

## MINUTES OF A REGULAR MEETING OF THE CLARKSVILLE TOWN COUNCIL HELD ON MARCH 19, 2012

A regular meeting of the Clarksville Town Council was called to order on March 19, 2012, at 7:00 P.M. in the council chambers of the Clarksville Municipal Center Administration Building by Council President John Gilkey who chaired the meeting.

Council members present: John Gilkey, Paul Kraft, Donald Tetley, Bob Popp, Paul Fetter, Tim Hauber and Bob Polston. Also present at the meeting: Fire Chief Tom Upton, Police Capt. Darrell Rayborn representing Chief Mark Palmer, Street Commissioner Brad Cummings, Director of Engineering and Stormwater Tom Clevidence, Mike Otto representing the Town's wastewater facility plant, Project Coordinator Brittany Montgomery, Administrative Assistant of Finance Roberta McLemore, Town Attorney Rebecca Lockard, Town Attorney Chris Sturgeon, Redevelopment Director Rick Dickman, Planning Director Sharon Wilson, Parks Superintendent Brian Kaluzny, Building Inspector Ilpo Majuri, Administrative Assistant Patricia Fraser, Clerk-Treasurer Robert Leuthart, Chief Deputy Clerk-Treasurer Sherry Lockard, and Deputy Clerk Treasurer Anita Elliott-Neeld.

**Public Comments**... John Kruger asked of the status of homeowners who pay no property taxes. John Gilkey advised that the Clarksville School System is investigating this issue and information obtained will be submitted to the Council for any possible appeals on these issues.

Glen Schneider of 411 W. Bowne addressed the Council regarding his neighbor's fence and cameras. Mr. Gilkey advised Mr. Schneider that his neighbor was in the confines of the Town Ordinance and until an Ordinance is violated, nothing can be done.

Beth Shockey had no comment for this meeting. She only wanted to see how the process worked.

Joel Weber of 205 Rosewood Dr. addressed the council regarding Noise Ordinance stating that the traffic noise in his neighborhood is above and beyond regular traffic noise (loud mufflers, altered exhausts, and motorcycles). Mr. Gilkey advised he would discuss with Chief Palmer and Asst. Chief Kirby.

**Rezoning Application regarding Lewis & Clark Parkway**...Attorney Rebecca Lockard advised that applicant has requested this to be tabled until the next scheduled meeting of the Council. A motion was made by Council Member Kraft to table the application, seconded by Council Member Hauber and carried by unanimous vote.

**Approval of Minutes**... A motion was made by Council Member Kraft to approve the minutes of a work session held on February 21, 2012, seconded by Council Member Fetter and carried by unanimous vote. A motion was made by Council Member Fetter to approve the minutes of a regular meeting of the council held on February 21, 2012, seconded by Council Member Tetley and carried by unanimous vote. A motion was made by Council Member Kraft to approve the minutes of a work session of the council held on February 21, 2012, seconded by Council Member Polston and carried by unanimous vote. A motion was made by Council Member Popp to approve the minutes of a regular meeting of the council held on March 5, 2012, seconded by Council Member Fetter and carried by unanimous vote. A motion was made by Council Member Fetter to approve the minutes of a work session of the council held on March 5, 2012, seconded by Council Member Kraft and carried by unanimous vote.

**Public Hearing on Adoption of Ordinance 2012-ST-01 Vacating Public Way Known as South Hallmark Drive**... Attorney Chris Sturgeon announced that a public hearing on a proposed Ordinance numbered 2012-ST-01, a petition to vacate public way known as South Hallmark Drive has been advertised for this meeting. Attorney Sturgeon called for questions or comments from the public. There being no response from those present at this 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. Council Member Kraft asked as to location of the public way vacated and was advised of a portion of South Hallmark Drive. A motion was made by Council Member Hauber to consider Ordinance 2012-ST-01 for adoption on its first reading at this meeting. The motion was seconded by Council Member Kraft and was carried by unanimous vote. A motion

was made by Council Member Hauber on the 2<sup>nd</sup> reading to adopt Ordinance 2012-ST-01. The motion to adopt was seconded by Council Member Kraft and was carried by unanimous vote.

