

City of Bedford

City Council Regular Meeting/Public Hearing

July 19th, 2021

7:00 P.M.

Minutes

Public Hearing-Consideration of Proposed Uses for The American Rescue Plan Act (ARPA) 2021 Funds-Mayor Sam Craig, Marsha Pfeiffer

NOTICE TO TAXPAYERS OF PUBLIC HEARING FOR PROPOSED USES OF (ARPA)AMERICAN RESCUE PLAN ACT 2021 FUNDS

Notice is hereby given the taxpayers of the City of Bedford, Lawrence County, Indiana that the proper legal officers of the City of Bedford will hold a Public Hearing at City Concourse, 1402 HStreet, Bedford, IN, at 6:30 p.m. on the 19th of July 2021. The Public Hearing will consist of the proposed uses for the (ARPA) American Rescue Plan Act 2021 Funds. The use of funds is specified as follows in Section 603(C); a metropolitan city, non-entitlement unit of local government or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, non-entitlement unit of local government or county by December 31, 2024:

- A. To respond to the public health emergency with respect to the Coronavirus Disease 2019(Covid-19) or its negative economic impacts, including assistanceto households, small businesses, and nonprofits, or aid impacted industries suchas tourism, travel, and hospitality,
- B. To respond to workers performing essential work during the Covid-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, non- entitlement unit of local government, or county that are performing such essential work, or by providing grant to eligible employers thathave eligible workers or who perform essential work.,
- C. For the provision of government services to the extent of the reduction in revenue of such metropolitan city, non-entitlement unit of local government, or county dueto the Covid-19public health emergency relative to revenues collected in the mostrecent full fiscal year of the metropolitan city, non-entitlement unit of local government, or county prior to the emergency or,
- D. Make necessary investments in water, sewer, or broadband infrastructure.

All persons interested in the proceedings may appear for the purpose of speaking on the proposed uses of the (ARPA) American Rescue Plan Act 2021 Funds. Each interested party willbe given (2) two minutes to speak solely on the uses of (ARPA) American Rescue Plan Act 2021Funds.

With there being no public comments, the Public Hearing was closed.

Public Hearing-Consideration of Proposed Water Rate Increase-Misty Adams

Misty Adams, Bedford Utilities Director, is asking for the first water rate increase since 2012. Customers have moved to North Lawrence Water Authority for water service which is causing a revenue decline. She also stated the increase was needed to help support expenses due to salary increases. Water rates are currently \$29.83 and will increase to \$31.31. Sprinklers, meter tampering, and fire hydrant use will also increase. Tapping fees will go from \$800 to \$1,200. Misty stated that with this increase this fee is still low compared to other cities.

With there being no public comments, the Public Hearing was closed.

Public Hearing-Consideration of Proposed Sewer Rate Increase (Septic Sewer Dumps and Sewer Taps)-Misty Adams

Misty Adams, Bedford Utilities Director, is proposing a sewer rate increase. Misty stated that with last year's sewer rate increase, the septic dumps and sewer taps were not increased as they are treated the same as the water taps. The proposed increase is \$12.50 per 1,000 gallons to \$25.00 per 1,000 gallons. Misty pointed out that many treatment plants no longer accept septic haulers. Currently there are approximately 6-7 septic haulers that use the treatment plant.

With there being no public comments, the Public Hearing was closed.

Prayer: Penny May

Pledge of Allegiance: Ryan Griffith

Call to Order: Mayor Samuel J. Craig

The Common Council of the City of Bedford, Indiana met for a Public Hearing and *Regular* City Council Meeting on Monday July 19, 2021, at 7:00 P M at City Concourse. Honorable Mayor Samuel J. Craig presided and called the meeting to order.

Members in attendance:

- Judy Carlisle
- Penny May
- Dan Bortner
- Angel Hawkins
- Brad Bough
- Larry Hardman
- Ryan Griffith

Reading of Minutes- June 21st, 2021: Regular Meeting

- Correction to the June 21st meeting-Ryan Griffith was not present. Minutes accepted with this change.

