

MINUTES OF A REGULAR MEETING OF THE CLARKSVILLE TOWN COUNCIL HELD ON MAY 7, 2012

A regular meeting of the Clarksville Town Council was called to order on May 7, 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 Chief Mark Palmer, Street Commissioner Brad Cummings, Director of Engineering and Stormwater Tom Clevidence, Matt Taylor for Mike Otto representing the Town's wastewater facility plant, Project Coordinator Brittany Montgomery, Administrative Assistant of Finance Roberta McLemore, Town Attorney Chris Sturgeon, Redevelopment Director Rick Dickman, Planning Director Sharon Wilson, Parks Superintendent Brian Kaluzny, Building Inspector Ilpo Majuri, Administrative Assistant Patricia Fraser, Chief Deputy Clerk-Treasurer Sherry Lockard.

Public Comments...

- (1) John Phipps: Mr. Phipps stated he was against the Brown Station Way/Lewis Clark overpass Project.
- (2) Cynthia Jones: Ms. Jones represents the Clarksville After Prom Committee and was requesting money to help fund activities and food for the students who attend the prom and the after party. Mr. Gilkey suggested Ms. Jones make her request later in the meeting and not during the public comments portion.
- (3) David Thompson: Mr. Thompson requested that something be done about the dust coming from the trucks that go through his neighborhood and that he doesn't think the Brown Station Way/Lewis Clark overpass project should be done and that the Town should concentrate on the drainage problem in that area.
- (4) Suzann Slayton: Ms. Slayton stated she was against the Brown Station Way/Lewis Clark overpass project and that it should remain as it is.
- (5) John Hosbach: Mr. Hosbach stated he was against the Brown Station Way/Lewis Clark overpass project.
- (6) Pat Jackson: Ms. Jackson just wanted to re-iterate that there needs to be improvement to the drainage issue at Victory Court.

Recognition Awards...

Town Council President John Gilkey presented awards to Dale Moss and Ben Herschberg (Mr. Herschberg was not present), to recognize and appreciate all of their journalism endeavors.

Approval of Minutes... A motion was made by Council Member Tim Hauber to approve the minutes of a special meeting held on April 10, 2012, a work session held on April 16, 2012, a regular council meeting held on April 16, 2012, a 2nd work session held on April 16, 2012 and an Executive Session held on April 16, 2012. The motion seconded by Council Member Paul Kraft and carried by unanimous vote.

Approval of Resident Only Parking Sign for 621 N. Taggart (Dolores Carpenter)...

Ms. Carpenter requested a resident only parking sign to be placed in front of her residence, due to others parking in front of her home and often leaving oil spots. Ms. Carpenter was advised of the cost of the sign and she advised the cost was acceptable. A motion was made by Council Member Don Tetley to grant Ms. Carpenter's request for a resident only parking sign for her residence. The motion was seconded by Council Member Paul Kraft and was carried by unanimous vote.

Bench Advertising... Mike Cuzzin of EZ Eye Advertising advised that he missed the variance meeting and was therefore denied his requested variance. Mr. Cuzzin would like to now donate his benches to the Town of Clarksville for park areas in honor of John Minta.

Odor Control Issue... Brittany Montgomery reported back to Council regarding references from other cities/towns for Webster Environmental Associates. Ms. Montgomery advised that MSD gave them a good reference and if the Town wanted to proceed with the study,

the cost would be \$36,425.00, to be paid from Wastewater Reserves. Discussion was held. Council Member Paul Kraft asked about our current contract with Stantec regarding odor control and the fact that the Town was already paying for this service. John Gilkey further advised that the current odor company should be addressing this issue. After discussion, a motion was made by Council Member Paul Fetter to do the study for the cost of \$36,425.00 and was seconded by Council Member Bob Popp and was not passed by a vote of 5 nays and 2 ayes, with Council Member Fetter and Council Member Popp voting aye.

