City of Butler, Indiana
215 South Broadway
Butler, IN 46721

Phone: 260-868-5200
cityofbutler.in.gov

All members of the Common Council are elected by the voters of Butler, Indiana.

FOR LIVESTREAM GO TO: https://www.youtube.com/@CityofButlerIN

COMMON COUNCIL AGENDA
MEETING ON AUGUST 17, 2026
7:30 PM

1. Pledge of Allegiance
2. Public Questions or Comments Pertaining to Agenda Items Only
3. Minutes of previous meeting – August 3rd
4. Proposed Ordinances and Resolutions
    a. Introduce proposed Ord. 1818, amending Paid Time Off
5. Department Reports
    a. Fire
    b. Police
    c. Code Enforcement
    d. Streets
    e. Parks
    f. Information Technology
    g. Water
    h. Wastewater
6. City Attorney
7. Clerk-Treasurer
    a. CEDIT Plan for 2026 and 2027
8. Council Members
    a. Power Chairs & E-Bikes
    b. Leashing of dogs
9. Mayor
    a. Requiring Permits for all work performed in a Right-of-Way
        i. Examples from DeKalb County
10. Audience and/or Public Comments
11. Adjourn

August 3, 2026
Common Council

Present:

Mike Hartman, Mayor
Tracey Hawkins, Council District 1
Kristie Laub, Council District 2, Council President
Darren Alloway, Council District 3
Gale Ryan, Council District 4
Gerald Eldridge, Council as Large
Angela Eck, Clerk-Treasurer
Gavyn Aden, Wastewater Superintendent
Ron Mausteller, Fire Chief
Braxton Minkey, IT Specialist
Stuart Mutzfeld, Code Enforcement
Andrew Provines, City Planner
Cory Rowe, Assistant Police Chief
Donald Stuckey, City Attorney
Kris Tadsen, Street Superintendent

Absent:

Andy Cintron, Water Superintendent
Matt Traster, Police Chief

This meeting is being Livestreamed and can be found at www.youtube.com@CityofButlerIN. These meetings will be available for viewing for at least 90 days past the date of the recording.

Mayor Hartman opened the regular session of the Common Council at 7:11 pm at 215 South Broadway.

Pledge of Allegiance

Mayor Hartman asked for comments or questions from the audience pertaining to the agenda items. None

August 3, 2026
Common Council

Mayor Hartman swore in new police officers Brian Miller and Andrew Spangler.

The minutes from the July 20th meeting were presented. Council Member Eldridge made a motion to approve the minutes and Council Member Ryan seconded the motion. The motion passed with all in favor.

Mayor Hartman opened the floor for further ORV Regulation Discussion. Brent Miller from South Shores introduced Dan Emery from the Goshen area. Mr. Emery joined the meeting via Zoom. He assisted Elkhart and St. Joseph Counties in developing their ORV Ordinances. He is now assisting with developing a statewide ordinance. But the state won't have anything in place for several more years.

Mr. Emery made the following points:

•ORVs are not permitted on State highways, but he also has never heard of a ticket being written to an ORV that was caught driving on a State highway.

•ORV drivers know that they travel state roads at their own risk and that they could receive a ticket.

•a local ordinance cannot permit ORVs on a State highway.

•ORVs are safer than motorcycles, e-bikes and scooters.

•Indiana State Police do not typically write tickets to ORV drivers. He has spoken with several state officers and they always state that they have better things to do than to write tickets for this.

City Planner Andrew Provines summarized it by stating that without a change in State law, Butler cannot make it legal to drive ORVs on State highways.

Council Member Eldridge asked if the same rules apply to golf carts. Mr. Emery stated that they do not. Golf carts are not permitted and are discouraged.

City Attorney Don Stuckey stated that the City cannot pass an ordinance permitting ORVs on State highways. State highways do not fall under the jurisdiction of cities.

Council Member Hawkins asked Assistant Police Chief Rowe what the Police Department's opinion on ORVs is. Assistant Chief Rowe stated that they agree with the City Attorney. Council Member Alloway stated that he does not want to make a decision about ORVs at this time.

