

## MINUTES OF A MEETING OF THE CLARKSVILLE TOWN COUNCIL HELD ON AUGUST 15, 2011

A meeting of the Clarksville Town Council was called to order on August 15th, 2011 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, Bob Popp, Paul Kraft, Don Tetley and David Fisher, Vicky Appleby and Raymond Richert. 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, Planning Consultant Sharon Wilson, Town Attorney Rebecca Lockard, Parks Superintendent Brian Kaluzny, Building Inspector Ilpo Majuri, 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 Fisher to approve the minutes of a regular meeting of the council held on August 1, 2011. The motion was seconded by Council Member Kraft and carried by unanimous vote with a correction being made to paragraph 4 changing Council Member's Popp abstaining vote to a no vote.

**Introduction of Ordinance 2011-B-01 Concerning Storm Water and Sanitary Sewer Improvements**... Town Attorney Rebecca Lockard presented a proposed ordinance for consideration numbered 2011-B-01 concerning the construction of improvements to the sewage works of the Town of Clarksville, consisting of certain storm water and sanitary sewer improvements, the issuance of revenue bonds to provide the cost thereof, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interest of the owners of said revenue bonds, other matters connected herewith, including the issuance of notes in anticipation of bonds and repealing ordinance inconsistent herewith. A representative from Ice Miller and Associates, legal counsel and a representative from Unbaugh & Associates, financial accountants were present to answer any questions from the council. Following discussion and the introduction of proposed ordinance 2011-B-01, a motion was made by Council Member Richert to consider the adoption of ordinance 2011-B-01 on its first reading at this meeting. The motion was seconded by Council Member Appleby and carried by unanimous vote. Attorney Lockard explained that this ordinance will be advertised for a public hearing for the September 6<sup>th</sup> meeting of the council.

**Introduction of Ordinance 2011-SW-01 Amending Ordinance 2004-SW-03 User Fees Costs for Storm Water Services Provided**... Town Attorney Rebecca Lockard presented a proposed ordinance for consideration numbered 2011-SW-01, amending ordinance 2004-SW-03 for user fees costs for Storm Water services. A representative from Unbaugh & Associates, Certified Public Accountants prepared a financial study of the Town's municipal sewage works, including storm water systems in connection with a proposed project for the construction of additions and improvements to the sewage works, including storm water improvements to be financed by the issuance of sewage works revenue bonds. Base upon the study it was determined that by the passage of this Ordinance, residential user class fees shall be increased from the current amount of \$2.95 to \$3.50 per month and non-residential user class fees shall be \$3.50 per month multiplied by the number of drainage units determined by the impervious area of the user. Following discussion and the introduction of proposed ordinance 2011-SW-01, a motion was made by Council Member Richert to consider the adoption of ordinance 2011-SW-01 on its first reading at this meeting. The motion was seconded by Council Member Kraft and carried by unanimous vote.

**Introduction of Ordinance 2011-SW-02 Amending Code of Ordinances for the Town of Clarksville, Chapter, 51, Section 51.097(a) Schedule of Rates and Charges**... Town Attorney Rebecca Lockard presented a proposed ordinance for consideration numbered 2011-SW-02, amending code of ordinances for the town of Clarksville, Chapter 51, Section 51.097(a) schedule of rates and charges. A representative from Unbaugh & Associates, Certified Public Accountants prepared a financial study of the Town's municipal sewage works,

including storm water systems in connection with a proposed project for the construction of additions and improvements to the sewage works, including storm water improvements, to be financed by the issuance of sewage works revenue bonds. Based upon the study it was determined that the existing sewage works and storm water rates and charges are insufficient to enable the Town to properly operate its sewage works and storm water systems, service its bonds and finance the needed additions and improvements and should be increased. The current monthly minimum charge is \$9.30 for each property and will be increased to \$12.57 upon passage of this ordinance and then in July 2012 be increased to \$15.72. Following discussion and the introduction of proposed ordinance 2011-SW-02, a motion was made by Council Member Kraft to consider the adoption of ordinance 2011-SW-02 on its first reading at this meeting. The motion was seconded by Council Member Richert and carried by unanimous vote.

