

## MINUTES OF A MEETING OF THE CLARKSVILLE TOWN COUNCIL HELD ON FEBRUARY 7, 2011

A meeting of the Clarksville Town Council was called to order on February 7, 2011 at 7:00 P.M. in the meeting room of the Clarksville Municipal Center Administration Building by Council Vice President Paul Kraft, who chaired the meeting.

Council members present: Gregory Isgrigg, Paul Kraft, Vicki Appleby, Raymond Richert, Donald Tetley, Bob Popp and David Fisher. Council members absent: None. Also present at the meeting: Fire Chief Tom Upton, Police Chief Dwight Ingle, Street Commissioner Donald Hansford, Director of Engineering and Stormwater Tom Clevidence, Mike Otto representing the Town's wastewater facility management firm, Redevelopment Director Richard Dickman, Town Attorney Rebecca Lockard, Planning Director Sharon Wilson, Parks Superintendent Brian Kaluzny, Interim Building Inspector Jeff Spainhour, Interim Building Inspector Ilpo Majuri, Insurance Clerk Naomi Polston, Town Attorney Chris Sturgeon, Clerk-Treasurer Gary Hall and Deputy Clerk-Treasurer Anita Elliott-Neeld.

**Approval of Minutes...** A motion was made by Council Member Kraft to approve the minutes of a regular meeting of the council held on January 3, 2011. The motion was seconded by Council Member Fisher and carried by unanimous vote. A motion was made by Council Member Fisher to approve the minutes of a regular meeting of the council held on January 18, 2011. The motion was seconded by Council Member Richert and carried by unanimous vote. A motion was made by Council Member Kraft to approve the minutes of an executive session of the Council held on January 18, 2011. The motion was seconded by Council Member Fisher and carried by unanimous vote.

**Waste Water Backup at 1606 Blackiston Mill Road...** Ms Megraw of 1606 Blackiston Mill Road came before the council with concerns of waste water back up that entered her basement on January 19, 2011. She explained to the council that this situation has cost her approximately \$5000.00 and was requesting some assistance from the Town as she felt that the Town's sewer system was at fault. Mike Otto representing the Town's Wastewater Treatment facility and employed by American Waterworks Service explained that their insurance company Travelers Insurance investigated the situation and revealed that no negligence was on the Wastewater Treatment facility and denied her request for compensation. Town Attorney Rebecca Lockard explained that the Town's ordinance required that the homeowner have a back flow preventer installed on existing lines. Ms Megraw explained that she previously has On Site Plumbing replace some old existing lines and they did not explain that she was required to install a back flow preventer. Council Member Popp felt that a back flow preventer was not required to be installed in older homes in Clarksville but recommended that our current ordinance be looked at and also check to see if On Site Plumbing got the required permits and information they needed to complete her work. Town Attorney Lockard is to check into this matter further and notify the homeowner of any findings on this situation.

**Wellness Program Presentation from Maverick Insurance...** Dana Cooper and Naomi Polston representing the Town's wellness program came before the council with a recommendation that it be imperative for all employees to attend informational meetings on ways of getting healthier. Ms Cooper explained that if employees were more informed on how to achieve ways to get healthier this would have a great impact on our current health insurance claims. Ms Polston explained that a schedule could be put into place for all shifts possible for attending these imperative meetings. Police Chief Ingle explained that the police officers could only schedule these imperative meetings before their scheduled shift and would require at least four hours of overtime for his officers. He explained that when his officer's shift begins they do not have time to attend a meeting because they are required to be on the streets patrolling. Following the discussion, a motion was made by Council Member Kraft to allow the imperative meetings to be scheduled for all employees by the wellness program representatives. The motion was seconded by Council Member Tetley and carried by unanimous vote.

**Adoption of Resolution 2011-R-01 Dedication of Francisco Park...** Town Attorney Chris Sturgeon presented Resolution 2011-R-01 dedication of Francisco Park to the Town of

Clarksville. Attorney Sturgeon explained that the Town complete the purchase of the property commonly known as "Francisco Property" at 1621 Blackiston Mill Road from the Falls of the Ohio Foundation and it has been determined that the property be used as a municipal park. A motion was made by Council Member Popp to adopt Resolution 2011-R-01. The motion was seconded by Council Member Fisher and carried by unanimous vote.

