

**MINUTES OF A REGULAR MEETING OF
THE CLARKSVILLE TOWN COUNCIL HELD ON
JULY 15, 2013**

A regular meeting of the Clarksville Town Council was called to order on July 15, 2013, at 7:00 P.M. in the Council Chambers of the Clarksville Municipal Center Administration Building by Council Vice President Paul Kraft who chaired the meeting.

Council members present: Paul Kraft, Donald Tetley, Bob Popp, Paul Fetter, Tim Hauber and John Gilkey. Council Members Absent: Bob Polston. Also present at the meeting: Clerk-Treasurer Robert P. Leuthart, Asst. Fire Chief James Hendrick for 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, Redevelopment Director Nick Lawrence and Deputy Clerk Treasurer Sherry Lockard.

Public Comments... Ron and Trudy Lewis, 1235 Longfellow Drive. Mr. Lewis advised he has had an issue with the Clarksville Police Dept. in reference to vehicles parked on his property. It was advised that Duke Energy was attempting to do some work on or near the easement on his property and Mr. Lewis moved the vehicles to the front of his property and then advised that the police department advised him he would have to move his vehicles again. Town Attorney Chris Sturgeon advised Mr. and Mrs. Lewis that he would contact them via telephone tomorrow to work out a solution to this problem.

Recognition of Alayne Wright for her work as a Volunteer to the community... Director of Stormwater Tom Clevidence presented a plaque of recognition to Alayne Wright in honor of her dedication to the community through her many years of volunteer service.

Approval of Minutes.... Council Member Tim Hauber made a motion to approve minutes for the regular town council meeting, the work session and the executive session on 07/01/2013. Council Member Bob Popp seconded the motion and was carried by 6-0 vote.

Request for an Upgrade to the Voicemail System at Town Hall & Police Dept... Administrative Assistant Patricia Fraser requested an upgrade to the Town's and Police Department's Voice Mail System, with a cost of \$6852.00, to be paid from the CCD Fund. Ms. Fraser advised this upgrade is a digital system upgrade, as was questioned at the last council meeting. Ms. Fraser advised that we still have a few analog lines that are necessary, but the upgrade is a digital upgrade that affects a majority of the phone lines. Council Member John Gilkey made a motion to approve request. Council Member Paul Fetter seconded the motion and was carried by a 6-0 vote.

Swearing in of Officers Ryan Roederer and Levi James... Judge Mickey Weber swore in Officer Ryan Roederer and Officer Levi James. Chief Palmer advised Officer Roederer was a 6 year veteran of the CCSO, had achieved the rank of Sgt. and obtained several levels of training. Chief Palmer advised Officer James was a 4 year veteran of the CCSO, had achieved rank of Corp., and that both officers had been members of our reserve program. Council Member Hauber presented signed oaths from both officers.

Appointment to Plan Commission... An appointment to the plan commission was scheduled, but the appointee was unable to appear at this time.

Introduction of Ordinance 2013-B-02... Town Attorney Rebecca Lockard presented Ordinance 2013-B-02, amending Ordinance 2011-B-01. This ordinance will only have one reading at this meeting, with the Public Hearing and Adoption scheduled for August 5th, 2013 meeting, along with the second reading of this ordinance. Council Member John Gilkey made a motion to approve introduction of Ordinance 2013-B-02. Council Member Bob Popp seconded the motion and was carried by a 6-0 vote.

Introduction 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 ordinance will only have one reading at this meeting, with the Public Hearing and Adoption scheduled for August 5th, 2013 meeting, along with the second reading of this ordinance. Council Member John Gilkey made a motion to approve introduction of Ordinance 2013-G-04. Council Member Paul Fetter seconded the motion and was carried by a 6-0 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 of served by the Stormwater Utility and amending ordinance 2004-SW-003. This ordinance will only have one reading at this meeting, with the Public Hearing and Adoption scheduled for August 5th, 2013 meeting, along with the second reading of this ordinance. Discussion was held. Council Member John Gilkey made a motion to amend this ordinance eliminating base rate and setting the ERU rate to \$4.05. Council Member Tim Hauber seconded the motion. Council Member Bob Popp then asked Project Coordinator Brittany Montgomery to explain the affect of this amendment to this ordinance. Ms. Montgomery advised with this amendment, most of the burden of the Stormwater rate increase would fall upon the businesses in Town. Council Member Gilkey stated that the businesses have most of the run off. Council Member Popp asked who would benefit most from the Stormwater projects scheduled to be completed. Ms. Montgomery replied that residential customers would benefit most from the projects to be done. Council Member Gilkey then asked if these were the residents who have had problems with drainage for years and years and Ms. Montgomery replied yes. After discussion, a vote was taken on the amended motion by Council Member Gilkey. The vote was 4-2, with Council Member Popp and Council Member Tetley voting Nay, and Council Member Hauber, Fetter, Gilkey and Kraft voting yea.

Approval of Residential Parking Only Signs... Town Attorney Rebecca Lockard advised there were 5 residents who requested residential parking only signs. Of the 5, 3 were denied and 2 were approved after going through the TRC process. Attorney Lockard advised 735 N. McKinley and 746 N. McKinley met all requirements. The request for 1427 Beaumont was denied for residential parking only sign, however it was recommended that a General NO PARKING sign be put in place. Council Member Bob Popp made a motion to approve the requests for parking signs. Council Member John Gilkey seconded the motion and was carried by a 6-0 vote.