Butler Resident Cary Burns asked how DeKalb County passed an ordinance permitting them on State highways but the City cannot. There was discussion.

Mr. Stuckey stated that the County ordinance actually states "except state and federal roads."

Mr. Burns then stated that he is willing to take the risk of getting a ticket as an ORV driver.

Mayor Hartman asked why the City needed to change their ORV ordinance then.

Butler Resident Dwight Myers stated that he spoke with a State Trooper and a Conservation Officer. They both stated that the State law pertaining to ORVs is messed up and that their departments have better things to do.

Mr. Stuckey stated that all officers of the law have discretion, but that ordinances and laws do not.

Butler Resident Amanda Knapp stated that trains blocking streets for extended times are still a problem. How can she get around the blocked crossings when she is driving her ORV?

There was discussion about the curfew that the Butler ordinance puts on driver's of ORVs and golf carts. All of these types of vehicles have lights now.

There was discussion about using the sidewalk in front of the old Universal as a path for ORV drivers to get to the north side of town.

Mr. Stuckey stated that the State does permit ORVs to drive on right of ways when it is safe.

City Planner Andrew Provines thanked the Council for allowing him to be part of the local government process. He does intend to still attend some meetings, but he will be in the audience.

Code Enforcement Officer Stuart Mutzfeld showed several pictures of how Butler residents are parking or not parking in their driveways. He asked the Council to tell him which ones are permitted and which ones are not. This will clear up some confusion for him and the residents. There was extensive discussion.

Council Members Alloway and Hawkins both stated that all of the cars pictured should be written a ticket. They feel that the residents are just playing games with Code Enforcement now. Council Member Alloway went on to state that he doesn't want to see rutted yards.

Council Member Laub stated that she didn't think it was appropriate to write a ticket for the car that was just slightly in the yard.

Council Member Ryan asked about the items on the agenda that are under them. There was discussion. All of the items can now be removed except for the leashing of dogs and e-bikes and power chairs.

Council Member Eldridge congratulated the two new police officers. He stated that he has seen kids driving too fast on Green and Liberty streets and asked the police to patrol the area more when school is starting and ending. Assistant Chief Rowe stated that he will let his officers know and that he will also reach out to Deputy Short and the school about this.

Council Member Hawkins was happy to see the Engineered Materials corner get cleaned up.

Mayor Hartman reported that M&M Sweet Retreat opened up on Friday. They have cookies, ice cream etc. He also reported that Oak Street and S. Broadway will be shut down tomorrow for Butler Days.

Vica Moore from 412 N Beech asked if something could be done about the boat that has been in her neighbor's yard for 2 years. It has trees growing out of it. Code Enforcement Officer Stuart Mutzfeld stated that if it has a valid plate on it, there isn't anything he can do.

Mark Hoeppner, address not stated, came to the podium to state that on July 8th he was pulled over by the Butler Police because of a "Flock Hit". He asked if the Butler Police were enforcing the spirit of the law. He stated that he has tried to resolve this issue without making it public. Mr. Hoeppner stated that he is a former police officer and that the license plate on his motorcycle was only expired by 1 month and 1 day. He went on to state that when his driver's license was run, it was not run properly. It came back without a motorcycle endorsement on it and he does have that endorsement. He believes that he was pulled over only so that the Butler Police Department could collect money for the BMV.

Mayor Hartman interrupted him and asked him to leave out anything that does not pertain to Butler and DeKalb County.

Mr. Hoeppner went on to state in his opinion why Flock Cameras should not be used because they violated his rights.

Mayor Hartman stopped him again and asked him if he violated the law when he had the tow truck driver stop at 6 and 69 and unload his motorcycle so that he could ride it the rest of the way home. Mayor Hartman stated that Mr. Hoeppner needs to do better. Mr. Hoeppner walked out of the meeting.

Council Member Alloway stated that he also spoke with Mr. Hoeppner and that he was not truthful to him. Council Member Alloway stated that the integrity of our police department is excellent.