- Larry Hardman made the motion to approve the minutes,
- Angel Hawkins seconded the motion,
- *All votes were in favor of the motion. No One Opposed, Passed*

Old Business

- **Third & Final Passage-Ordinance 13-2021-Additional Appropriations For Fire Hydrants-Misty Adams.**
- Dan Bortner made the motion to approve the third and final passage,
- Brad Bough seconded the motion,
- *All votes were in favor of the motion. No One Opposed, Ordinance 13-2021, Passed.*

- **Third & Final Passage-Ordinance 14-2021-Amending Zone Map-Medium Density Residential District (R-3)-429 F Street-Cammy Stiles-Brandon Woodward.**
- Ryan Griffith made the motion to approve the third and final passage,
- Penny Mary seconded the motion,
- *All votes were in favor of the motion. No One Opposed, Ordinance 14-2021, Passed*

New Business:

1. Compliance with Statement of Benefits for LNL Empire Group LLC-Personal Property-Resolution 5-2014-Debbie Deckard (Turpen & Deckard)

- Business has made improvements including extensive interior and exterior of C store on one acre of land. On the building, extending the west and east walls 20 ft and extending the south wall 60 ft. Adding a second story to the building, new roof, plumbing, electric and trusses. Adding lift station and automatic gas pumps.
- Business started with 25 employees and currently have 39.
- Dan Bortner made the motion to approve,
- Judy Carlisle seconded the motion,
- *All votes were in favor, No One Opposed, Compliance Statement Approved.*

2. StoneGate Arts & Education Center Budget Update-Linda Henderson (StoneGate), Debbie Deckard

- Linda Henderson, Director of StoneGate Arts & Education Center provided the City Council members an update of their budget. StoneGate's budget allotment from the city has been reduced from \$160,000 a year to \$50,000 a year. This is a \$110,000 savings. There is a lease agreement between the City of Bedford and Oakland City for free office and classroom space for 10 years. This agreement expires in 2024. Ivy Tech pays for the use of the facility and Vincennes will start to pay this year. Income is also received from non-profits for rentals. Overhead includes two staff members and building maintenance. They currently have \$300,000 in reserves that helps with any shortfall.

3. Ordinance 15-2021- Water Rate Increase-Misty Adams

- Misty is requesting a water rate increase from \$29.83 to \$31.31 and Tapping Fees to increase from \$800 to \$1,200.

ORDINANCE NO. 15 - 2021

AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE USE OF AND SERVICE RENDERED BY THE WATERWORKS SYSTEM OF THE CITY OF BEDFORD AN AMENDMENT OF ORDINANCE NO. 21-2008 AND AN AMENDMENT OF ORDINANCE NO. 16-2012

WHEREAS, the Common Council of the City of Bedford now finds that the existing rates and charges for the use of and service rendered by the waterworks of said City are too low and are insufficient to produce revenue to pay all of the necessary expenses incident to the operation of the utility, including maintenance costs, operation charges, upkeep, repairs, legal expenses and other obligations, provide payment to the City in lieu of taxes, provide adequate working capital, provide for depreciation and make necessary extensions and replacements, and to provide funds for a reasonable return on the utility plant, and that the existing rates and charges should be increased; and

WHEREAS, the Common Council of the City of Bedford adopted Ordinance 15-2004 on May 11, 2004 pursuant to I.C. § 8-1.5-3-9.1 whereby the City of Bedford removed itself from the jurisdiction of the Indiana Utility Regulatory Commission effective sixty (60) days thereafter; and

WHEREAS, no petition was received by the Common Council pursuant to I.C. § 8-1.5-3-9.1(d); and

WHEREAS, pursuant to I.C. § 8-1.5-3-9.1(h) the Common Council mailed written notice of the withdrawal from the commission jurisdiction to the commission within thirty (30) days after Ordinance No. 15-2004 became effective.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEDFORD, INDIANA:

Section 1. That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the City of Bedford, the following rates and charges.

Metered Rates

(Rate Per 1,000	Gallons)				
For the first	2,000	gallons	per	month	6.70
For the next	3,000	gallons	per	month	5.97
For the next	5,000	gallons	per	month	5.02
For the next	10,000	gallons	per	month	4.27
For the next	30,000	gallons	per	month	3.28
For the next	50,000	gallons	per	month	2.98
For all over	100,000	gallons	per	month	2.47

Minimum Charge

Each user shall pay a minimum charge in accordance with the size of meter installed, for which the user will be entitled to the quantity of water set in the metered schedule of rates.

