

**MINUTES OF A REGULAR MEETING OF
THE CLARKSVILLE TOWN COUNCIL HELD
ON APRIL 20, 2015**

A regular meeting of the Clarksville Town Council was called to order on April 20, 2015, at 7:00 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, John Gilkey, Don Tetley, Bob Popp, Tim Hauber, Paul Fetter. Also present at the meeting Clerk Treasurer, Robert Leuthart, Town Attorney Chris Sturgeon, Fire Chief Tom Upton, Police Chief Mark Palmer, Street Commissioner Brad Cummings, Director of Stormwater Tom Clevidence, Wastewater Superintendent Mike Otto, Project Coordinator Brittany Montgomery, Parks Superintendent Brian Kaluzny, Building Commissioner Ilpo Majuri, Administrative Assistant Anita Elliott-Neeld, Redevelopment Director Nick Lawrence, Judge Guilfoyle, Insurance Clerk Naomi Polston, Court Clerk Christy Johnson, and Deputy Clerk Sherry Lockard.

Approval of Minutes... No minutes submitted for approval.

Public Comments...

-Rick Barr, 2304 Plum Woods Drive, Clarksville, IN. Mr. Barr presented his position on the matter of security at Town Hall. Mr. Barr stated that the court is causing an undue burden on residents, the costs presented to do the security are significant and Mr. Barr would be less opposed if the court had its own money to pay for the security. Mr. Barr said that he has been here multiple times over the past three years and feels there is no need for this added security.

-Jim Williams, 2424 Addmore Lane, Clarksville, IN. Mr. Williams stated he understands there are many sides regarding the issue of the proposed security measures, but feels that this will lead to bans everywhere. Mr. Williams stated that other options need to be explored, suggesting that the probation office be moved to the police station, let court run on its own budget, use closed circuit TV's to conduct court instead of bringing inmates to the court, or just close down the Town Court. Mr. Williams stated that a lot of people are not in favor of installing these new security measures and banning weapons in Town Hall.

-James R. McClure Jr., 1006 Hazelwood Court, Clarksville, IN. Mr. McClure strongly opposes the security proposals for Town Hall. Mr. McClure advised that most courthouse violence is committed by employees or former employees, and advised that people who do want to get into the building and commit violence will do so whether we have the added security or not. Mr. McClure advised that Jeff City does not have restrictions, as previously reported by Judge Guilfoyle. Mr. McClure advised this was an expense that the Town cannot afford and is encouraging the council to vote against the proposed security measures and protect the civil liberties of citizens.

-Russell Brooksbank, 1716 Whittier Drive, Clarksville, IN. Mr. Brooksbank expressed his opinion regarding Town Hall security and advised that he supports the decision to have security in the courtroom, as emotions can run high in courtrooms. However, Mr. Brooksbank strongly opposes the security measures for the rest of the building. Mr. Brooksbank said he has asked several employees if they felt safe at work and they stated they did. Mr. Brooksbank advised other options should be explored, such as separating spectators and the courtroom, securing the inmates, have direct communication with the police department, or use closed circuit TV proceedings. Mr. Brooksbank urges council members to turn down the request for security and explore these other options. Mr. Brooksbank stated that there is a difference in the language between State and Federal law regarding the right to bear arms, and any law repugnant to Federal Law is null and void.

-Kelly Khuri, 4819 Salem Noble Road, Jeffersonville, IN. Ms. Khuri stated that you have the right to defend yourself and State. Ms. Khuri stated that she has been attacked coming out of the mall and that she carries/conceals to this day because of the right to defend self, and Ms. Khuri encourages all to do the same.

Judge Jimmy Guilfoyle, 1037 Centralia Court, Clarksville, IN. Judge Guilfoyle thanked the Council for the opportunity to speak. Judge Guilfoyle advised that the authority for the proposed security measures comes from legislature that allows municipal courts or council to implement this security. Judge Guilfoyle advised this is not a constitutional issue, nor a party issue, but a safety issue. This proposed safety measure is an accepted practice of a majority of schools, courts, and government buildings. Many times the government is criticized for being reactive in situations in lieu of being proactive. We have a chance to be proactive in this matter so we don't

have to wait for an incident to occur. The money to pay for this can be used with the existing budget of the Court and no additional monies will be requested. This matter is also supported by Risk Management. All lives are equally important and if we were here tonight reacting to a situation, the only question that would be asked would be what we could have done to prevent the tragedy. Judge Guilfoyle is requesting a majority vote tonight.

