

TOWN OF HEBRON
PLAN COMMISSION MINUTES
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TOWN OF HEBRON PLAN COMMISSION MINUTES
January 9, 2024

PLEDGE OF ALLEGIANCE

MEMBERS PRESENT: Mike Wallace Josh Noel John Spinks, Jr. Josh Carter Ed Erb

ABSENT: **Tom Cichocki**

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

CALL TO ORDER:

Mike Wallace called the meeting to order at **7:00 p.m.**; first item is the approval of the January 9th Agenda as presented;

John Spinks, Jr. made a motion to approve the January 9th agenda as presented; Josh Noel seconded the motion.

Motion to approve the January 9th agenda as presented carries **5-0**.

Mike Wallace asked for a motion to approve the January 9th minutes as presented;

Josh Carter made a motion to approve the January 9th minutes as presented; Josh Noel seconded the motion.

Motion to approve the January 9th minutes as presented carries **5-0**.

Elections:

Mike Wallace states that all of the positions are open for elections every year, so we will be taking nominations for the first position:

President - John Spinks, Jr. makes a motion to keep Mike Wallace as President; Josh Noel seconded the motion; Motion to keep Mike Wallace as President carries **5-0**.

Vice President – Mike Wallace makes a motion for John Spinks, Jr. to be Vice President; Josh Noel seconded the motion; motion for John Spinks, Jr. as Vice President carries **5-0**.

Secretary – John Spinks, Jr. makes a motion for Josh Carter to be Secretary; Josh Noel seconded the motion; motion for Josh Carter as Secretary carries **5-0**.

Attorney – John Spinks, Jr. makes a motion to keep attorney Galvan as Attorney; Josh Noel seconded the motion; motion for attorney Galvan to remain as Attorney carries **5-0**.

Recording Secretary – Josh Noel makes a motion for Sarah Bushell to remain as Recording Secretary; John Spinks, Jr. seconded the motion; motion for Sarah Bushell to remain Recording Secretary carries **5-0**.

BZA Representative – Josh Noel nominates Ed Erb to be the BZA Representative; John Spinks, Jr. seconded the nomination; nomination for Ed Erb as BZA Representative carries **5-0**.

[Discussion held; John Spinks, Jr. explains that the BZA meets once a quarter; if somebody has a problem of some kind that is extreme that our ordinance doesn't really deal with then you guys take into consideration whether or not a variance can be applied to the situation, there is a procedure for it, and it is important, because for every rule there is a reason not to have a rule. Linda is the President or will be;

Mike Wallace adds with that rule, you will report back to us any information that the BZA has and that can be done phone call text, email, just let me (Mike) know.]

TAC Representative – John Spinks, Jr. states that he was doing it, doesn't mind doing it, unless someone else wants to; Mike Wallace makes a motion to John Spinks, Jr. to remain as the TAC Representative; Josh Noel seconded the motion; motion for John Spinks, Jr. to remain as TAC Representative carries **5-0**.

[Discussion held; Mike Wallace states there was something that was brought up that we don't have and hasn't been done for a couple of years, I called up to the Porter County Planning Commission and they welcomed us to send somebody to listen in and see the information they are giving out, and I thought it was a good thing to have that information coming back to us so that we know what the county is thinking and what they are doing and how it could possibly influence us, so we are going to appoint somebody to go to those meetings and then bring back that information for us, do we have a nomination for that spot; John Spinks, Jr. adds that he will be up there anyway now that you found out it was five o'clock and not during the day, Mike Wallace stated that was his thinking all along to have you (John Spinks) bring back information;]

Representative to the Porter County Plan Commission – Mike Wallace makes a nomination for John Spink, Jr. as the Representative to the Porter County Plan Commission; Josh Noel seconds the nomination; nomination for John Spinks, Jr. as Representative to the Porter County Plan Commission carries **5-0**.

Mike Wallace states that covers all of our elections, congratulations to everybody who has a position thank you for your service.

Report of Officers and Committees: Mike Wallace asks if Brett (attorney Galvan) had anything to report; Brett replies he does not have much to report on outside the house on Washington Street got cleaned up, they got the message and to be honest with you, after being called "too kind" by some, in the end it was a good compromise, saved the town from a lot of effort getting over there to have to clean up, she took it upon herself to do it, I know she was going through a lot of illnesses, the judge was pretty adamant about it and getting it done and she did; John Spinks, Jr. adds the way we did it worked out very well, I think as government should work with citizens giving them every opportunity to clean it up, I probably would have gone in there quicker than that but *[in audible]* and she was given an opportunity to do so and she did so. I appreciate everybody who was involved working with her in allowing her to clean that up; I know we have given her some before the Planning Commission would have done it as well, it doesn't matter, it is cleaned up and it looks great. Did you happen to check on the court order if this were to come back again as it relates to the one on Jefferson Street; attorney Galvan states that we have not entered it yet, it will be like a continuous order to abate if they need it. Mike Wallace asks if we have any other information on/or any other places citizens are complaining to us about; attorney Galvan states he believe on Jefferson by the catholic *[in audible]* asks if that is still on the radar, Brad states, he will check; John Spinks, Jr. asks about the Fairlane Drive; Brad replies that they are working on it, he got rid of a few vehicles, so he was told we would work with him. John Spinks, Jr. adds he's been sent letters, Brad said he came in and spoke with him. Mike Wallace confirms he came in in response to a letter, Brad replies in response to the letter; attorney Galvan add to the expedience to getting this done, this is more of a learning curve, and it won't be this soft next time of waiting so long to get it done. John Spinks, Jr. asks if it has been resolved of what was being paid for penalties; attorney Galvan adds there will be attorney fees associated with every time he appeared in court, there was talk of a fine that will be levied out, they have to pay for their share on lack of effort that caused the delay, so going to court several times is going to with fines against them; Mike Wallace asks if all this is coming from citizens, we're not going and looking for these things or targeting people, that people are coming to us and saying look at my neighbors property not falling inside the guidelines and such; attorney Galvan – any reasonable person is the standard we review this from, Brad and I have been talking about it on when did they cross that threshold that it no longer is a nuisance as how clean does a yard have to be to where its not a nuisance, but it's a reasonable standard if you look at it from a reasonable perspective of when you have a mound of junk in your yard that is six foot tall and you have rodents or vermin living underneath it, and you drive through town, it needs to be taken care of.