**Approval to Advertise for Public Hearing...** Attorney Rebecca Lockard requested permission from the council to advertise for a public hearing for the September 6<sup>th</sup> 2011 council meeting for the second reading on the above ordinances. A motion was made by Council Member Kraft to allow Attorney Lockard to advertise for a public hearing for the September 6<sup>th</sup> 2011 council meeting. The motion was second by Council Member Fisher and carried by unanimous vote.

**Approval to Sign Agreed Order from IDEM for the Repair of Effluent Pipe Line...** Town Attorney Rebecca Lockard presented to the Council a proposed Agreed Order for review which requires submittal of a compliance plan to address the broken wastewater effluent pipe unauthorized discharge to Mill Creek. By signing this order the Town shall develop and submit to IDEM for its approval a Compliance Plan that includes: actions that will prevent and eliminate unauthorized discharge or actions to design and construct and obtain a permit for a treatment system to discharge effluent to Mill Creek and a Compliance Plan implementation and completion schedule. A motion was made by Council Member Popp to authorize Council President Isgrigg to sign the Agreed Order to IDEM. The motion was seconded by Council Member Appleby and carried by unanimous vote.

**Introduction of Ordinance 2011-B-02 Authorizing the Issuance and Sale of Bonds for the Purpose of Promoting and Funding Economic Development Projects...** Town Attorney Rebecca Lockard presented a proposed ordinance for consideration numbered 2011-B-02 Authorizing the issuance and sale of bonds of said Town for the purpose of providing funds to be applied on the costs of promoting and funding economic development projects of the Town, other matters connected therewith, including the issuance of notes in anticipation of bonds, together with the incidental expense in connection therewith and on account of the issuance of bonds and notes. Following the introduction of proposed ordinance 2011-B-02, a motion was made by Council Member Appleby to consider the adoption of ordinance 2011-B-02 on its first reading at this meeting. The motion was seconded by Council Member Kraft and carried by unanimous vote.

**Introduction of Ordinance 2011-B-03 Appropriating the Proceeds of the Taxable Economic Development Income Tax Bonds and Notes Issued in Anticipation of Said Bonds...** Town Attorney Rebecca Lockard presented a proposed ordinance for consideration numbered 2011-B-03 appropriating the proceeds of the taxable economic development income tax bonds and notes issued in anticipation of said bonds in the amount not to exceed \$3,520,000.00. Following the introduction of proposed ordinance 2011-B-03, a motion was made by Council Member Fisher to consider the adoption of ordinance 2011-B-03 on its first reading at this meeting. The motion was seconded by Council Member Richert and carried by unanimous vote.

**Approval to Advertise for Public Hearing...** Attorney Rebecca Lockard requested permission from the council to advertise for a public hearing for the September 6<sup>th</sup> 2011 council meeting for the second reading on the above ordinances numbered 2011-B-02 and 2011-B-03. A motion was made by Council Member Appleby to allow Attorney Lockard to advertise for a public hearing for the September 6<sup>th</sup> 2011 council meeting. The motion was second by Council Member Kraft and carried by unanimous vote.

**Acceptance of Agreement from Gohman Asphalt and Construction, Inc. for Street Repair and Paving...** Town Attorney Chris Sturgeon presented a proposed agreement between The Town of Clarksville and Gohman Asphalt and Construction, Inc. for street repair and paving. A motion was made by Council Member Tetley to accept the agreement with Gohman

Asphalt and Construction for street repair and paving. The motion was seconded by Council Member Popp and carried by unanimous vote.

**Street Department Request for Additional Appropriation...** Town Attorney Chris Sturgeon reported that the Street Department has requested from the Clerk-Treasurers Office an additional appropriation to be advertised for the next scheduled meeting of the council in the amount of \$95,000.00 for additional overtime expense needed.

