

## MINUTES OF A MEETING OF THE CLARKSVILLE TOWN COUNCIL HELD ON SEPTEMBER 6, 2011

A meeting of the Clarksville Town Council was called to order on September 6th, 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, Paul Kraft, Don Tetley, David Fisher, Vicky Appleby and Raymond Richert Council members absent: Bob Popp. 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, Project Manager Brittany Montgomery, Parks Superintendent Brian Kaluzny, Building Inspector Ilpo Majuri, Town Attorney Chris Sturgeon, Insurance Clerk Naomi Polston, 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 August 15, 2011, seconded by Council Member Appleby and carried by unanimous. A motion was made by Council Member Fisher to approve the minutes of a work session held on August 15, 2011, seconded by Council Member Tetley and carried by 5 aye votes with Council Member Appleby abstaining. A motion was made by Council Member Kraft to approve the minutes of an executive session held on August 15, 2011, seconded by Council Member Fisher and carried by 5 aye votes with Council Member Appleby abstaining.

**Adoption of Ordinance 2011-B-01 Concerning Storm Water and Sanitary Sewer Improvements...** Town Attorney Rebecca Lockard presented a proposed ordinance for consideration on its second reading 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 motion to consider Ordinance 2011-B-01 on its second reading was made by Council Member Fisher, seconded by Council Member Kraft and carried by unanimous vote. A motion to adopt Ordinance 2011-B-01 was made by Council Member Fisher, seconded by Council Member Richert and carried by unanimous vote to adopt

**Public Hearing on Adoption 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 on its second reading numbered 2011-SW-02, amending code of ordinances for the Town of Clarksville, Chapter 51, Section 51.097(a) schedule of rates and charges. Attorney Lockard announced that a public hearing had been advertised for this meeting and called for questions or comments from the public. Mr. Tom DeArk came forward expressing his comments and concerns. No one else came forward and a motion to consider Ordinance 2011-SW-02 on its second reading was made by Council Member Richert, seconded by Council Member Appleby and carried by unanimous vote. A motion was made by Council Member Kraft to amend the ordinance to read as the monthly charge of \$4.19 per 100 cubic feet resulting in a minimum monthly charge of \$12.57 and to review the user fees in early 2012 to determine what the user fees shall be beginning July 1, 2012. The motion to amend was made by Council Member Tetley and carried by unanimous vote. A motion was made by Council Member Kraft that the proposed ordinance 201-SW-02 be considered for adoption with amendments on its first reading. The motion was seconded by Council Member Richert and carried by unanimous vote. A motion was made by Council Member Kraft that Ordinance 2011-SW-02 with amendments be adopted. The motion was seconded by Council Member Richert and carried by unanimous vote to adopt.

**Adoption 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 on its second reading 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 expenses in connection therewith and on account of the issuance of bonds and notes. A motion to consider 2011-B-02 on its second reading was made by Council Member Fisher, seconded by council Member Richert and carried by unanimous vote. A motion to adopt Ordinance 2011-B-02 was made by Council Member Fisher, seconded by council Member Kraft and carried by unanimous vote to adopt.

**Public Hearing on Adoption 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 on its second reading 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. Attorney Lockard announced that a public hearing had been advertised for this meeting and called for questions or comments from the public. No one came forward at this meeting. A motion to consider 2011-B-03 on its second reading at this meeting was made by Council Member Kraft, seconded by Council Member Appleby and carried by unanimous vote. A motion to adopt Ordinance 2011-B-03 was made by Council Member Kraft, seconded by Council Member Appleby and carried by unanimous vote to adopt.

**Approval of Claim for Temporary Emergency Repair of Catch Basin from Goodman Construction...** Stormwater Director Tom Clevidence presented a claim to the council from Goodman Construction for temporary emergency repairs to the catch basin at Beckett Street and Virginia Avenue in the amount of \$14,549.71. A motion was made by Council Member Fisher to approve the claim in the amount of \$14,549.71, seconded by Council Member Kraft and carried by unanimous vote.

**Approval of Agreement with TSI Paving for Beckett Street Drainage Improvement Project...** Stormwater Director Tom Clevidence presented an agreement from TSI Paving for Beckett Street Drainage Improvements in the amount of \$48,637.00. Stormwater Director Clevidence reported that three quotes were previously received on this project and that this project cost should be 75% refundable for Storm Damage from FEMA. A motion to approve the agreement with TSI Paving in the amount of \$48,637.00 for the Beckett Street Drainage Improvements was made by Council Member Fisher, seconded by Council Member Tetley and carried by unanimous vote.

**Approval of Resident Only Parking Permit at 315 E. Carter...** Council President Isgrigg reported that a home owner living at 315 E. Carter Avenue contacted him about some parking issues at their home. President Isgrigg requested from the council approval for a parking permit for 315 E Carter Avenue. A motion was made by Council Member Tetley to approve the parking permit at 315 E Carter pending receipt of letter from homeowner for request along with the required deposit. The motion was seconded by Council Member Fisher and carried by unanimous vote.