Approval of Ordinance 2013-ST-01... Town Attorney Chris Sturgeon presented Ordinance 2013-ST-01, providing for reduced speed limit on Blackiston View Drive. This ordinance requires two readings. For the first reading, Council Member Paul Fetter made a motion to approve Ordinance 2013-ST-01. Council Member Don Tetley seconded the motion and was carried by a 6-0 vote. For the second reading, Council Member Paul Fetter made a motion to approve Ordinance 2013-ST-01. Council Member Don Tetley seconded the motion and was carried by a 6-0 vote.

Approval of Ordinance 2013-ST-02... Town Attorney Chris Sturgeon presented Ordinance 2013-ST-02, providing for a 3 way stop at Alpha Court and Blackiston View Drive. This ordinance requires two readings. For the first reading, Council Member Paul Fetter made a motion to approve Ordinance 2013-ST-01. Council Member Don Tetley seconded the motion and was carried by a 6-0 vote. For the second reading, Council Member Paul Fetter made a motion to approve Ordinance 2013-ST-01. Council Member Don Tetley seconded the motion and was carried by a 6-0 vote.

Introduction of Ordinance 2013-B-01... Town Attorney Chris Sturgeon presented Ordinance 2013-B-01, a bond ordinance amending Ordinance 2011-B-02, amending the project list of previous ordinance. This ordinance requires two readings. For the first reading Council Member John Gilkey made a motion to approve introduction of Ordinance 2013-B-01. Council Member Don Tetley seconded the motion and passed with a 6-0 vote. For the second reading Council Member John Gilkey made a motion to approve introduction of Ordinance 2013-B-01. Council Member Don Tetley seconded the motion and passed with a 6-0 vote.

Approval of Ordinance 2013-BUD-04... Town Attorney Chris Sturgeon presented Ordinance 2013-BUD-04, transferring funded appropriations from one major budget classification to another in the LOIT fund. Council Member Paul Fetter made a motion to approve ordinance 2013-BUD-04. Council Member John Gilkey seconded the motion and was passed by a 6-0 vote. For the second reading, Council Member Paul Fetter made a motion to approve ordinance 2013-BUD-04. Council Member John Gilkey seconded the motion and was carried by a 6-0 vote.

Approval of Resolution 2013-R-03... Town Attorney Chris Sturgeon presented Resolution 2013-R-03, a resolution diverting funds from Clarksville History Museum to the Falls of the Ohio Interpretative Center. Previously two projects in the 2011 Capital Development Tourism Bond had been requested. It is now being requested that the money issued on behalf of the Museum, \$300,000, be instead given as a grant through this bond to the Falls of the Ohio Int. Center. Council Member Tim Hauber made a motion to approve Resolution 2013-R-03. Council Member Paul Fetter seconded the motion and was carried by a 5-0 vote, with Council Member John Gilkey abstaining from vote.

Approval of Non-Exclusive Easement... Town Attorney Chris Sturgeon presented Non-Exclusive Easement document, granting AT&T permission for placement of service wires in the area 409 Harrison Avenue and S. Clark Blvd. Council Member Don Tetley made a motion to approve non-exclusive easement. Council Member Paul Fetter seconded the motion and was carried by a 6-0 vote.

Approval of Authorization of Payment of condemnation lawsuit with Clarks Pointe... Town Attorney Chris Sturgeon requested approval for authorization of payment of condemnation of lawsuit with Clarks Pointe in the sum of \$325,000.00 to be paid from TIF as a TIF project. Attorney Sturgeon advised the Redevelopment Commission had approved the claim for this amount at their last meeting. Council Member Don Tetley made a motion to approve authorization of payment. Council Member Paul Fetter seconded the motion and was carried by a 5-0 vote, with Council Member John Gilkey abstaining.

Council Comments

-Council Member Tim Hauber commented on the bonds the Town has and hopes we are diligent in paying off the bonds and understands this is a necessary increase regarding the rates.

Approval of quote from Goodman Construction for Taggart Avenue Drainage Improvements... Director of Stormwater, Tom Clevidence, advised 3 quotes were obtained for work on Taggart Avenue drainage improvements, with Goodman Construction at \$16,825, TSI Paving at \$17,500, and Estes Excavating at \$28,200. Harold Hart, Consultant Engineer, recommends the Town accept Goodman Construction's quote and a notice to proceed be given so work can begin as soon as possible. Council Member John Gilkey made a motion to accept quote from Goodman Construction to work on Taggart Avenue Drainage Improvements. Council Member Tim Hauber seconded the motion and was carried by a 6-0 vote.

Approval of use of hourly rate contractor to do repair work on Greentree North... Director of Stormwater Tom Clevidence advised necessary repair was needed on Greentree North to repair some 80 feet of corrugated metal piping. Mr. Clevidence estimates this cost to be approximately \$12,000 to \$15,000. Council Member Tim Hauber made a motion to approve the use of hourly contractor to do repair work. Council Member John Gilkey seconded the motion and was carried by 6-0 vote.

Approval of Claims... Accounts payable registers presented for approval consisted of Town current claims in the amount of \$183,008.71, Town pre-approved claims issued in the amount of \$539,564.86 and Town, Wastewater/Stormwater utility gross payroll ending 07/07/2013 in the amount of \$420,660.19 and Wastewater/Stormwater utility pre-approved claims issued in the amount of \$75,320.66, Wastewater/Stormwater utility current claims in the amount of \$300,439.79. A motion was made by Council Member John Gilkey to approve the accounts payable registers presented. The motion was seconded by Council Member Paul Fetter and was carried by 6-0 vote.

Adjournment... There being no further business to come before the Council at this time, Council Member Popp made a motion to adjourn, Council Member Gilkey seconded the motion and was carried by 6-0 vote. The meeting was adjourned at 7:50 P.M.

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

Minutes approved by the Clarksville Town Council
on the 6th of August 2013

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

Bob Polston, President,
Clarksville Town Council