, permission was given.

ABATE Award - Jack Hansen presented that Town with an ABATE plaque. He thanked the Town for their support.

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