<u>Gallons</u>	<u>Charge</u>
<u>Allowed</u>	<u>Per Month</u>

5/8 or 3/4 inch meter	2,000	13.40
1 inch meter	3,950	25.05
1 ½ inch meter	6,210	37.39
2 inch meter	14,360	75.05
3 inch meter	17,240	87.36
4 inch meter	31,580	137.09
6 inch meter	67,450	249.47

Irrigation Sprinklers

Irrigation Sprinklers with separate meters can be combined usage in our software billing system to one account to include the minimum charge and gallons allowed above.

Fire Protection Sprinklers

Service under this rate shall consist of standby service for fire emergencies and all water taken through such connections shall be restricted to fire emergencies only. The Utility reserves the

right to install flow detectors from time to time to see that the service is restricted to fire fighting purposes.

Size of Monthly Rate

Connection Per Connection

2 inch	\$	23.02	
3 inch		45.21	
4 inch		68.23	
6 inch		115.10	
1/5 of 6	inch		23.02
1/3 of 6	inch		38.37
8 inch			226.00
10 inch			435.60
12 inch			698.59

Hydrant Rental

Public Hydrant - per hydrant - per annum \$ 726.48

Private Hydrant - per hydrant - per annum 726.48

Service Fee

After any water service is discontinued to any property served by the water utility at the request of the customer, there shall be imposed a fee of \$20 for turning on the water service. When water service is to be discontinued to any property served by the water utility because of failure to pay sewer or water bills, there shall be imposed a fee of \$40 once the service representative leaves the utility office with the certified shut-off list to continue service.

Fire Hydrant Metering Fees

A deposit of \$350.00 will be required to be held by Bedford City Utilities until such time as the meter is returned in proper condition and the bill is paid in full. The deposit will be returned to the company. Water used will be billed on a monthly basis. Meter will be read every 30 days by Bedford City Utilities. Customer agrees to upon receiving the meter for the sole purpose of metering water from a fire hydrant for construction purposes only and agrees to pay \$1,300.00 in the event of damage or loss of said meter.

Meter Tampering

Initial tampering by turning on water at meter that has been shut-off for non-payment will result in a fee of \$75.00. A second offense will result in a \$100.00 fee and a third offense will result in \$125.00.

Tapping Fees

Each user, at the time he or she is connected with the waterworks system, shall pay a charge to cover the cost of tapping the main, furnishing and laying service pipe, corporation and stop cocks, service and meter box, and installing the meter. The charge for 5/8- or 3/4-inch

meter tap shall be \$1,200. The charge for a tap larger than the 5/8-inch or 3/4-inch meter tap will be the cost of labor and materials, but not less than the charge for a 5/8-inch or 3/4-inch meter tap.

Section 2. That the rates herein approved shall provide for a reasonable return on the water utility plant of the City of Bedford and such other legal and other necessary expenses as provided for in I.C. 8- 1.5-3-8.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage.

- Dan Bortner made the motion to approve the first passage for Ordinance 15-2021,
- Larry Hardman seconded the motion,
- Ryan Griffith made the motion to approve the second passage for Ordinance 15-2021,
- Judy Carlisle seconded the motion.
- *All votes were in favor, No One Opposed, Third and Final Passage will be presented on August 16th, 2021.*

**4. Ordinance 16-2021-Sewer Rate Increase (Septic Sewer Dumps and Sewer Taps)-
Misty Adams**

- Misty is requesting a Sewer Rate increase from \$12.50 to \$25.00 per 1,000 gallons. Out of county fees will be \$50.00 per 1,000 gallons.

ORDINANCE NO. 16 - 2021

**AN ORDINANCE AMENDING SECTION 51.021(B) AND SECTION 51.064 OF THE
BEDFORD CITY CODE**

WHEREAS, Section 51.021(B) of the Bedford City Code provides for and sewer connection charges; and

WHEREAS, Section 51.064 of the Bedford City Code provides for prohibited discharges; and

WHEREAS, there is a need to amend said sections of the Bedford City Code;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BEDFORD, INDIANA:

Section 51.021 (B) Schedule of Rates and Charges

(B) In addition to the monthly rates of charges, as set out in division (A) of 51.021 there is hereby fixed and established a sewer connection charge in the sum of \$1,200 for each 4-inch sewer service connection which shall be paid in full to the city before each sewer service connection is affected. The charge for a sewer connection larger than 4-inch will be the cost of labor and materials, but not less than the charge for a 4-inch sewer service connection. The term "sewer service connection" upon which the charge is hereby imposed refers to any connection that is accomplished by a direct tap into or other direct connection with a city main or lateral sewer, or a street, public alley, or other public property by a direct tap into or other direct connection with a stub or house sewer leading from a city main or lateral sewer. The sewer service connection charge shall not apply to, and is not imposed upon, any connection accomplished at a point upon private property by a direct connection with a stub or house sewer leading from a city main or lateral sewer into the private property. No person, firm or corporation shall connect more than one lot and the principal building and accessory buildings located thereon to the municipal sewer system by means of one house sewer or one sewer service connection to a city main or lateral sewer. The Sewer Superintendent may reduce the tapping fee, in an amount within the discretion of the Sewer Superintendent, in cases where a developer is furnishing the labor and/or materials to affect the tapping connection.