**Introduction of Ordinance 2011-S-05 Amending Ordinance 2011-S-01...** Town Attorney Chris Sturgeon presented a proposed Ordinance numbered 2011-S-05, amending salary ordinance 2011-S-01 changing the number of authorized positions for Police Corporals from 4 to 3 and Police Sergeants from 3 to 4. Council Member Popp expressed his concern that this issue should have been brought before the Police and Fire Safety Board before coming to the council for adoption. Following discussion, a motion was made by Council Member Fisher to adopt Ordinance 2011-S-05 on its first reading at this meeting. The motion was seconded by Council Member Richert and followed with Council Member Popp expressing that he could not vote on this Ordinance until the issue was brought before the Police and Fire Safety Board, therefore this ordinance carried 4 members in favor and Council Member Popp, Tetley and Kraft opposing. This ordinance did not pass on the first reading and will be brought back to the council on September 6, 2011 for its second reading.

**Acceptance of Supplemental Number 1 from INDOT-Local Public Agency Project Coordination Contract for Construction of the Lewis and Clark Trail...** Brittany Montgomery reported that INDOT submitted a supplement to the original contract dated 2009. The original amount was 1,000,000.00 and now increased it to 2,389,800.00. The total match from the Town on this grant for the Lewis and Clark trail project will be \$446,200.00 and is to be paid from EDIT funding. A motion was made by Council Member Kraft to accept the supplemental agreement #1, seconded by Council Member Richert and carried by unanimous vote.

**Consideration of HVAC Contract with Comfort Systems, USA...** Building Inspector Ilpo Majuri brought before the council a HVAC contract with Comfort Systems, USA for preventive maintenance on the HVAC system in the Town Hall and Police Station. Following discussion several issues were brought up therefore, Council Member Kraft made a motion to table until the next meeting of the Council. The motion was seconded by Council Member Fisher and carried by unanimous vote.

**Departmental Reports...** Police Chief Ingle expressed his thanks to Fire Chief Tom Upton for the gas mask that the fire department donated to the police department for training. Also Police Chief Ingle reported that according to rumors going around that he was planning on retiring it is not true and is expecting to continue working for another four or five years. Superintendent Donald Hansford reported that his department is need of the additional appropriation due to the recent wind storm of unexpected tree brush throughout the town that needs to be picked up.

**Council Comments...** Council President Isgrigg reported that he and Redevelopment Director Dickman had previously met with the Corp of Engineers on the Harrison Avenue project. President Isgrigg said the Corp is expecting to expedite the permit to get started on the project before the end of the year. **Council Member Fisher reported that the Police Department is in need of an additional appropriation in the amount of \$8325.00 for additional gas mask and supplies and is requesting it be come for the LOIT funding.** Council Member Popp asked Street Commissioner Hansford if he could look into paving at the East end of Harrison Avenue by Holmstead @ Bowling Avenue. Street commissioner Hansford is to check into.

**Approval of Claims...** Accounts payable registers presented for approval consisted of Town current claims in the amount of \$323,467.32, Town pre-approved claims issued 8/2/2011 through 8/15/2011 in the amount of \$180,944.37, Town and Wastewater/Stormwater utility gross payroll issued 7/29/2011 in the amount of \$313,798.81, Town and Wastewater/Stormwater utility gross payroll issued 8/12/2011 in the amount of \$377,688.53, Wastewater/Stormwater utility pre-approved claims issued 8/1/2011 through 8/11/2011 in the amount of \$36,188.72, and Wastewater and Wastewater/Stormwater utility current claims in the

amount of \$28,954.90. A motion was made by Council Member Kraft to approve the accounts payable registers presented. The motion was seconded by Council Member Appleby 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 Kraft, seconded by Council member Appleby, and carried by unanimous vote, the August 15<sup>th</sup>, 2011 meeting of the Clarksville Town Council was adjourned at 8:13P.M.

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

Minutes approved by the Clarksville Town Council  
on the 6th day of September, 2011.

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

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Gregory Isgrigg, President,  
Clarksville Town Council