**Acceptance of Lawn Care and Grounds Maintenance Contract from Raymond's Lawn Care**... (Tabled from previous meeting) Administrative Assistant Trish Frasier advised three (3) lawn care proposals were received for lawn and grounds maintenance for the Municipal Center, Lewis & Clark Parkway, Veteran's Parkway, Greentree North and Eastern Blvd. Tru Green came in at \$67,545.00, Raymond's Lawn Care came in at \$54,300.00 and GTK Lawn came in at \$85,740.00 plus. Ms. Frasier recommended to Council to accept the lowest bid from Raymond's Lawn Care. A motion was made by Council Member Tetley to accept the lowest bid from Raymond's Lawn Care. The motion was seconded by Council Member Polston and was carried by unanimous vote.

**Adoption of Ordinance 2012-R-03 Regarding discharge of Clean Water into Sanitary System from the former Colgate Property**...Town Attorney Rebecca Lockard presented Resolution 2012-R-03 regarding discharge of clean water into sanitary system from former Colgate Property. The Town will install a flow meter at site of discharge and Boston Dev. Group will have 45 days from adoption of this resolution to show a concerted effort to alleviate the discharge of clean water. Town Council will review matter in 45 days. A motion was made by Council Member Paul Kraft to adopt this Ordinance. The motion was seconded by Tim Hauber and was carried by unanimous vote.

**Adoption of Ordinance 2012-G-03 repealing Ordinance 2009-G-01 regarding Employee Handbook** ...Town Attorney Chris Sturgeon presented a proposed ordinance 2012-G-03 amending ordinance 2009-G-01 regarding the Employee Handbook. A motion was made by Council Member Polston to consider ordinance 2012-G-03 for adoption on its first reading at this meeting. The motion was seconded by Council Member Fetter and carried by unanimous vote. A motion was made by Council Member Polston to adopt the Ordinance 2012-G-03, seconded by Council Member Fetter and carried by unanimous vote.

**Approval for Fire Department to Purchase Radios/Grant Match**...Fire Chief Tom Upton advised he received notice that Motorola is issuing a \$400.00 rebate per radio, if ordered/purchased soon. Plans to purchase these radios had already been made with part of the money coming from the Louisville Port Authority via a grant. Brittany Montgomery advised we had yet to receive the grant money, but she had spoken to Larry Allen and she is awaiting confirmation of the amount and when we are to receive it. Fire Chief Tom Upton also asked that the purchase of the police radios be accepted as well, due to the Police Dept. having a similar grant. A motion was made by Council Member Tetley to proceed with the purchase of the radios and to take advantage of the savings for both departments. The motion was seconded by Council Member Kraft and was carried by unanimous vote.

**Wastewater Billing Office Bad Debt Write-Off**...Attorney Rebecca Lockard presented to council a list of uncollectable charges for the Wastewater Dept. in the amount of \$241.52. A motion was made by Council Member Kraft to approve the bad debt write-off. The motion was seconded by Council Member Hauber and was carried by unanimous vote.

**Clerk-Treasurer and Departmental Reports**... Fire Chief Tom Upton noted that he had distributed the Fire Department monthly report. He also distributed documents regarding the Motorola radios with rebate information and the costs thereof. Brad Cummings submitted monthly February report. Chief Deputy Clerk-Treasurer Sherry Lockard advised the council that the 2012 Budget Order had been received and approved by the DLGF. Appropriation reports to go out to Dept. Heads by month's end.