Addendum to HDR Contract... Brittany Montgomery advised that an addendum to the HDR contract was necessary for the effluent line, the water line re-location and the access point, in the sum of \$62,000.00, to be funded through the Wastewater BAN. A Motion to approve the addendum to the HDR contract was made by Council Member Paul Kraft and was seconded by Council Member Bob Polston and was carried by unanimous vote.

Approval of Jag Grant... Brittany Montgomery advised that the Town, along with City of Jeffersonville and County of Clark will once again be doing the JAG Grant. The Town of Clarksville will be the lead application and there is no local match involved in this grant. Ms. Montgomery asked for approval from the Council to move ahead and apply for this grant and for approval of the Inter-Local Agreement. A motion was made by Council Member Tim Hauber to approve the Inter-Local Agreement and to move forward with the Grant Application and was seconded by Council Member Paul Kraft and was carried by unanimous vote.

Brown Station Way/Lewis & Clark Parkway Project... Town Council President John Gilkey asked permission from the Council to draft a letter to INDOT to decline on the money for the overpass project and to proceed with the drainage project as a separate project. Discussion held. Brittany Montgomery advised the following options: (1) the Town could stay with the previously made agreement with INDOT and do the project (2) enter into an inter-local agreement with the County to rehab/repair the bridge, If the County were to accept responsibility of the bridge (3) or do nothing and the road will remain in the hands of the State. John Perkins, Clark County Commissioner, advised the Council that the position of two of the County Commissioners (he and Ed Meyer) was that the County has no intention of taking over the responsibility of that bridge. A vote was taken on Council President John Gilkey's request to submit a letter to INDOT. It passed 6-1, with Council Member Bob Popp having the nay vote.

Station 2 Firehouse Vacancy/Lease Proposal... Fire Chief Tom Upton advised that Rural Metro submitted a proposal to lease the Station 2 Firehouse for \$1500.00/month. Council advised that they would like to review the proposal and tabled this until the next meeting.

Adoption of Budget Ordinance 2012-BUD-04, Transfer of Funds from one Appropriation to Another... Attorney Chris Sturgeon presented Budget Ordinance 2012-BUD-04 to transfer funds within the Clerk Treasurer in the sum of \$3,500.00 from Category 172 (Sellback Sick) to Category 389 (Computer Upgrade/Programs); within Planning and Development to transfer the sum of \$3,000.00 from Category 321 (Travel & Mileage) to Category 443 (Office Equipment); within Planning and Development to transfer the sum of \$3,000.00 from Category 351 (Repair of Equipment) to Category 443 (Office Equipment). This requires two readings. A motion was made by Council Member Paul Kraft for the first reading to approve the transfers. The motion was seconded by Council Member Paul Fetter and was carried by unanimous vote. For the second reading, a motion was made by Council Member Paul Kraft to approve Ordinance 2012-BUD-04, seconded by Council Member Paul Fetter and carried by unanimous vote.

Adoption of Street Ordinance 2012-ST-02, for Reduced Speed Limit on Harrison Avenue, Croghan, Jackson Street and Emery Crossing Road and a section of Stansifer Avenue... Attorney Chris Sturgeon presented Street Ordinance 2012-ST-02 to reduce speed limit on listed roads. This Ordinance requires two readings. A motion was made by Council Member Bob Polston to approve Ordinance 2012-ST-02 and was seconded by Council Member Tim Hauber. Second Reading: motion made by Council Member Bob Polston to approve Ordinance 2012-ST-02 and was seconded by Council Member Tim Hauber and was carried by unanimous vote. Attorney Chris Sturgeon advised this ordinance must be advertised prior to issuing any fines/tickets.