**Public Hearing on Proposed Additional Appropriations and Adoption of Ordinance 2011-BUD-10...** Town Attorney Chris Sturgeon announced that a public hearing on proposed additional appropriations had been advertised for this meeting in connection with the Local Option Income Tax Fund in the amount of \$8325.00 for equipment for the police department and \$165,000.00 for furniture and equipment for the fire department, the Motor Vehicle Highway Fund in the amount of \$42,000.00 for overtime due to recent storms for the street department, the General Fund in the amount of \$53,000.00 for overtime due to recent storms for the street department, the Congestion Mitigation Air Quality Fund (CMAQ) in the amount of \$700,000.00 for street construction at Potter's Lane & Blackiston Mill Road Intersection, the TIF Fund in the amount of \$30,714.00 for local share for the street construction at Potter's Lane & Blackiston Mill Road Intersection, the '08 Federal Grant Fund in the amount of \$1,389,000.00 for Lewis & Clark Trail Archeology R.O.W. Acquisition & Construction, the CREDIT Fund in the amount of \$477,960.00 for local share for the Lewis & Clark Trail Archeology R.O.W. Acquisition & Construction, the Port Security Grant Program (PSGP) in the amount of \$294,218.00 for safety equipment for police and fire, the Highway Safety

Improvement Project Federal Grant Fund (HSIP) in the amount of \$284,040.00 for street sign inventory and replacement, the Local Road and Street Fund in the amount of \$31,360.00 for local share of the street sign inventory and replacement, the Justice Assistant Grant Fund #4 (JAG#4) in the amount of 24,572.00 for safety equipment for police department and called for questions or comments from the public. There being no response from those present at the meeting, Attorney Sturgeon directed that the minutes reflect there were no questions or input from the public at this hearing. Attorney Sturgeon also asked the council if anyone from the public contacted them prior to this meeting and the council advised that no one had contacted them in reference to the advertised public hearing on the additional appropriations. A motion was made by Council Member Fisher that Ordinance 2011-BUD-10 be considered for adoption on its first reading at this meeting. The motion was seconded by Council Member Kraft and carried by unanimous vote. A motion was made by Council Member Fisher that Ordinance 2011-BUD-10 be adopted. The motion was seconded by Council Member Kraft and carried by unanimous vote.

**Adoption of Transfer Ordinance 2011-BUD-11...** Town Attorney Chris Sturgeon presented a proposed Ordinance numbered 2011-BUD-11 transferring funded appropriations from one major budget classification to another major budget classification. A motion was made by Council Member Kraft to consider the proposed ordinance 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 Kraft that Ordinance 2011-BUD-11 be adopted. The motion was seconded by Council Member Appleby and carried by unanimous vote.

**Adoption of Salary Ordinance 2011-S-05...** Town Attorney Chris Sturgeon presented a proposed ordinance for consideration on its second reading numbered 2011-S-05 amending Salary Ordinance 2011-S-01 giving the authority for the police department the ability to make promotions within the Police department. A motion was made by Council Member Fisher to adopt Ordinance 2011-S-01. The motion to adopt was seconded by Council Member Richert and carried by 5 aye votes with Council Member Kraft opposing.

**Adoption of Ordinance 2011-B-04 Refunding Bonds for Yellowwood Acres d/b/a Westminster Village Kentuckiana....**Town Attorney Chris Sturgeon presented an Economic Development Refunding Revenue Bond for adoption and explained that this bond was originally issued in 2008 and this is only changing the bank name and the Town of Clarksville has no liability of payments. Following the presentation of the proposed Economic Development Refunding Revenue Bond ordinance numbered 2011-B-04 for Yellowwood Acres d/b/a Westminster Village Kentuckiana, a motion was made by Council Member Kraft that the proposed ordinance be considered for adoption on its first reading at this meeting. The motion was seconded by Council Member Fisher and carried by unanimous vote. A motion was made by Council Member Kraft to adopt Ordinance 2011-B-04. The motion was seconded by Council Member Fisher and carried by unanimous vote.

**Adoption of Resolution 2011-R-10 Adopting Policies Regarding Monuments, Memorials and Public Art on the Ohio River Greenway...**Town Attorney Chris Sturgeon presented a proposed Resolution numbered 2011-R-10 adopting policies regarding monuments, memorials and public art on the Ohio River Greenway. Attorney Sturgeon explained that the Ohio River Greenway Commission had adopted polices along the corridor and has requested that the respective municipalities adopt corresponding policies to provide consistency. A motion was made by Council Member Richert to adopt Resolution 2011-R-10, seconded by Council Member Appleby 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 \$30,000.00 for debris removal associated with the recent storms.

**Approval of Flu Shots for Town Employees with Business Health Plus...** Insurance Clerk Naomi Polston came before the Council explaining that Business Health Plus is offering flu shots to Town Employees and family at a cost of \$18.00 which is the same cost as last year. A motion was made by Council Member Fisher to approve the cost of \$10.00 per employee only for flu shots and is to be paid from the Town's Insurance Fund. The motion was seconded by Council Member Kraft and carried by unanimous vote.

**Fire Department Request for Additional Appropriation...** Council Member Don Tetley reported that the Fire Department has requested from the Clerk-Treasurers Office an additional appropriation from the LOIT Funds to be advertised for the next scheduled meeting of the council in the amount of \$32,000.00 for needed hoses, adaptors, nozzles, and misc supplies.

**Council Comments...** Council Member Paul Kraft reported that Boy Scout Troop 10 from St. Anthony's repaired the split rail fence that was damaged during the recent flooding and made some landscape improvements at the Lewis and Clark Park at the end of Harrison Avenue and looks really good.

**Approval of Claims...** Accounts payable registers presented for approval consisted of Town current claims in the amount of \$157,025.83, Town pre-approved claims issued 8/16/2011 through 9/2/2011 in the amount of \$472,070.96, Town and Wastewater/Stormwater utility gross payroll issued 8/26/2011 in the amount of \$284,726.85, Wastewater/Stormwater utility pre-approved claims issued 8/16/2011 through 8/31/2011 in the amount of \$46,294.55, and Wastewater and Wastewater/Stormwater utility current claims in the amount of \$276,904.78. A motion was made by Council Member Kraft to approve the accounts payable registers presented. The motion was seconded by Council Member Fisher 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 September 6th, 2011 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 19th 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