Presentation of 2015-G-02, an Ordinance Prohibiting Deadly Weapons in Town Hall...

Town Attorney Chris Sturgeon presented 2015-G-02, an ordinance prohibiting deadly weapons in Town Hall. This ordinance requires two readings. Council Member Kraft made a motion to approve Ordinance 2015-G-02. Council Member Popp seconded the motion. Discussion was held. Council Member Fetter advised that implementing this security measure will probably require a 2nd security guard, so costs could now be up close to \$100,000.00. Council Member Fetter stated that Jeff City doesn't need this type of security, but also advised that bad things can happen anywhere. Council Member Fetter stated that he could support a part time security guard and security for the court area. Council Member Hauber stated he respects the Judge's opinion, but agrees with Council Member Fetter about securing the courtroom. Council Member Hauber feels that something should be done, but more time is needed to discuss all options. Council Member Gilkey stated that most took offense at Clarksville being called the 2nd most dangerous place to reside and that we are too ready to lock down all the doors. Council Member Gilkey stated that there has been a long history of Judges in this building and this is the first Judge to ask for such a security measure. Council Member Gilkey stated the Judge has the authority to mandate, but feels like a compromise can be reached to achieve the goal by having further discussions instead of a yes/no vote tonight. President Polston stated Judge Guilfoyle was not the first person to suggest this security measure, and urged council members to vote the way they want, but to give him a vote as he requested. If the vote is not unanimous, an executive session will be called to further discuss this matter. The vote went as follows: 4-2-1, with Council Members Kraft, Polston, Tetley and Popp voting yea, Council Members Fetter and Hauber voting nay, and Council Member Gilkey abstaining from vote. This Ordinance did not pass unanimously, therefore will require another reading at the next meeting.

Presentation of 2015-G-03, an Ordinance securing entrances at Town Hall...

Town Attorney Chris Sturgeon presented 2015-G-03, an ordinance that would secure entrances at Town Hall. This ordinance requires two readings. Council Member Popp made a motion to approve 2015-G-03. Council Member Kraft seconded the motion. Call for comments/discussion. Council Member Gilkey advised the ordinance was too obscure to call for a vote. The vote went as follows: 4-2-1, with Council Members Kraft, Polston, Popp, and Tetley voting yea, Council Members Fetter and Hauber voting nay, and Council Member Gilkey abstaining from the vote. This Ordinance did not pass unanimously, therefore will require another reading at the next meeting.

Presentation of 2015-S-06, an ordinance amending salary ordinance to include a security guard...

Town Attorney Chris Sturgeon presented 2015-S-06, an ordinance adding a security guard to the current salary ordinance. This ordinance requires two readings. Council Member Tetley made a motion to approve 2015-S-06. Council Member Popp seconded the motion. The ordinance did not pass unanimously and the vote went as follows: 4-2-1, with Council Members Kraft, Polston, Popp and Tetley voting yea, Council Members Fetter and Hauber voting nay, and Council Member Gilkey abstaining from the vote. This Ordinance did not pass unanimously, therefore will require another reading at the next meeting.

Submission of Petition to Vacate cul de sac at the end of Medical Plaza Way...

Town Attorney Chris Sturgeon advised the first step in this process is the submission of the Petition, to be followed up with a public hearing. No vote is to be taken at this meeting, only the submission of the Petition to Vacate.

Approval of 2015-R-03, regarding the amendment of the plan for Clarksville Commercial Economic Development Area...

Town Attorney Chris Sturgeon presented Resolution 2015-R-03, amending and adding certain local public improvements to the Redevelopment Commission's Plan. Council Member Fetter made a motion to approve Resolution 2015-R-03. Council Member Popp seconded the motion and was carried by unanimous vote. Council Member Gilkey added a comment that this includes projects eligible for funding, but not necessarily to be done.