**Approval of Contract with TSI Paving for Adams Avenue @ North Clark Boulevard Storm Sewer Project**...Tom Clevidence advised 3 quotes were received for work on Adams & N. Clark in conjunction with Storm Sewer project. Excel Excavating \$181,894.00, Clark Nickels \$75,600.00, and TSI \$74,394.30. Mr. Clevidence recommended TSI to be awarded project. Council Member Tetley asked when project would begin. Harold Hart advised to start within 30 days. A motion was made by Council Member Popp to award project to TSI. The motion was seconded by Council Member Kraft and was carried by unanimous vote.

**Approval of Manhole Rehab for Wastewater Treatment Plant**...Mike Otto advised that two (2) manholes required rehabbing. TCR came in with a cost of \$2291.76. A motion was

made by Council Member Fetter to approve the rehab of the 2 manholes by TCR. The motion was seconded by Council Member Polston and was carried by unanimous vote.

**Acceptance of Addendum for Inspector to the H.D.R. Contract for the Wastewater Treatment Plant.**... Project Coordinator Brittany Montgomery advised that the Town needs an addendum to the H.D.R contract for an inspector due to the Town's regular inspector being unavailable. A motion was made by Council Member Kraft to approve the addendum to contract. The motion was seconded by Council Member Popp and was carried by unanimous vote.

**Acceptance of Contracts for Abandoned Property Grass Cutting/Clean-Up.**...Ilpo Majuri presented 4 quotes on grass cutting/trash pick-up/etc. on abandoned properties. Quotes came in at: GTK Lawn & Landscaping, \$45.00/property and \$65.00/acre for areas exceeding one acre, B&L Lawn Service, \$75.00/property and \$150.00/acre for areas exceeding one acre, Sure Foundation F.S, \$45.00/property and \$90.00/acre for areas exceeding one acre, and Sanger Lawn Care, \$44.00/property and \$55.00/acre for areas exceeding one acre. After discussion from Council regarding sub-contracting the work out, a motion was made by Council Member Kraft to approve the usage of the 4 companies who submitted quotes for grass cutting only and any other necessary work to be done to the property will be considered by the Council on a case to case basis. The motion was seconded by Council Member Hauber and was carried by unanimous vote.

**Approval of Lease Agreement with Concessions by Cox for Thunder over Louisville Event.**... Council Member Hauber noted that Council should ratify a lease agreement with Concessions by Cox for the Thunder over Louisville Vendor Rentals. A copy of the agreement was submitted for approval. Following discussion a motion was made by Council Member Hauber to approve the lease agreement for the next 3 years with Concessions by Cox. The motion was seconded by Council Member Kraft and was carried by unanimous vote.

**Approval of Animal Shelter Claim with the City of Jeffersonville.**...Trish Frasier advised we received quarterly bill for our portion of the Animal Shelter, in the amount of \$5834.00. A motion was made by Council Member Kraft to pay the quarterly claim. The motion was seconded by Council Member Hauber and carried by unanimous vote.

**Council Comments.**...Council Member Kraft inquired about Riverside Drive as to when it will be open. Harold Hart advised he would find out and report back to Council. Council Member Hauber inquired about the street lights at S. Clark. Harold Hart advised waiting on bids.

**Approval of Claims.**... Accounts payable registers presented for approval consisted of Town current claims in the amount of \$86,765.07; Town pre-approved claims issued 03/06/2012 through 3/19/2012 in the amount of \$270,010.74; Wastewater/Stormwater utility pre-approved claims issued 03/08/2012 through 3/13/2012 in the amount of \$63,124.01; Wastewater/Stormwater utility current claims in the amount of \$99,395.87. A motion was made by Council Member Tetley to approve the accounts payable registers presented. The motion was seconded by Council Member Fetter and carried by unanimous vote.

**Adjournment.**... There being no further business to come before the Council at this time, the meeting was adjourned at 7:55 P.M.

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

Minutes approved by the Clarksville Town Council  
on the 16<sup>th</sup> day of April, 2012.

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Robert P Leuthart, Clerk-Treasurer  
of the Town of Clarksville, IN

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John Gilkey, President,  
Clarksville Town Council