Adoption of General Ordinance 2012-G-04, regulating stores accepting valuable metals, precious stones, pawn shops and second hand stores... Attorney Chris Sturgeon presented General Ordinance 2012-G-04. This Ordinance requires two readings. A motion was made by Council Member Paul Kraft to approve Ordinance 2012 G-04 and was seconded by Council Member Tim Hauber. Second Reading: motion made by Council Member Paul Kraft to approve Ordinance 2012-G-04 and was seconded by Council Member Tim Hauber and was carried by unanimous vote. Attorney Chris Sturgeon advised this ordinance must be advertised prior to issuing any fines/tickets.

Adoption of General Ordinance 2012-G-05, a Home Rule ordinance approving Thunder Over Louisville Expenses for Employees... Attorney Chris Sturgeon presented General Ordinance 2012-G-05. This Ordinance requires two readings. A motion was made by Council Member Bob Polston to approve Ordinance 2012 G-05 and was seconded by Council Member Don Tetley. Second Reading: motion made by Council Member Bob Polston to approve Ordinance 2012-G-05 and was seconded by Council Member Don Tetley and was carried by unanimous vote.

Adoption of Resolution 2012-R-05, a resolution urging the Federal Highway Admin. in RE: to Ohio River Bridges Project to build East End Bridge immediately and deny tolling of I-65 or any other related bridge or interstate until other funding or financing options present themselves... Attorney Chris Sturgeon presented Resolution 2012-R-05. This Resolution requires two readings. A motion was made by Council Member Paul Fetter to approve Resolution 2012-R-05 and was seconded by Council Member Paul Kraft. Second Reading: motion made by Council Member Paul Fetter to approve Resolution 2012-R-05 and was seconded by Council Member Paul Kraft and was carried by unanimous vote.

West Riverside Project... Attorney Chris Sturgeon asked Council for permission to pursue condemnation proceedings to obtain the property known as Clarks Point as part of the West Riverside Project. Council Member Tim Hauber made a motion to begin the proceedings of the lawsuit and was seconded by Council Member Paul Kraft and was carried by unanimous vote.

Crusade for Children... Crusade for Children is schedule for the 1st weekend in June. Approval was requested from Council to take kids on Fire Trucks to do door-to-door collections. A motion was made by Council Member Don Tetley to make this a Town Function and to approve the request and was seconded by Council Member Paul Fetter and was carried by unanimous vote.

Clerk-Treasurer and Departmental Reports... Chief Deputy Sherry Lockard advised Department heads that Budget Forms would be given out in the coming months.

-Sharon Wilson made a request to purchase a large printer for maps. Ms. Wilson received 3 quotes, coming in at (1) \$6595.00, (2) 5495.00 and (3) 4995.00. Ms. Wilson advised that the low bid did not include the cost of set up, training on use of printer, or help desk option. Ms. Wilson requested to go with the 2nd lowest bid of \$5495.00. Council asked if Ms. Wilson had the money in her budget and she advised yes. A motion was made by Council Member Paul Kraft and seconded by Council Member Tim Hauber and was carried by unanimous vote.

-Rick Dickman advised that an agreement was made with Alan Muncy regarding the Value City Property and if anyone had any ideas for development for the backside of the property to please submit the ideas to him.

-Rebecca Lockard advised that the dust issue (brought up by Mr. Thompson during the public comment portion of the meeting) is being addressed. Ms. Lockard advised that she has spoken with the legal counsel for the owners to discuss long term solutions to dust problem and/or alternate routes.

-Brittany Montgomery advised that she will be requesting an Executive Session in June.

Change Orders... Harold Hart submitted 2 Change Orders: Change Order #5 for Harrison Ave. Project and Jackson St. striping in the sum of \$381.60 to Gohmann Asphalt. Change Order #1 for compacted aggregate in the sum of -\$766.15 to Hart's Surveying and Engineering. A motion was made by Council Member Paul Kraft to approve Change Order #5 and was seconded by Council Member Bob Polston and was carried by unanimous vote. A

motion was made by Council Member Paul Kraft to approve Change Order #1 and was seconded by Council Member Paul Fetter and was carried by unanimous vote.

