

**MINUTES OF A REGULAR MEETING OF
THE CLARKSVILLE TOWN COUNCIL HELD ON
AUGUST 6, 2012**

A regular meeting of the Clarksville Town Council was called to order on August 6, 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, Paul Fetter, Bob Polston, Bob Popp, and Tim Hauber. Council Members absent: None. Also present at the meeting: Fire Chief Tom Upton, Police 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 Chris Sturgeon, Town Attorney Rebecca Lockard, Redevelopment Director Richard Dickman, Planning Director Sharon Wilson, Parks Superintendent Brian Kaluzny, Building Inspector Ilpo Majuri, Administrative Assistant Patricia Fraser, Deputy Clerk-Treasurer Anita Elliott-Neeld.

Swearing in of Police Officer... Police Chief Mark Palmer introduced Brian Roth as the new police officer recently hired. Town Judge Mickey Weber was present to swear in Officer Brian Roth to the department

Public Comments... Michael Hansford... Firefighter Michael Hansford came before the Council requesting that the Council consider changing the policy for tuition reimbursement for job related classes.

Kelli Khuri... Came before the Council asking for information on the Cum Cap Improvement increase and changing of the voting districts

Approval of Minutes... None

Approval of Fire Department Grant Report for training... Fire Chief Tom Upton came before the council requesting approval to participate in the grant program between Jeffersonville and New Albany for firefighter training. A motion was made by Council Member Tetley to approve the grant application between New Albany and Jeffersonville for training. The motion was seconded by Council Member Polston and carried by unanimous vote.

Approval for Fill Permit for Innovative Crushing... Town Attorney Rebecca Lockard brought before the council information on the fill permit request by Innovative Crushing, The owners of Innovative Crushing have proposed to fill a section of their land located off Emery Crossing Road. Stipulations were added to the permit since they are located in the floodplain which includes that the fill must only be placed in the area and at the elevations identified in a report from Qk4 dated October 13, 2011, the fill must be considered "clean fill" as determined by the Indiana Department of Environmental Management and the fill will be subject to random inspections by the Town's Floodplain administrator at least biannually. A motion was made by Bob Polston to approve the fill permit adding a provision that Innovative Crushing water down the fill to eliminate dust flowing in surrounding areas. The motion was seconded by Council Member Hauber also adding the provision of watering down the fill. The motion was carried by 5 aye votes with Council Member Kraft and Tetley voting nay.

Adoption of Ordinance 2012-G-10 Regulating the Use of Fireworks... Town Attorney Chris Sturgeon presented Ordinance 2012-G-10 which had previously been brought before the council on 7/16/2012 regulating the use of fireworks specifying days and times that fireworks may be used. Following discussion, a second reading of ordinance 2012-G-10 was presented and a motion to adopt ordinance 2012-G-10 was made by Council Member Kraft, seconded by Council Member Tetley with Council Members Tetley, Kraft, Popp, and Polston voting aye and 3 nay votes by Council Members Fetter, Hauber and Gilkey.

Request from Clarksville Fire Department from LOIT Funding... Fire Chief Thomas Upton came before the Council making a second request for funding from the LOIT fund for \$300,000.00 for half of the purchase of a Rescue Pumper Fire Truck. Chief Upton explained that

he has spoken to Chief Deputy Sherry Lockard from the Clerk-Treasurers office and was informed that if he was to accept a particular vendor to purchase the truck this year the town would go in for an additional appropriation in the LOIT fund. However, if he would not have the vendor accepted in 2012 the process will roll over to 2013. Also requested from the LOIT funding for the remainder of the year is to pay for the Town Hydrant Rental fee and paying for the Volunteer contract for the remaining of the year. A motion was made by Council Member Tetley to start the process for getting proposals on a new rescue pumper fire truck and to allow the Hydrant Rental fees and Volunteer contract to be paid from LOIT funding.

No Parking to the 400 block of Randolph & Brooks Street... Town Attorney Chris Sturgeon presented a request for the Clarksville Street Department asking that no parking signs be installed on the 400 block of Randolph from Brown Station Way to Brooks. Attorney Sturgeon reported that the Town currently has an ordinance in place which allows the Council to install no parking signs on streets that they feel necessary for the Town Safety.

No parking at 1888 Gutford Woods Dr... Town Attorney Chris Sturgeon presented to the council a request from the Clarksville Waste Water Department asking to make 20' no parking at 1888 Gutford Woods Dr. so that the plant employees could have access to the pump stations with their large trucks during heavy rains. Attorney Chris Sturgeon reported that the Town currently has an ordinance in place which allows the Council to install no parking signs on property that they feel necessary for the Town's safety. A motion was made by Council Member Hauber to allow the no parking signs at these two locations with the attached diagram presented from the street department as part of the minutes. The motion was seconded by Council Member Fetter and carried by unanimous vote.

Proclamation... The Town of Clarksville recognizes the Retirement Housing Foundation and proclaims that Yellowwood Terrace recognizes the dignity and intrinsic worth of our older Americans and will proclaim that August 2012 as Retirement Housing Foundation Month.

Recognition... Town Council President Gilkey recognized Ms. Margaret C Martel on the occasion of her 100th birthday and proclaims August 26, 2012 as Margaret C Martel Day.