Council Member Hawkins stated that she agreed with Council Member Alloway. Butler's policy has always been to permit people from the audience to speak at meetings. Everyone should admit it when they're wrong and don't turn something into an issue when it's not.

Council Member Laub stated that accountability starts with each one of us and that the Flock cameras aren't to blame when you are caught doing something illegal.

Mayor Hartman stated that he did speak with Mr. Hoeppner and that Mr. Hoeppner stated that the ticket needed to disappear or he would make it public. Mayor Hartman sees this as a threat.

Mayor Hartman also stated that just recently the City of Toledo was able to locate a kidnapped child within 30 minutes because of Flock cameras.

Council Member Eldridge made a motion to adjourn at 8:37 and Council Member Hawkins seconded the motion. The motion passed with all in favor.

Mayor

Common Council

Angela M. Eck

Clerk-Treasurer

ORDINANCE 1818

AN ORDINANCE AMENDING SECTION 37.02 OF THE BUTLER CITY CODE

WHEREAS the Employee Earned Time-Off Policy has not been updated since 2018;

BE IT ORDAINED by the Common Council of the City of Butler, DeKalb County, State of Indiana that Section 37.02 of the Butler City Code be amended as follows:

§ Section 37.02 Employee Earned Time-Off Policy

Full-Time Employees are to receive 100% of the below listed paid time off categories.

Part-Time Employees are to receive 50% of the below listed paid time off.

Seasonal and Temporary Employees are not eligible for paid time off.

(A) VACATION

On their anniversary hire date, each ~~full-time~~ employee will be awarded vacation time according to the schedule below.

1. Vacation Schedule	**OLD**	**NEW**
After 90 days of employment		20 hours
6 months	~~40 hours~~	20 hours
2 to 4 Years		80 hours
~~2 to 9 years~~	~~80 hours~~	
5 to 9 years		120 hours
10 to 14 years		140 hours
~~10 to 19 years~~	~~120 hours~~	
15 to 19 years		160 hours
~~20 to 29 years~~	~~160 hours~~	
20 to 24 years		180 hours
~~30 years and over~~	~~200 hours~~	
25 plus years		200 hours

2. Vacation pay will be computed at the employee's hourly rate of pay.
3. Vacations are to be applied for at least 14 days in advance, if possible.
4. All vacations must be approved by the employee's supervisor, with the supervisor giving consideration to seniority, workload, and training schedules.
5. Vacation time may be split with the approval of the employee's supervisor.
6. Rescheduling of vacation may be done with the approval of the employee's supervisor
7. If an employee is terminated, the employee will be paid for any accrued vacation time that has not been used.
8. If an employee dies, his/her current spouse will be paid for his/her accrued vacation.
9. If there is a break in service, the employee's amount of vacation upon rehiring will be decided by the appropriate Department Head.
10. All vacation days that are not used by the employee's anniversary hire date will be paid to the employee.
11. If an employee is injured, any scheduled vacation can be rescheduled.
12. Vacation pay can be a negotiable item when hiring for lateral transfers from another municipality or when hiring an employee with the required job experience.

(B) SICK LEAVE

All sick leave will be awarded on each ~~full-time~~ employee's anniversary hire date.

1. Each employee will be awarded seven sick days per year.
2. If a sickness exceeds ~~three~~ five (5) consecutive days, a doctor's excuse must be presented to the employee's supervisor. A copy of said doctor's excuse must be attached to the employee's time sheet and forwarded to the Clerk-Treasurer.
3. If an employee needs to use more than 7 sick days in a year, he/she must have a doctor's note and the approval of his/her supervisor and the Clerk-Treasurer. If the supervisor and the Clerk-Treasurer deny the paid sick leave, the issue may be taken before the Board of Works if the employee so desires.
4. Sick days are cumulative. An employee is allowed to accumulate all unused sick days up to 40 working days. These 40 working days will include the seven annual days each employee is allowed.