National Flood Insurance Program... Brittany Montgomery requested a site visit by NFIP (National Flood Insurance Program) Brittany requested that Town Council President John Gilkey sign a letter approving the application for this site visit, as it can discount homeowners premiums on Flood Insurance. A motion was made by Council Member Paul Kraft to approve signing letter and approve application and was seconded by Council Member Bob Popp and was carried by unanimous vote.

Lincoln Drive... Brittany Montgomery advised that one of the two owners (Ms. Edelen) who had previously agreed to donate easement has decided against donating the easement. Ms. Montgomery advised an appraisal of the easement was completed and appraised for \$3400.00. Ms. Montgomery requested permission to proceed forward with this offer, and to proceed with condemnation if Ms. Edelen refused offer. A motion was made by Council Member Paul Fetter to proceed with the offer and seconded by Council Member Tim Hauber and was carried by unanimous vote.

Paving Bids... Street Commissioner Brad Cummings advised that bids for paving are being received. Will submit to Council once deadline for bids arrive.

New Chipper for Street Department... Street Commissioner Brad Cummings made a request to purchase a new chipper and advised that he received 3 quotes, with the low quote coming in at \$42,760.00 from Arrow Tool Rental. Advised that money can come from Cum Cap Fund, if Clerk Treasurer advises money is available. A motion was made by Council Member Paul Fetter to approve the purchase of a new chipper and was seconded by Council Member Don Tetley and was carried by unanimous vote.

-Chief of Police Mark Palmer: submitted monthly report and gave a verbal report on Thunder Over Louisville. Mark Palmer also reported that the decommissioned police vehicles were sold at auction for a total of \$26,000.00 and that he would like to have the money appropriated to the Police Department.

-Fire Chief Tom Upton: submitted monthly report. Chief Upton advised of progress of new firehouse stating that a punch list will soon be done. Chief Upton also advised that the dedication ceremony is set for June 30th, 2012 and would like to proceed with sending out invitations. Chief Upton also reported that he received a resignation letter from Fire Marshall Doug Olson to resign from position of Fire Marshall and return to previous firefighter status. Chief Upton advised that the position has been posted and awaiting resumes to be received for Council to review for appointment of new Fire Marshall.

Comments from Council...

Paul Kraft suggested that the council members make a personal donation of \$100.00 each to the Clarksville After Prom Committee. This was agreed upon by all members of the council and the Clerk Treasurer, Robert Leuthart.

Bob Polston suggested to repair the clock on Eastern Blvd. and to thank the Clerk Treasurer for making it possible for Pensioners to have Indiana State Tax deducted from their checks.

Bob Popp thanked John Perkins for attending the council meeting on behalf of the County Commissioners.

Tim Hauber recognized the Police Department for their efforts.

Fire Department Plaque... After discussion of a Fire Dept. Plaque, a motion was made by Council Member Bob Polston to allow Town Council President John Gilkey to select the plaque. The motion was seconded by Council Member Paul Kraft and was carried by unanimous vote.

Approval of Claims... Accounts payable registers presented for approval consisted of Town current claims in the amount of \$372,540.24; Town pre-approved claims issued 04/17/2012 through 05/07/2012 in the amount of \$764,494.10; Wastewater/Stormwater utility pre-approved claims issued 03/19/2012 through 3/29/2012 in the amount of \$63,926.60; Wastewater/Stormwater utility current claims in the amount of \$359,853.42; Payroll Claims for

04/06/2012 in the amount of \$360,830.08; Payroll Claims for 04/20/2012 in the amount of \$285,835.65. A motion was made by Council Member Paul Kraft to approve the accounts payable registers presented. The motion was seconded by Council Member Paul 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 7:43 P.M.

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

Minutes approved by the Clarksville Town Council
on the 21st. day of May, 2012.

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

John Gilkey, President,
Clarksville Town Council

