

**MINUTES OF A REGULAR MEETING OF
THE CLARKSVILLE TOWN COUNCIL HELD ON
AUGUST 05, 2013**

A regular meeting of the Clarksville Town Council was called to order on August 05, 2013, at 7:02 P.M. in the Council Chambers of the Clarksville Municipal Center Administration Building by Council President Bob Polston who chaired the meeting.

Council members present: Bob Polston, Paul Kraft, Donald Tetley, Bob Popp, Paul Fetter, Tim Hauber and John Gilkey. Council Members Absent: None. Also present at the meeting: Clerk-Treasurer Robert P. Leuthart, Fire Chief Tom Upton, Chief of Police Mark Palmer, Street Commissioner Brad Cummings, Wastewater Treatment Plant Superintendent Mike Otto, Director of Stormwater Tom Clevidence, Town Attorney Chris Sturgeon, Town Attorney Rebecca Lockard, Parks Superintendent Brian Kaluzny, Administrative Assistant Patricia Fraser, Project Coordinator Brittany Montgomery, Planning Consultant Sharon Wilson, Building Commissioner Ilpo Majuri, Redevelopment Director Nick Lawrence and Deputy Clerk Treasurer Sherry Lockard.

PUBLIC HEARING FOR UTILITY ORDINANCES

Public Comments Regarding Utility Ordinances:

- (1) James P. Marquart: 2003 Blackiston Mill Road. Mr. Marquart advised that he was not in favor of the rate increases and requests further study and request the Council not to approve any rates tonight.
- (2) Cecil Treadway: 2324 Greentree Blvd. Mr. Treadway advised he was on a fixed income and is not in favor of the rate increase. Mr. Treadway requested the Town to look into other avenues to pay for the plant instead of raising the rates.
- (3) Sharon Carpenter: 1014 Irving Drive. Ms. Carpenter advised she has an on-going flood issue, and that this has been a problem for many years. She advised she is required to buy flood insurance due to her location. Ms. Carpenter advised she is willing to pay her fair share if this will fix the flooding issue and that businesses should also pay their fair share as well.
- (4) Mary Sheehan: 951 Parkwood Drive. Ms. Sheehan advised the rate increase will be a great hardship on people with fixed incomes. Ms. Sheehan advised businesses should pay their fair share. Ms. Sheehan thinks the increase is too much.
- (5) Irvin Slaughter: 2407 Addmore Lane: Mr. Slaughter requested the Council to back off of the percentage and cut it to a 35% increase. Mr. Slaughter advised he pays nearly \$3000.00/month already and would like the council to take a lower increase into consideration.

Public Comments

-Ron and Trudy Lewis of 1235 Longfellow Drive: Ms. Lewis advised they have on-going issues regarding harassment from the Town about their easement. Ms. Lewis advised she was told the easement was not theirs. Council President Polston advised the easement is theirs; however it needs to be accessible to utility companies to perform work. President Polston referred Mr. and Mrs. Lewis to Building Commissioner, Ilpo Majuri. Mr. Majuri advised he would take care of the issues.

Bond Ordinance 2013-B-02... Town Attorney Rebecca Lockard presented Ordinance 2013-B-02, amending Ordinance 2011-B-01. The first reading was done at the last council meeting. Attorney Lockard requests approval for bond ordinance. No motion on the floor, therefore request for bond ordinance dies.

Approval of Ordinance 2013-G-04... Town Attorney Rebecca Lockard introduced Ordinance 2013-G-04, ordinance amending code of ordinances for the Town of Clarksville, Chapter 51, Section 51.097(A), schedule of Rates and Charges. This is the second reading of this ordinance, with the first reading completed at the previous council meeting. Council

Member John Gilkey made a motion to approve Ordinance 2013-G-04. Council Member Paul Kraft seconded the motion and was carried by unanimous vote.

-Council Member Bob Popp raised the question as to what the ramifications are by not passing the bond ordinance. It was advised that there would be no need to vote on the utility ordinances if we didn't have the bond ordinance, since the bond ordinance would be required to build the plant. Also, it was advised that the BAN notes would come due the next day due to the fact we had received an extension on the payment of the BAN with the intention of rolling BAN into the Bond ordinance. Council Member Popp makes a request to the Chair to recall the request for a motion for the bond ordinance. Request granted.

Approval of Bond Ordinance 2013-B-02... Town Attorney Rebecca Lockard presented Ordinance 2013-B-02, amending Ordinance 2011-B-01. The first reading was done at the last council meeting. Attorney Lockard requests approval for bond ordinance. Council Member John Gilkey made a motion to approve Bond Ordinance 2013-B-02. Council Member Paul Fetter seconded the motion and was carried by unanimous vote.

Introduction of Ordinance 2013-SW-01... Town Attorney Rebecca Lockard introduced Ordinance 2013-SW-01, an ordinance fixing a schedule of rates and charges to be collected by the Town from users and owners served by the Stormwater Utility and amending ordinance 2004-SW-003. This ordinance will only have one reading at this meeting, due to first reading completed at previous meeting. Council Member John Gilkey made a motion to pass Ordinance 2013-SW-01, with the amendment of a zero flat rate and a \$4.50 ERU. Council Member Tim Hauber seconded the motion, and the vote was 4 nays (with Fetter, Polston, Popp and Tetley voting Nay) to 3 yeas (with Gilkey, Kraft and Hauber voting yea). This reading of this ordinance did not pass. Council Member Bob Popp made a motion to pass Ordinance 2013-SW-01, as it was presented in its original form at the previous meeting. Council Member Don Tetley seconded the motion and the vote was 4 yeas (with Kraft, Fetter, Popp, and Tetley voting yea) to 3 nays (with Gilkey, Polston, and Hauber voting nay).