5. If an employee is injured on the job, ~~said employee will not be allowed to use accumulated sick days and must proceed with a Worker's Compensation Claim.~~ Said employee will be allowed to use time off days for the first 7 days. If the disability/injury lasts 21 days, the first 7 days can be retroactively returned to the employee.
6. If an employee leaves the City's employment due to retirement, the employee has the option of using up the accumulated sick leave or being paid for the unused days.
7. If an employee dies, his/her current spouse will be paid for his/her unused sick leave.
8. Any employee who leaves the City for any reason, excluding retirement or death, receives no compensation for unused sick leave.
9. The City has the right to subrogation against any recovery made by an employee from a third party who is responsible for the employee's illness or injuries.

(C) PERSONAL LEAVE

All personal leave will be awarded on each ~~full-time~~ employee's anniversary hire date.

1. After 60 days of employment, all City employees shall receive 3 days' leave per year for personal reasons.
2. Personal leave shall be awarded on each ~~full-time~~ employee's anniversary hire date
3. Each personal day shall be with regular pay.
4. Personal days are non-cumulative and must be used by the employee's anniversary hire date.
5. No employee who leaves the City's employment will be compensated for unused personal days.

(D) The Clerk-Treasurer is the official record keeper of all time off.

BE IT ALSO ORDAINED THAT the corresponding sections in the Employee Handbook be updated to reflect the above changes.

THIS ORDINANCE PASSED AND ADOPTED by the Common Council of the City of Butler, Dekalb County, Indiana, at a regular meeting held in Butler City Hall, on this _____ day of _____, 2026.

_____

Mike Hartman, Mayor

First Reading: _____ Yes votes_____ No votes_____

Attest:

_____
Clerk-Treasurer

Second Reading: _____ Yes votes_____ No votes_____

Attest:

_____
Clerk-Treasurer

Third Reading: _____ Yes votes_____ No votes_____

Attest:

_____
Clerk-Treasurer

Approved by me this _____ day of _____, 2026.

_____
Mike Hartman, Mayor

Mike Hartman, Mayor
Angela M. Eck, Clerk-Treasurer
Donald Stuckey, Attorney

215 S Broadway, Butler, IN 46721
260-868-5200 Main Line
260-868-5882 Fax
cityofbutler.in.gov

CITY OF BUTLER, INDIANA
DEKALB COUNTY ECONOMIC DEVELOPMENT INCOME TAX
CAPITAL IMPROVEMENTS PLAN FOR THE FISCAL YEARS 2026-2027

1. INTRODUCTION

This plan has been developed according to the requirements of Indiana Code 6-3.6-2-8 regarding economic development projects funded by revenues received by the City of Butler from the DeKalb County Economic Development Income Tax (CEDIT).

IC 6-3.6-2-8 defines such projects as follows:

> **"Sec. 8. 'Economic development project' means any project that:**
>
> **(1)** the county, city, or town determines will:
>
> **(A)** promote significant opportunities for the gainful employment of its citizens;
> **(B)** attract a major new business enterprise to the county, city, or town; or
> **(C)** retain or expand a significant business enterprise within the county, city, or town; and
>
> **(2)** involves an expenditure for:
>
> **(A)** the acquisition of land;
> **(B)** interests in land;
> **(C)** site improvements;
> **(D)** infrastructure improvements;
> **(E)** buildings;
> **(F)** structures;
> **(G)** rehabilitation, renovation, and enlargement of buildings and structures;
> **(H)** machinery;
> **(I)** equipment;
> **(J)** furnishings;
> **(K)** facilities;
> **(L)** administrative expenses associated with a project described in this section, including contract payments to a nonprofit corporation whose primary corporate purpose is to assist government in planning and implementing economic development projects;
> **(M)** operating expenses of a governmental entity that plans or implements economic development projects; or substance removal or remedial action in a designated county, city, or town;"

The proposed duration of this plan spans the period of January 1, 2026 through December 31, 2027. It has been developed by the City of Butler, Indiana and is subject to periodic review and revision. Revised plans shall be filed promptly with the DeKalb County Auditor.

The City of Butler (hereinafter referred to as "City") anticipates receiving approximately $470,000.00 in CEDIT revenues during the term of this plan ($235,000.00 annually).