Mike asks if there is anything from Brad, Brad stated other than what we were talking about same as last time, a couple new permits for Park Ridge bring it to twenty-eight. Things are rolling along, but have slowed down that the weather is going to break here; John Spinks, Jr. – they said they are still, as I talked to him, he talked to Cole who is the president for DR Horton in Chicago said they are going to try to do four a month; speaking of that did Kil reach out to you about Windy Hill; Brad – no, he hasn't heard from him; John Spinks, Jr. – he's supposed to be doing that this week.

Old Business:

Mike Wallace – last month we had the first reading for the ordinance for widening the streets, we read that ordinance, and we tabled it, had discussion, thought we were moving forward today as far as sending it up to the Council for a vote, but if they or anyone else had any other discussions about it;

[Discussion held: John Spinks, Jr. questions if the Ordinance was read last month, did we have the ordinance last month; attorney Galvan – states we did have the ordinance last month; Mike Wallace states he brought up the question if it was 30 ft for everybody or was a builder able to come in and say I want to do 24 ft. with parking on one side of the street, but I thought everyone was in agreeance to go with the 30 ft. route, Josh said it was better for the fire department to make it 30 ft. wide; Jamie asks if the 30 ft. with parking on both sides; John Spinks, Jr. answers yes; Jamie stated that she doesn't have to deal it, but has heard on Aspen the people who have the parking on their side of the road get upset because the people from the other side of the road are parking on their side because they have company; Randy Decker states Aspen is parking on both sides; Jamie states it is one of the roads, whatever one it is that they get upset when people across the street park on their side of the road; Josh Noel adds that the parking was determined based on the fire hydrant placement, there was no rhyme or reason on which side it was picked, it wasn't just arbitrary; Randy Decker adds that it seems to be the standard use of the fire hydrant side; Mike Wallace adds to at settle 100 percent is the 30ft. wide is the way to go; John Spinks, Jr. states unless it's a PUD separate from ordinance all together which would possibly allow us to park on one side of the road; Randy Decker adds that he went through Park Ridge with a snow plow and couldn't get through because they were parking across from one another; Mike Wallace adds with that being said do we feel comfortable voting on this to send to the Council or do we want to discuss this further; John Spinks, Jr. asks Randy Decker did they(Lotton) put up the parking on only one side or the road; Randy Decker answers that he had to do that; John Spinks, Jr. – so that hasn't been done yet; attorney Galvan – so the question is if you don't mind Mr. President, the parking is on one side, can a plow get down it, if we do have the one sided parking; Randy Decker – yes, on that note, when does it become our road; John Spinks, Jr. – how long before they turn the roads over, if he understands, right; Randy and Brett were working some months ago to figure out when that was all going to happen, if recalled correctly; attorney Galvan – I believe it's after the last house is built it would be turned over to the HOA, it's no longer Lotton's; John Spinks, Jr. –his understanding is we need to find out exactly when that happens; Jamie- asks if at that time does the bond take effect road bond for the two years; John Spinks, Jr.- when they turn that over that's when it should happen, so that was a conversation I think you guys were going to have with Kil to figure out when they were figuring to do it; Randy Decker – oh he wants us to do it now; John Spinks, Jr. adds that he still has to come forth and present that to the Planning Commission in order to be able to accept those roads and at that time he has to be able to warranty it; attorney Galvan – does frost law come into play when parking on the streets; Randy Decker- it will take affect in the spring; Brad – that is only for weight limits; attorney Galvan – for snowplowing is there no parking in the streets because of snowplowing; Randy Decker – what is the question; Jamie- anything over two inches; John Spinks, Jr. – I would thing it would make good sense to wait until the houses are fully constructed, because of the frost law, and bringing in the heavy equipment, not sure how heavy the equipment is or has to be, so I apologize for that, are the big cranes too heavy; Randy Decker – yes, [in audible; attorney Galvan – has the final pavement been laid; Randy Decker- unfortunately it has;

John Spinks, Jr. makes a motion to approve ordinance Amending the Municipal Code for the Town of Hebron, Section 2-3-4-2 Street Improvements; Josh Carter seconded the motion.

Motion to approve Ordinance Amending the Municipal Code for the Town of Hebron, Section 2-3-4-2 Street Improvements carries **5-0**.

Jamie asks if this is an amended ordinance or new ordinance; John Spinks, Jr. and attorney Galvan both replied amended.

New Business:


Mike Wallace – no new business; John Spinks, Jr. added we need the website for the additional member here as a democrat, please.

Mike Wallace asks for a motion to adjourn.

John Spinks, Jr. made a motion to adjourn. Josh Carter seconded. All approved.

Motion to adjourn carries **5-0**.

There being no further business before the Plan Commission meeting adjourned at **7:18 p.m.**



Mike Wallace, President



Sarah C. Bushell, Recording Secretary