Approval of Resolution 2015-R-04, an enlargement of PERF, to include all full time employees and elected officials... Town Attorney Chris Sturgeon presented Resolution 2015-R-04, an enlargement to PERF, to include all full time employees and elected officials. Deputy Clerk Sherry Lockard advised this is the current practice of the Town, but this resolution just eliminates the step of having to do an enlargement each time a job description is changed or added. Council Member Gilkey made a motion to approve Resolution 2015-R-04. Council Member Kraft seconded the motion and was carried by unanimous vote.

Presentation and Approval of Renewal of Insurance... Marsha Miller-Smith of Neace Lukens and Insurance Clerk Naomi Polston presented the renewal of Insurance for the Town with Companion and TrueScripts. It was reported that the only change would be a 1.9% increase and the change in the company doing prescription services, with no changes for the employee. Council Member Kraft made a motion to approve renewal of insurance. Council Member Tetley seconded the motion and was carried by unanimous vote.

Approval of Purchase of Mowers and Backhoe Bucket by the Street Department... Street Commissioner Brad Cummings had previously submitted quotes for the purchase of 2 commercial zero turn mowers and a clam bucket for the backhoe. Council Member Fetter made a motion to approve the purchase of the mowers from Southern Indiana Equipment (Sellersburg), in the amount of \$17,700.00 and the purchase of the clam bucket from M&H Equipment in the amount of \$6,199.00. Council Member Popp seconded the motion and was carried by unanimous vote.

Council Comments

- Council Member Kraft reminded all of the upcoming election and encouraged everyone to support their candidate and volunteer at the polls.
 - Council Member Gilkey, now being in charge of the planned activities for the 4th of July announced there will be a Community Patriotic Concert to be held at the Bass Pro Shop arena located inside of the store. Council Member Gilkey advised there is seating for 275 and that Dr. Glasscock from Bellarmine will be directing/conducting the concert. As of this date, Council Member Gilkey has procured donations for the event in the amount of \$1,000.00 from MAC Construction. Council Member Gilkey also asked if anyone was melodic, please contact him at his email jgilkey@townofclarksville.com If you are not musical, then please come out and attend the concert.
 - Council Member Fetter congratulated all departments that worked during Thunder Over Louisville. Council Member Fetter also thanked all who come to the meeting and express their opinions and views.
 - Council Member Hauber applauded the Police, Fire, and Street departments who worked to make Thunder Over Louisville another successful event. Council Member Hauber presented a check to the Town from Cox Concessions in the amount of \$10,500.00 and stated that the concession contract is up and anyone with any ideas to contact him at thauber@townofclarksville.com
 - Council Member Tetley congratulated all departments for a job well done at Thunder Over Louisville.
 - Council Member Popp stated for those who spoke, he feels sincere about their opinions but the security has other benefits, as well as safety. It can be to help direct the members of the public who come into the building, stop any strange packages from coming into the building, and preventing intoxicated people from entering the building.
 - Council Member Polston announced that the refinancing of the 2005 sewer bonds was a great success in savings and turned it over to Clerk Treasurer Bob Leuthart for the details.
- Clerk Treasurer Bob Leuthart stated after all bids were received, JP Morgan Chase provided the best rate at \$1.92% fixed, replacing the current rate of 4.0%, with an incremental rise in interest to 4.6% by the end of the bond lease. Clerk Treasurer Leuthart stated that by refunding these bonds and adding no additional years to the payoff, the total interest cost savings, net of costs, is \$764,575.00. Clerk Treasurer Leuthart advised the closing date is schedule for April 22, 2015.

Approval of Claims... Accounts payable registers presented for approval consisted of Town current claims in the amount of \$152,554.28, Town pre-approved claims issued through 04/20/2015 in the amount of \$754,350.62. Wastewater/Stormwater utility current claims in the amount of \$383,165.25, Wastewater/Stormwater utility prewritten claims in the amount of \$44,114.56, Payroll Claims for Town and Utilities for pay file ending 04/12/20105 in the amount of \$357,354.34, for pay file ending 03/15/2015 in the amount of \$348,758.69, WW BOND Claims in the amount of \$1,347,077.22, and SW BOND claims in the amount of \$318,915.93.

Council Member Kraft made a motion to approve claims registers presented. Council Member Gilkey seconded the motion and was carried by unanimous 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 Gilkey seconded the motion and was carried by unanimous 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 20th day of May 2015

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

Bob Polston, President,
Clarksville Town Council