Section 51.064 Prohibited Discharges

16. Kitchen type waste generated will not be accepted at the treatment plant.

(B) The city shall accept the following trucked pollutant at the city wastewater treatment plant:

(1) Domestic origin septic waste generated in Lawrence County at the rate of \$25.00/1,000 gallons based upon full capacity rating of tank and \$50.00/1,000 gallons generated in surrounding counties of Lawrence County. Partial billing will not be permitted.

Section 2. That in all other respects, Section 51.021(B) and Section 51.064 shall remain in full force and effect.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor in the manner provided by law.

- Brad Bough made the motion to approve the first passage for Ordinance 14-2021,
- Penny May seconded the motion,
- Judy Carlisle made the motion for the second passage for Ordinance 14-2021,
- Ryan Griffith seconded the motion,
- ***All votes were in favor, No One Opposed, Third and Final Passage will be presented on August 16th, 2021.***

5. Ordinance 17-2021-Amending Zone Map for Michael Coryea-2620 Industrial Park Drive-1-2 To PR-Residential Detox Facility-Brandon Woodward, Michael Coryea

ORDINANCE NO. 17-2021

AN ORDINANCE AMENDING THE ZONE MAP INCORPORATED IN AND MADE A PART OF CHAPTER 150 OF THE CITY CODE OF 1984

BE IT ORDAINED by the Common Council of the City of Bedford, Indiana:

Section 1. That the Zone Map incorporated in and made a part of Title 15 (Chapters 150-157) of the Bedford City Code be

and the same hereby is amended to classify the following described parcels of real estate in Lawrence County, Indiana, Professional-Residential District (PR), to-wit:

SEC 27 TWP 5 R1W 2.159A PT W CENT PT N ½ S ½

Section 2. That all regulations applicable to Professional-Residential District (PR) under the terms and provisions of Chapter 155 of the Bedford City Code shall hereafter apply to and regulate the

above-described Territory is to which said Zone Map is hereby amended.

Section 3. This ordinance shall be in effect from and after its Passage and approval by the Mayor.

➤ **By show of hands the votes were as following:**

AYE

Angel Hawkins

Judy Carlisle

Penny May

NAY

Dan Bortner

Ryan Griffith

Brad Bough

Larry Hardman

- **With a vote of 4 to 3, Ordinance 17-2021 did not pass.**

6. Discussion of Salary Study Conducted by Baker Tilly-Mayor Samuel J. Craig, Dan Hedding (Baker Tilly)

- Public Safety employee's compensation is being evaluated to attract and retain employees. Mayor Craig presented a salary and benefit comparison completed by Baker Tilly, Consulting Firm. The study compared Bedford to cities with similar tax revenues which included Huntingburg, Frankfort, and Lebanon.
- The starting salaries for a police officer/firefighter are \$46,412.00, which is competitive with comparable cities but overtime the salaries are not changing often enough to stay competitive. A police sergeant earns \$48,186.00 and similar cities for the same position is \$56,344.00.
- There has been a lack of income growth for city employees especially for fire and police departments. Mayor Craig said evaluating the city's compensation for public safety is his goal for attracting the best to the department and retaining them.

7. Discussion

- Brad Bough thanked the mayor for the fireworks display.

8. Adjourn

- Dan Bortner made the motion to adjourn,
- Judy Carlisle seconded the motion,
- *All votes were in favor, No one opposed, Passed, Meeting Adjourned*

Bedford City Council 2020

- *Judy Carlisle, President* _____
- *Penny May* _____
- *Ryan Griffith* _____
- *Angel Hawkins* _____
- *Dan Bortner* _____
- *Larry Hardman* _____
- *Brad Bough* _____

Attest: Marsha Pfeiffer
Clerk-Treasurer _____