

MINUTES OF A MEETING OF THE CLARKSVILLE TOWN COUNCIL HELD ON FEBRUARY 16, 2009

A meeting of the Clarksville Town Council was called to order on February 16, 2009, at 7:00 P.M. in the meeting room of the Clarksville Municipal Center Administration Building by Council President Gregory Isgrigg, who chaired the meeting.

Council members present: Gregory Isgrigg, Paul Kraft, Vicki Appleby, Raymond Richert, Donald Tetley, David Fisher and Bob Popp. Council members absent: None. Also present at the meeting: Fire Chief Robert Hansford, Assistant Police Chief David Ross, Mike Otto representing the Town's wastewater treatment facility management firm, Redevelopment Director Rick Dickman, Planning Consultant Sharon Wilson, Parks Assistant Superintendent B.J. Hammond, Building Inspector Bob Polston, Town Attorney Chris Sturgeon, Town Attorney Rebecca Lockard, Clerk-Treasurer Gary Hall and Natalie McLochlin.

Approval of Minutes... A motion was made by Council Member Kraft to approve the minutes of the regular meetings of the council held on December 15, 2008 and January 5, 2009. The motion was seconded by Council Member Fisher and carried by unanimous vote.

Adoption of Ordinance No. 2009-G-03 Establishing the Old Town of Clarksville as a Historic District within the Town Boundaries of the Town of Clarksville... Town Attorney Rebecca Lockard presented the Town Council with the proposed Ordinance numbered 2009-G-03 establishing the Old Town of Clarksville as a Historic District. Council President Isgrigg asked if anyone from the audience wanted to speak to the matter. Attorney John Kraft with Young, Endris, and Kraft, representing Keith Marshall of Marshall Auto Parts, and Ben Marrs, asked for permission to address the Council on this topic. Council President Isgrigg recognized Mr. Kraft and Mr. Kraft stated that he represents two property owners in the proposed local historic district. He also stated that more work needed to be completed on the designation because it is his feeling that IC 36-7-11-3, IC 36-7-11-6 and IC 36-7-11-7 were not followed or met and the issue should not be adopted tonight. Mr. Kraft also stated that this proposed action would be a taking of his client's property without compensation. Council President Isgrigg asked Mrs. Lockard if in her opinion that all Indiana codes were followed. Mrs. Lockard responded that all aspects of the Indiana code were followed and that this matter would not have been presented if all codes had not been followed. Council President Isgrigg thanked Mr. Kraft and asked for any more questions or comments. There being no more comments or questions Council member asked for a vote. A motion was made by Council member Richert to consider Ordinance 2009-G-03 for adoption on its first reading at this meeting. The motion was seconded by Council member Appleby and carried by unanimous vote. A motion was made by Council member Richert to adopt Ordinance 2009-G-03. The motion was seconded by Council member Appleby and carried by unanimous vote.

Presentation of Reimbursement check and request for purchase of a new vehicle for Wastewater Treatment Plant... Mike Otto, representing the Clarksville Wastewater Treatment plant, presented a check to the Wastewater Billing Office for reimbursement in the amount of \$66,767.93, pursuant to the terms of the contract. Mr. Otto came to the Council asking for approval to purchase a new vehicle for the Wastewater Treatment Plant. He had received three different quotes on three different vehicles. The first was a 2009 Ford Explorer for the price of \$23,125.31, second was a 2009 Chevrolet Trailblazer for the price of \$24,210.65, and third was a 2009 Toyota 4-Runner for the price of \$31,761.00. Mr. Otto explained to the Council that he would like to purchase the Ford Explorer seeing that it was the cheapest of all vehicles. Council President Isgrigg asked for any questions or comments from the Council. Council member Fisher suggested Mike to check the state bid list, thinking that he could get a vehicle for a cheaper price through the government discount. There being no other questions or comments from the Council, a motion was made by Council member Kraft to approve the purchase of the 2009 Ford Explorer for the Wastewater Treatment Plant. The motion was seconded by Council member Richert and followed with six ayes and 1 abstention being Council member Fisher.

Department Reports... *Council President Isgrigg* had received a letter from Kevin Hammersmith with Duke Energy thanking everyone for their support during the ice storm and wanted to give a special thanks to Clarksville Street Department for their help with clearing the streets for the electric trucks.

Town Engineer Tom Clevidence came before the Council asking for approval of a Real Estate purchase agreement with Dennis Ettl and Robert K. Reinmiller for the purchase of 125,127,131 and 133 Harrison Ave for a purchase price of \$300,000.00, which would be paid out of TIF. He also stated that this property would be used to provide offices for the expanding Stormwater Department, would give the Clarksville Street Department a truck wash, and more storage. There being no further discussion, a motion was made by Council member Fisher to approve the real estate purchase agreement. The motion was seconded by Council member Richert and carried by unanimous vote.

Town Attorney Rebecca Lockard came before the Council asking for approval to look at refinancing the Outstanding Wastewater Bonds, explaining that we could save an estimate of \$60,000.00. Following further discussion a motion was made by Council member Richert to approve looking at refinancing the outstanding Wastewater Bonds. The motion was seconded by Council member Tetley, and carried by unanimous vote.

Fire Chief Robert Hansford reported that the Fire Department had received a \$10,000.00 grant from the Department of Homeland Security.

Planning Consultant Sharon Wilson advised the Town Council that the developer of the Broadway Heights subdivision, Charlestown Crossing LLC still had not met the terms of the letter-of-credit and that the letter-of-credit was again about to expire. Following further discussion a motion was made by Council member Fisher to approve Council President Isgrigg to the draw the letter-of-credit. The motion was seconded by Council member Kraft and carried by unanimous vote.

Sharon also explained to the Council that the Indiana Office of Community and Rural Affairs in conjunction with the Indiana Economic Development Council are requesting communities to complete a five paged survey form that was asking the Town what projects they would have done with the economic stimulus money, and submit them electronically to Ball State University. Ms. Wilson said the planning department will submit the surveys for any department that would like to submit their information to Ball State.

Council Comments... *Council member Fisher* asked the Council for approval to spend \$12,000.00 out of the Tow Fund for different purchases. Following further discussion a motion was made by Council member Fisher to allow \$12,000.00 to be spent from the Tow Fund. The motion was seconded by Council member Kraft and carried by unanimous vote.

Council President Isgrigg wanted to thank First Southern Baptist Church for opening up as a Red Cross Shelter during the ice storm.

Approval of Claims... Accounts payable registers presented for approval consisted of Town pre-approved claims issued 2/2/09 through 2/16/2009 in the amount of \$344,413.60, Town and Wastewater/Stormwater utility gross payroll issued 2/13/2009 in the amount of \$360,682.89 Town current claims in the amount of \$375,986.98, Wastewater/Stormwater utility pre-approved claims in the amount of \$182,011.58 and Wastewater/Stormwater utility current claims in the amount of \$118,095.42. A motion was made by Council member Kraft to approve the accounts payable registers presented. The motion was seconded by Council member Richert and carried by unanimous vote.

Adjournment... There being no further business to come before the Council at this time, on a motion made by Council member Tetley, seconded by Council Member Popp and carried by unanimous vote, the February 16, 2009 meeting of the Clarksville Town Council was adjourned at 7:40 P.M.

Minutes prepared by the Clerk-Treasurer of the Town of Clarksville, Indiana

Minutes approved by the Clarksville Town Council on the _____ day of _____, 20____.

Gary P. Hall, Clerk-Treasurer
of the Town of Clarksville, IN

Gregory Isgrigg, President,
Clarksville Town Council