

TOWN OF HEBRON
PLAN COMMISSION MINUTES
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TOWN OF HEBRON PLAN COMMISSION MINUTES
May 10, 2022

Dear Members:

The regular meeting of the Town of Hebron Plan Commission was held Tuesday, May 10, 2022, at 7:00 p.m. at Assembly Hall in the Community Center.

PLEDGE OF ALLEGIANCE.

MEMBERS PRESENT: Josh Noel Justin Albright John Spinks, Jr.
Mike Wallace Shane Spagnola

ABSENT: Josh Carter Merlin Foresman

OTHERS PRESENT: Brett Galvan, Attorney
Sarah C. Bushell, Recording Secretary

John Spinks, Jr. advised that there are a couple of addendums to be added to the agenda prior to approval of the agenda as presented. One- 302 Washington Street, 201 and 203 N. Quincy Street; and the time frame in which items can be added to the agenda.

Justin Albright made a motion to approve the addendums to the agenda as presented.

Josh Noel seconded.

Approved. Motion to approve addendums to the agenda carries 5-0.

John Spinks, Jr. asked for a motion to approve the April 12th Minutes as presented.

Josh Noel made a motion to approve the minutes as presented.

Mike Wallace seconded.

All approved. Motion to approve the April 12th minutes as presented carries 5-0.

Reports of Officers:

John Spinks, Jr. starts off by introducing and welcoming the new Building Inspector, Brad Ladwig who is the first *full-time* building inspector, suggested that if he had any questions, he is more than welcome to talk to his liaison, Justin Albright, or anyone on the Council, asking if he could "bcc" Justin along on any correspondences as well. Mr. Spinks asked if Brad had any reports at this time or needed anything, in which he replied "no".

Nothing under “Old Business”;

New Business: John Spinks, Jr. stated that other than the items we have just taken a look at, he received an e-mail today at 3:08 p.m., and tried to help, but given the time of this, found it extremely difficult to look into what was being asked. Discussed that he would like to have time to visit the property, and discuss further with the legal department, so they can review what it is they can do to correct it; giving everybody an opportunity to do their research before any action is taken. Suggested he would like for people to consider Friday is the deadline, anything that is not life threatening can be placed on the following months agenda.

[Discussion held not to add anything to the Plan Commission Agenda that is not life threatening and setting a specific time to do so; Sarah was asked when does she usually send the agenda sent out, she replied before 3pm. A time of 12:00 p.m. was agreed upon as a reasonable time to add things to the agenda. You can still send items to be placed on the agenda, but if they are received after 12:00 p.m., they will automatically go on the following months agenda.]

Shane Spagnola made a motion for a Friday at noon deadline to add to the Plan Commission agenda unless life-threatening.

Justin Albright seconded.

All approved. Motion to have Friday by noon as a deadline to add to the Plan Commission agenda, unless threatening carries 5-0.

[Discussion continues on urgency and such of a real estate issue addressing the e-mail and the Marjorie Creekmore Trust and combining two parcels, not really being a Plan Commission issue, as long as they are within Town of Hebron Ordinances, and since it is a residential area, there is not much to say, unless covenants are in that subdivision. John asked this to be verified against file if there are covenants, and forward information to John Spinks, Justin Albright, as well as the representative tomorrow (5/11/22).

Joanne Hansen asked how they would like her to respond on this. She was answered by Justin Albright stating that the building commissioner is going to take a look, making sure there are no objections to it, also confirming this with attorney Galvan; advising once those two have discussed the issue, suggesting to just to standby if they call, until we get it things checked out. Joanne Hansen further explained due to the underlying medical issues, Chris asked her for a prompt response on direction with the Plan Commission. Justin Albright, stated he would like Mrs. Hansen to relay that the Plan Commission has to confirm certain things before advising or approving on any actions to combine the parcels in question can be given.]

John Spinks, Jr. discussed that the Plan Commission received a letter about **302 Washington Street** concerning garbage build up that is in the driveway. He spoke with attorney Galvan about this issue, and he is researching the process of dealing with this violation of the nuisance ordinance; also stated he spoke with Troy Bush, who does this clean up for a living, and stated he would be willing to clear that out for \$1,500.00 once the building inspector has exhausted all attempts for compliance.

[Discussing held: Josh Noel recommended a nuisance violation, and assess for funding; John Spinks, Jr. added that it was his understanding from the building inspector that they have been issued these violations in a series and asked that he give attorney Galvan a copy of those so we can see where we are at and figure out how to proceed. Josh Noel stated he thought it may be a “per day” fine, if they chose not to address the fine, it will be \$1,500.00 for attorney involvement. John Spinks, Jr. added that he read the Ordinance, and that they get three different fees on a graduated scale, first being \$25, second \$50 and third \$75.00, and if the building inspector deems whether or not they are to send to attorney Galvan for legal action. Attorney Galvan added that we would send out a letter (10 day) and if they

have not brought property up to compliance, then a Complaint to Abate Nuisance and Injunction for Violation of the Town of Hebron Zoning Ordinance would be filed with the Superior Court; Josh Noel added that he had a concern that obtaining a court order would exceed the fine expense before any clean up taking place; Mike Wallace added that a lien could be placed on their property taxes for accrual of violations and have Troy to clean it up. Attorney Galvan added he understands this can definitely be an option, but a court order has to be obtained before anyone can proceed with the cleanup of a property. John Spinks, Jr. added that he would like to revisit the file, and see what has already been issued, and then get a recommendation on how to proceed, so that it can be done correctly.]

John Spinks Jr. asks anything from the Committee?

Justin Albright asked to revisit the issue with the dual parcels and clarify, asking if anyone on the commission barring the building inspector signing off on it, the attorney signing off on it, if anyone from the Plan Commission had any issues as of right now?

Discussion held on dual parcels; John Spinks, Jr. he did not have an issue, adding that it is not the Planning Commissions job to rule on this particular issue; attorney Galvan added that in his experience with deeds, that if parcels are just going to be combined, and they have no covenants that are restricting them from combining the parcels, the should not be an issue at all for that; Justin Albright added that if they were looking for blessings/objections barring no issues, and that everyone is on the same page.]

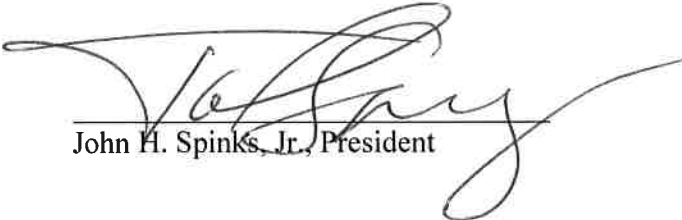
There being no further discussions form Commission or community, John Spinks, Jr. asked for a motion to adjourn.

Shane Spagnola made a motion to adjourn.

Justin Albright seconded.

All approved. Motion to adjourn carries 5-0.

Plan Commission, meeting adjourned at 7:16 p.m.


John H. Spinks, Jr., President


Sarah C. Bushell, Recording Secretary