**Adoption of Resolution 2011-R-02 Acquisition of Property for Redevelopment of Potters Lane and Blackiston Mill Road...** Town Attorney Chris Sturgeon presented Resolution 2011-R-02 Acquisition of property for Redevelopment of Potters Lane and Blackiston Mill Road. Attorney Sturgeon reported that the acquisition of right-of ways is needed to reconstruct the intersection of Potters Lane and Blackiston Mill Road and to install a traffic signal and additional lanes. The acquisition of property will be paid with Tax Increments Financing Funds and the actual intersection construction will be paid using CMAQ funds. A motion was made by Council Member Tetley to adopt Resolution 2011-R-02. The motion was seconded by Council Member Fisher and carried by unanimous vote.

**Acceptance of Increase for 2011 American Water Services Operations and Maintenance Contract for the Wastewater Treatment Plant...** Attorney Rebecca Lockard presented information to the council from American Water Services on refund from the 2010 contract in the amount of \$93,414.24. Attorney Lockard also presented an agreement from American Water Services for a 3% increase to the 2011 contract. A motion was made by Council Member Richer to accept the refund of \$93,414.24 and the revised increase of 3% to the American Water Service Operation contract for 2011. The motion was seconded by Council Member Popp and carried by unanimous vote.

**Settlement from Hamlet Apartments for Wastewater / Stormwater Charges...** Town Attorney Rebecca Lockard reported that the Wastewater/Stormwater department received the settlement of 100,000.00 from First Financial Collateral, Inc representing Hamlet apartments for outstanding liens filed against their property.

**Surplus Fire Apparatus from Clarksville Fire Department...** Fire Chief Tom Upton reported to the council on the bids for a 1977 Maxim ladder fire truck and a 1977 Ford pumper fire truck that were opened and tabled on 12/20/2011 meeting of the council. Chief Upton contracted several companies that deal with used fire apparatus and no one was interested. Also Chief Upton, Council Member Popp and Tetley contacted the New Albany Fire museum curator about the possibility of loaning the 1977 Ford pumper to them as hands on display at the museum. The museum is to contact Chief Upton tomorrow regarding the use of the apparatus. Following the discussion, a motion was made by Council Member Tetley to table this matter until the next scheduled meeting of the council.

**Departmental Reports...** Police Chief Ingle announced that the ID system that the Police department purchased was in the back of council chambers if anyone was interested in getting an ID card. Chief Ingle said that the ID system will be used for school children and any town employee wishing to have an ID card. Director of Engineering and Stormwater Tom Clevidence reported that Greentree North at Tupelo Drive will be closed for approximately one day for the installation of the underground pipes across the road for the storm water project. Planning Development Director Sharon Wilson presented to the Council the 2010 annual report for Clarksville Planning and Building Department. Parks Superintendent Brian Kaluzny thanked the council for the Francisco Park.

**Council and Clerk -Treasurer Comments...** Council President Greg Isgrigg announced that he will not be running for the at large council position for next year's election. Council Member Isgrigg reported that the next meeting of the council will be on February 22, 2011 and that sisters cities is hosting pub night at 7:00 on February 21<sup>st</sup> at St. Anthony's. Clerk-Treasurer Gary Hall expressed his thanks to Attorney Rebecca Lockard for her participation in collecting the \$100,000.00 from Hamlet apartments and announced that the wastewater billing office received approximately \$93,000.00 in past due lien collections.

**Approval of Claims...** Accounts payable registers presented for approval consisted of Town current claims in the amount of \$207,522.63, Town pre-approved claims issued 1/18/2011 through 2/7/2011 in the amount of \$854,519.19, Town and Wastewater/Stormwater utility gross payroll issued 1/23/2011 in the amount of \$300,030.82, Wastewater/Stormwater utility pre-approved claims issued 1/14/2011 through 2/2/2011 in the amount of \$43,525.67, and Wastewater and Wastewater/Stormwater utility current claims in the amount of

\$101,640.62. A motion was made by Council Member Kraft to approve the accounts payable registers presented. The motion was seconded by Council Member Tetley 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 Fisher, seconded by Council member Richert, and carried by unanimous vote, the February 7, 2011 meeting of the Clarksville Town Council as adjourned at 7:45 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