The City verifies that it may use the balance of annual CEDIT revenues to pursue one or more of the following projects during said period. If alternate funding options prove more feasible for any of the following projects, CEDIT funding will either not be used for such projects or CEDIT funds will constitute a smaller percentage of project funding.

The City also verifies that it may use any balance above the annual CEDIT revenues to pursue one or more of the following projects during this period. The cash balance in the City's CEDIT fund at the end of 2025 is $683,700.

2. PLAN BUDGET FOR FISCAL YEARS 2026-2027 (FUND 4436)

Project #	Project Name	Projected 2026 Expenses	Projected 2027 Expenses
A.	Thompson Block / City Hall Building Renovation Project Bond Payment	$68,000	$69,000
B.	Unsafe Building Enforcement & Building Demolition	$14,000	$14,000
C.	Sidewalk & Curb Replacement	$10,000	$10,000
D.	Economic Development	$20,000	$20,000
E.	Lease Payment, Street Department Buildings & Storage Facilities (2020 & 2021)	$5,000	$5,000
F.	Park Improvements	$30,000	$30,000
G.	Downtown Revitalization	$350,000	$500,000
	TOTAL PROJECTED EXPENSES	**$497,000**	**$648,000**

3. PROJECT NARRATIVES

A. Thompson Block / City Hall Building Renovation Project

1. **General Description** - Continue payment of bond debt for bonds issued for the renovation of the Thompson Block building for use as the new Butler City Hall.

2. **Estimated Annual CEDIT Expense for the Term of this Plan - $69,000.**

3. **Project Schedule** - Principal and interest on said bonds will be paid off on January 15, 2031.

B. Unsafe Building Enforcement & Building Demolition

1. **General Description** – Annually pursue unsafe building enforcement activities and demolish buildings as needed as part of the City's ongoing unsafe building enforcement program.

2. **Estimated Annual CEDIT Expenses for the Term of this Plan - $14,000.00.**

3. **Other Possible Funding Sources -**

   - Rainy Day Fund.
   - General Obligation Bond Revenues.
   - Municipal Bond Revenues.
   - Unsafe Building Fund.

4. **Annual Project Schedule**

   - Enforcement Process: 3 months
   - Legal: 3 months
   - Demolition: 2 months

C. Sidewalk & Curb Replacement

1. **General Description** – Annually replace existing sidewalks and curbs, or construct new sidewalks and curbs, where need is identified by the Board of Public Works & Safety.

2. **Estimated Annual CEDIT Expenses for the Term of this Plan - $10,000.**

3. **Other Possible Funding Sources:**

   - Barrett Assessment.
   - Property Owner Participation.
   - Sidewalk Fund.

4. **Annual Project Schedule**

   - Planning and Legal: 2 months
   - Bidding and Contracting: 2 months
   - Construction: 2 months

D. Economic Development

1. **General Description** – Various economic development activities.

2. **Estimated Annual CEDIT Expenses for the Term of this Plan - $20,000.**

E. Lease Payment, Street Department Buildings & Storage Facilities

1. **General Description** – Annual lease payment for the new Butler Street Department buildings and storage facilities in the 100-block of Depot Street.

2. **Estimated Annual CEDIT Expenses for the Term of this Plan - $5,000.**

3. **Lease Payment:** 20 years. The final payment is due in May 2037.

F. Park Capital Improvements

1. **General Description** – Park infrastructure / capital improvements.

2. **Estimated Annual CEDIT Expenses for the Term of this Plan - $30,000.**

3. **Other Possible Funding Sources:**

    - Park Budget.

G. Downtown Revitalization

1. **General Description** – Purchasing of vacant properties and improvements in the downtown area.

2. **Estimated Annual CEDIT Expenses for the Term of this Plan - $500,000.**

3. **Other Possible Funding Sources:**

    - Rainy Day
    - Donations
    - Grants

This Plan Approved and adopted this _____ of _____, _____.

_____

Mike Hartman
Mayor
City of Butler, Indiana

Sworn and subscribed to before me, a Notary Public in and for said County and State, this _____ day of _____, _____.

My Commission Expires:

_____

_____

Notary Public
Employed in DeKalb County, IN

DeKalb County Highway Dept.