-Council Member John Gilkey made a comment that with the passage of this ordinance the burden of the increase is placed on the taxpayers/residents and he thinks we owe it to the residents to keep rates as low as possible.

Swearing in of Mr. Don Sloan as new member of the Plan Commission... Attorney Rebecca Lockard, appointed pro-tem Judge, swore in Mr. Don Sloan to the Plan Commission.

Approval of Request to connect to sewer system... Judith McGee, property owner on Gutford Road, advised she was in the process of selling the property and upon inspection, she was told that there was a broken line. Ms. McGee advised she received a letter from the Health Dept. advising of her of this violation and she is requesting to hook on to the town's sewer line. Superintendent Mike Otto and WWTP Operator Matt Taylor advised they had checked out the line and advised it was maybe 1000-1500 feet and that the Town was not responsible for repair or cost of hook up. Mr. Otto advised we had the capacity and he would like to meet with the Contractor. Council Member John Gilkey made a motion to approve request for Ms. McGee to hook on to Town sewer line. Council Member Paul Kraft seconded the motion and was carried by unanimous vote.

Approval of HDR Addendums/Amendment... Project Coordinator Brittany Montgomery presented an addendum to the contract with HDR in the sum of \$123,120.00 Council Member John Gilkey made a motion to approve addendum. Council Member Bob Popp seconded the motion and was carried by unanimous vote.

Approval of 2013-R-05... Town Attorney Chris Sturgeon presented Resolution 2013-R-05, adoption of investment policy. Council Member Tim Hauber made a motion to approve resolution 2013-R-05. Council Member Don Tetley seconded the motion and was carried by unanimous vote.

Approval of 2013-G-05... Town Attorney Chris Sturgeon presented Ordinance 2013-G-05, authorization of investment of funds. For the first reading, Council Member Paul Kraft made a motion to approve ordinance 2013-G-05. Council Member John Gilkey seconded the motion and was carried by unanimous vote. For the second reading, Council Member Paul Kraft made a motion to approve ordinance 2013-G-05. Council Member John Gilkey seconded the motion and was carried by unanimous vote.

Approval of 2013-R-04... Town Attorney Chris Sturgeon presented Resolution 2013-R-04, authorization to enter in to inter-local agreements. Council Member Tim Hauber made a motion to approve resolution 2013-R-04. Council Member Bob Popp seconded the motion and was carried by unanimous vote.

Approval of 2013-R-06... Town Attorney Chris Sturgeon presented Resolution 2013-R-06, a voluntary deferred comp payroll deduction for employees. Council Member John Gilkey made a motion to approve resolution 2013-R-06. Council Member Bob Popp seconded the motion and was carried by unanimous vote.

Approval of 2013-BUD-05, LOIT transfer ordinance... Town Attorney Chris Sturgeon presented ordinance 2013-BUD-05, a transfer in the LOIT fund in the sum of \$50,000.00 from vehicles to training. For the first reading, Council Member Paul Kraft made a motion to approve ordinance 2013-BUD-05. Council Member Don Tetley seconded the motion and was carried by unanimous vote. For the second reading, Council Member Paul Kraft made a motion to approve ordinance 2013-BUD-05. Council Member Don Tetley seconded the motion and was carried by unanimous vote.

Approval of Agreement for Conditional Certificate of Occupancy... Town Attorney Lockard presented an agreement between the Boston Development Group and the Town of Clarksville for certificate of occupancy for buildings 1, 2, 52, and 44, with the BDG paying 4 connect fees, one for each building. Council Member Popp asked if other tap ins in the future were necessary would additional tap in fees be paid. Ms. Lockard advised yes. Council Member Paul Fetter made a motion to approve conditional certificate of occupancy. Council Member Don Tetley seconded the motion and was carried by unanimous vote.

Departmental Reports:

-Project Coordinator Brittany Montgomery advised the County will start work on the bridge at Silver Creek & Brown Station Way. One lane will be open each way, and the work will take between 60 -90 days to complete.

Council Comments

-Council Member Tim Hauber commented that he had to remove a Yard Sale sign from the Clarksville Historic Marker.

Approval of Claims... Accounts payable registers presented for approval consisted of Town current claims in the amount of \$173,477.09, Town pre-approved claims issued in the amount of \$455,022.87 and Town, Wastewater/Stormwater utility gross payroll ending 07/21/2013 in the amount of \$379,985.14 and Wastewater/Stormwater utility pre-approved claims issued in the amount of \$77,521.53, Wastewater/Stormwater utility current claims in the amount of \$378,284.61. A motion was made by Council Member Paul Kraft to approve the accounts payable registers presented. The motion was seconded by Council Member Tim Hauber and was carried by 7-0 vote.

Adjournment... There being no further business to come before the Council at this time, Council Member Kraft made a motion to adjourn, Council Member Hauber seconded the motion and was carried by 7-0 vote. The meeting was adjourned at 8:12 P.M.

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

Minutes approved by the Clarksville Town Council
on the 3rd. day of September 2013

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

Bob Polston, President,
Clarksville Town Council