Consideration of Lease Proposal for 1414 Vaxter Avenue (old Fire Station) ... Town Attorney Chris Sturgeon presented a lease proposal from Rural/Metro Ambulance Service for the location at 1414 Vaxter Ave (the old Clarksville Fire Station #2) in the amount of \$18,000.00 for the first year and an increase of 3% annually for the next 3 years. Council Member Kraft made a motion to accept the lease with Rural/Metro Ambulance, seconded by Council Member Hauber. Council Member Popp asked for a detailed contract and Attorney Sturgeon reported that the request is accepting the cost proposal and a full detailed contract will be presented at a later date. Administrative Assistant of Finance Roberta McLemore reported that the monthly fee would have to be deposited into the General fund and not firefighting fund due to the fact the Town owns the property. Following discussion the vote was carried unanimously.

Eastern Boulevard Business Association Parade... Mr. Doug Fisher president of the Eastern Boulevard Association, came before the council updating them on the progress for the parade that is planned on September 3, 2012 at 11:30 A.M. Mr. Fisher reported that the town's insurance agent of record Mr. Ed Cooper expressed to the Eastern Boulevard Association that they should ask the council to sponsor the event due to insurance purposes. A motion was made by Council Member Kraft to sponsor the parade event; the motion was seconded by Council Member Fetter and carried by unanimous vote.

Consideration of Amendment to Salary Ordinance in Subsection 3... Tabled

Approval of Agreement for Street Repair and Paving with Gohman Asphalt... Town Attorney Chris Sturgeon reported that the street department had previously received 5 sealed bids on street repair and paving. Attorney Sturgeon presented three separate agreements from Gohman Asphalt for specific locations within the town for approval. (1) Francis Avenue, Bailey Avenue and W. Kenwood Ave in the amount 44,915.00, (2) Woodstock and Giltner Lane in the amount of \$76,967.59 and (3) Marlowe Drive, Tennyson Drive and Byron Drive in the amount

of \$77,873.95. A motion to accept all three agreements with Gohman Asphalt was made by Council Member Polston, seconded by Council Member Fetter and carried by unanimous vote.

Approval of Change Order from TSI Paving... Harold Hart of Harts Engineering presented change order #1 for the Lynch Lane and South Clark project. The change order included additions and deletions which brought the amount to a zero cost. A motion to accept change order #1 to TSI Paving was made by Council Member Kraft, seconded by Council Member Popp and carried by unanimous vote.

Approval of Amended Lease Agreement with Marathon Petroleum Company... Town Attorney Chris Sturgeon presented an amended lease agreement between The Town of Clarksville and Marathon Petroleum Company for real property known as Ashland Park in the amount of \$1.00 per year changing the term of the lease from 25 years to 15 years. A motion to accept the amended lease agreement was made by Council Member Tetley, seconded by Council Member Fetter and carried by unanimous vote.

Approval of Revision of Compliance Plan to IDEM for Effluent Line and Upgrade of the Wastewater Treatment Facilities... Project Coordinator Brittany Montgomery presented to the Council a revised Compliance Plan for the requirements and expectations from IDEM for the effluent line and upgrade of the Town's treatment facilities. Due to unforeseen circumstances the Town has not been able to meet specific completion dates as specified in the original Compliance Plan. Therefore a revision is needed in order for the Town to complete the terms of the agreement in the original Agreed Order. This request is necessary in order to complete the required work properly and without violating state and federal laws. A motion was made by Council Member Polston to submit the revision of the Compliance Plan to IDEM, seconded by Council Member Kraft and carried by unanimous vote.

Departmental Reports... Project Coordinator Brittany Montgomery reported that the Lincoln drive project is now complete but a force main was discovered during this project and is currently being evaluated for repairs.

Director of Stormwater Tom Clevidence reported that the annual River Sweep was a great success this year and thanked everyone involved.

Council Comments... Council Member Tim Hauber acknowledged that the new street lights on South Clark Boulevard are a great improvement.

Vaxter Avenue Lease... Council Member Tetley reported that the fire department is currently operating on limited revenues and made a motion to have the Vaxter Avenue revenues from the lease be deposited into the firefighting fund. Council Member Paul Kraft seconded the motion and was carried by unanimous vote.

Council Member Polston asked about the temporary lane closures on Blackiston Mill Road @ Potters Lane and Ms. Montgomery reported that the job should be done in the near future. Councilmen Polston also suggested getting the redistricting done by the first of the year.

Council Member Fetter responded to the earlier question on changing of the voting districts and explained that this issue will be discussed in further detail at a later council meeting.

Discussion on the Cumulative Capital Development Fund... Administrative Assistant of Finance Roberta McLemore reported that the Indiana Department of Local Government Finance (DLGF) has denied the rate increase that was approved at July 30, 2012 special meeting of the Cumulative Capital Development Fund. The DLGF reported that the Town council's failure to publish the notice of adoption by August 1, 2012 was not met.

Approval of Claims... Accounts payable registers presented for approval consisted of Town current claims in the amount of \$239,305.10; Town pre-approved claims issued 07/17/2012 through 8/6/2012 in the amount of \$278,395.08, Total gross payroll issued 7/3 in the amount of \$382,815.96, total gross 7/27 payroll in the amount of \$318,758.74, Special payroll issued 7/27 in the amount \$2120.86, Wastewater/Stormwater utility pre-approved claims issued 07/13//2012 through 07/31/2012 in the amount of \$387,354.74; Wastewater/Stormwater utility current claims in the amount of \$642,893.42. A motion was made by Council Member Polston to approve the accounts payable registers presented. The motion was seconded by Council Member Kraft and was carried by unanimous vote.

Adjournment... There being no further business to come before the Council at this time, the meeting was adjourned at 7:51 P.M.

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

Minutes approved by the Clarksville Town
Council on the 20th. day of August, 2012.

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

John Gilkey, President,
Clarksville Town Council