3942 U.S. Highway 6
Waterloo, IN 46793

Phone: 260-925-1864
Fax: 260-925-1922

UTILITY PERMIT

_____ *Permit Number:* _____
(Company Name)

Date: _____

Address: _____

_____ *Phone:* _____

TO THE HONORABLE BOARD OF THE COMMISSIONERS OF DEKALB COUNTY:

We hereby make application for permission to bury necessary cable, pedestals, and attachments thereto or underground conduits or all (aerial) necessary wires, poles, fixtures, attachments and etc. as will be necessary and proper to be done along and adjacent to the DeKalb County Highway Road and Location (List all roads involved) as described:

COUNTY ROAD NUMBER/NAME: _____

BETWEEN WHAT TWO ROADS (intersections): _____ and _____

LIST EXACT LOCATION OF WORK (DISTANCE, DIRECTION, STARTING POINT, &/OR APPROXIMATE FOOTAGE FROM BOTH INTERSECTIONS & DIRECTION WORK IS TO TAKE PLACE. (Distance of burying cable and to all the road bores, etc.)

_____

_____

_____

Twp./Sec.#_____ Residence's Name & Address: _____

_____

The Purpose of such work is as follows: _____Bore _____ Other
Bury in ROW: _____North Side _____South Side _____East Side _____West Side

Please list exact service work being done._____

_____

The attached prints show the exact location, depth of bore, distance to be buried, and type of road surface to be cut, if any. The footage (from the nearest intersection) MUST be listed for each road bore etc.

A DEPTH CHART WILL BE ON THE DRAWINGS. Any plans submitted without vertical information will not be accepted.

If this application for permit is granted, we hereby agree to replace the disturbed portion of the highway adjacent right-of-way to its original condition and to backfill any trench or opening by thoroughly tamping the backfilling in layers not to exceed four (4) inches in depth, and to maintain the surface which has been disturbed in a smooth and uniform condition for a period of six (6) months after work is done.

We further agree to assume all responsibility for any injury or damage to persons and property resulting directly or indirectly from the work contemplated in this application.

We further agree to notify the DeKalb County Highway Department in writing five (5) days in advance of the time of beginning of the work covered by this permit, also to notify the superintendent 48 hours preceding the beginning of the work at 260-925-1864. Failure to do this will result in stop work order and may stop all future permits.

We verify by this agreement that there are ***NO*** fiber optic utility lines located or to be placed within the boundaries of this work zone. If fiber optic lines are located within this area, these will be marked, named, and highlighted on the attached prints. We also understand the fiber optic lines that are not located on these plans or placed as per this permit are the full responsibility of the Permittee, with ***NO*** responsibility of DeKalb County. If fiber optic lines are to be placed, additional information may be required before an approval will be considered.

We understand the DeKalb County's Conditional Approval which states as follows: The County's right to use the right-of-way is by easement and not by ownership. Therefore, our approval will be only with respect to the applicant's interference with the County's right to use the right-of-way. The County's approval will not relieve the applicant of the responsibility of obtaining the adjoining title holder's permission to use the right-of-way. Terms and conditions of this permit are hereto attached and made a part hereof.

Changes cannot be made from the approved plan and permit without written approval from the DeKalb County Highway Superintendent.

It is unlawful for any person, firm or corporation to construct improvements in the Right of Way of DeKalb County Highway without obtaining a permit. It will result in a stop work order.

FEES:

$50.00 for any work done parallel to the DeKalb County Highway Right of Way.

$75.00 per bore or push under road and **$50.00** per 500' bore or push parallel to road.

$10,000.00 Maintenance Bond per application for the cost of labor and materials to restore the county property cut into or damaged by the applicant to its condition immediately prior to the applicant's damage or cut, which is to remain in effect for a period of one year from the date of completion of the proposed work, said date being established by DeKalb County Highway Superintendent upon notification of completion of said work.

$10,000.00 Per Mile Additional Bond for any Utility being placed underground in county road right of way. This is also to remain in effect for a period of one year from the date of completion of the proposed work, said date being established by DeKalb County Highway Superintendent upon notification of completion of said work.

$500.00 for each cut on paved or sealed road. Maintenance Bond for 100 percent of the estimated cost of labor and materials to restore the county property cut into or damaged by the applicant to its condition immediately prior to the applicant's damage or cut, which is to remain in effect for a period of one year from the date of completion of the proposed work, said date being established by DeKalb County Superintendent upon notification of compensation of said work.

$25.00 per 500 feet on any overhead wires. New poles MUST have new location staked for preapproval.

Any unpermitted utility work will be subject to a $1000.00 fine and will be charged an additional $500.00 per day until the issue is remedied or permitted. Violation fees must be paid within 14 days or could result in withholding future permits and sent to the county attorney. A stop work will be issued until a permit is obtained. Violations may also result in higher maintenance bond fees.

SIGNED BY:

COMPANY NAME: _____

NAME: _____

TITLE: _____

ADDRESS: _____

_____

PHONE: _____

PERMISSION GRANTED FOR THE DEKALB COUNTY COMMISSIONERS BY:

_____ DATE _____
Highway Superintendent

If the county has to pursue the contractor for any damages, the contractor will owe all reasonable costs of collection including without limitation, attorney fees and court costs.

The below listed chart must be attached to the drawings of each utility permit. *Please be advised that cable work is to be done as close to the Right-of-way edge as possible, within two (2) feet of the ROW edge and NOT the road edge. No trenching or plowing is allowed.*

DEPTH CHART

1. Cable to be placed as close to the outside Right-of-Way edge as possible, within 2' of the outside R.O.W. edge.
2. Cable must be placed at a minimum of 30 inches in depth. This depth does not include boring.
3. All bores to be 48 inches in depth.
4. Poles, pedestals, and warning signs will be placed within 18 inches from outside right-of-way edge.
5. Buried cable cannot be placed in the bottom of a ditch.

All Permits must be mailed to 3942 U.S. Hwy 6, Waterloo IN, 46793 or Emailed to highwaydepartment@co.dekalb.in.us

*If you have any questions, please feel free to contact our office at 260-925-1864.
Thank You.

DeKalb County Highway Dept.

3942 US Highway 6
Waterloo, IN 46793

Phone: 260-925-1864
Fax: 260-925-1922

DATE: _____

TO: Utility Company

RE: Utility Permit

WORK ORDER #_____

LOCATION: _____

_____

RESIDENCE: _____

The DeKalb County Highway needs the following additional information before we can process this utility permit:

_____Front cover is not correct.
_____Road number/name is not correct
_____Between what two roads is not correct
_____Exact location....using exact footages, etc. is not correct
_____Footages from nearest intersection & footage showing length of work missing or incorrect
_____Residences name and address, if applicable
_____Exact purpose of work
_____Type of service/work to be done: Upgrading services, new services, pedestal, etc.
_____DeKalb County statement
_____Original signature
_____Drawing plans are not correct
_____Depth chart is not shown
_____Begin/End footage from the nearest intersection
_____Footages of the entire work area including changes from burying cable to bores, burying to bores, etc.
_____Highlighted work area
_____Other:_____

_____

_____

Thank you for your cooperation in correcting this permit. If you have any questions, please feel free to contact our office,
Sincerely,

Ben Parker
DeKalb County Highway Department

1. APPLICANT shall provide with this application to the BOARD any maps, drawings, or other documents showing the location and nature of the utility project as it affects the right-of-way, which the Board may require.
2. APPLICANT shall notify the DeKalb County Highway Department at least 48 hours prior to commencing utility project construction within the right-of-way.
3. APPLICANT shall allow field inspection by the DeKalb County Highway Department and the County Surveyor during and after the utility project.
4. APPLICANT shall notify the BOARD in writing of the completion of the utility project within one week after the project covered by this permit is completed.
5. APPLICANT shall provide to the DeKalb County Highway Department on behalf of the BOARD a complete set of "as-built" drawings and maps after the utility project is completed showing all construction within the right-of-way.
6. Any damage to any highway, drainage tile, public or private and to any drainage system caused by the utility project construction shall be fully repaired at APPLICANT'S expense to the satisfaction of the DeKalb County Highway Superintendent.
6a. Any damage to a county road or road right-of-way caused by the removal of pipe, tile, cable, etc. shall be fully repaired at APPLICANT'S expense to the satisfaction of the DeKalb County Highway Superintendent. This to be in effect up to six months after project is finished.
7. APPLICANT shall leave no debris of any type within any right-of-way. Failure to remove will result in the county's removal at APPLICANT'S cost.
8. The APPLICANT shall place and maintain surface markers at the points required by the DeKalb County Highway Superintendent, and applicant shall hold harmless and defend DeKalb County from any damages to the applicant's facility whether caused by county personnel or third persons.
9. Any cable installed by the APPLICANT during the utility project shall be placed within conduit, which shall be a minimum of one (1) foot above or below any existing tile drain affected and a minimum of three (3) or five (5) feet (as required by the County Surveyor's Office) below the existing bottom of any open drain, except where the cable crossing is made over the top of a culvert, by aerial means. No utilities are to be attached to any county owned bridges. Minimum depth of cable shall be 48" below surface.
10. In consideration of this permit, the APPLICANT indemnifies and agrees to hold harmless and defend the BOARD and the County of DeKalb (and all of its departments) from any and all injury and loss caused by reason of the conduct of APPLICANT (including its officers, agents, or employees) as a result of this utility project including attorney fees and court costs.
11. The APPLICANT shall complete the utility project construction within one (1) year after the date of BOARD approval unless extended by the BOARD in writing, and failure to complete within one (1) year voids this request and agreement.
12. The APPLICANT shall, at the requirement of the BOARD, execute and deliver to the BOARD an indemnity performance and completion bond for the utility project as it affects the right-of-way,
13. The APPLICANT shall provide to the BOARD, at its request, evidence of liability insurance coverage in minimum amounts as the BOARD may reasonably require.
14. The APPLICANT shall pay to the BOARD, prior to commencing any work, any applicable permit fees as may be required by an ordinance of DeKalb County.
15. At the BOARD'S request the APPLICANT shall reimburse the BOARD, and out-of-pocket costs, permit processing, and field inspection expenses incurred as a result of this utility project, which expenses shall be presumed undisputed and payable if no objection is delivered to the BOARD or Highway Department within thirty (30) days after notice to the applicant.
16. The APPLICANT shall rebuild and/or relocate the utility project, at applicant's expense, if necessary. as part of the reconstruction or maintenance of the affected highway, if and when so ordered by the BOARD.
17. This permit shall not be assigned nor sub-contracted by the APPLICANT without the prior written consent of the BOARD, and the assignment or sale of the utility shall impose on the assignee or purchaser all of the rights and obligations created herein.
18. This permit shall be construed and enforced under the laws of the State of Indiana, and BOARD shall have all rights of enforcement provided herein.
19. The APPLICANT acknowledges that this permit is limited and only applicable to the jurisdiction of the DeKalb County Highway Department and shall not be construed to grant any other permission required from landowners or other County agencies, such as the DeKalb County Drainage Board for county highway right-of-way. In the event any landowner challenges the use of the right-of-way, the APPLICANT shall hold harmless and defend the County from all damages, expenses, costs and attorney fees incurred by the County.
20. Any above ground utilities must be clearly marked and maintained 6 feet around said pedestal/utility. Utility agrees to hold DeKalb County harmless in the event utility is not maintained around and not visible if struck by road side brush clearing/mowing.
21. The APPLICANT MUST DO All erection and maintenance of necessary Construction signs, barricades, detour signs, warning signs, etc. required by the current Indiana Manual Uniform Traffic Control Device, shall be erected, maintained, and be in compliance so long as work is in progress or construction is on site. All detours and ANY ROAD Closures MUST be preapproved by DeKalb County Highway Superintendent.
22. The APPLICANT MUST have a copy of this permit on the work site at ALL TIMES.
23. The APPLICANT MUST allow a minimum of 10 days for permits to be reviewed.