

**MINUTES OF A REGULAR MEETING OF
THE CLARKSVILLE TOWN COUNCIL HELD
ON AUGUST 3, 2015**

A regular meeting of the Clarksville Town Council was called to order on August 3, 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, Town Attorney Chris Sturgeon, Town Fire Chief Tom Upton, Asst. Chief of Police David Kirby for Chief Of Police Mark Palmer, Street Commissioner Brad Cummings, Director of Stormwater Tom Clevidence, Wastewater Superintendent Mike Otto, Planning Director Sharon Wilson, Parks Superintendent Brian Kaluzny, Project Coordinator Brittany Montgomery, Building Commissioner Ilpo Majuri, Redevelopment Director Nick Lawrence, Insurance Clerk Naomi Polston, Administrative Assistant Anita Neeld, and Deputy Clerk Sherry Lockard.

Public Comments...

-Mary Crabtree, 8 Lakeshore Drive, Clarksville, IN...Ms. Crabtree advised she is the president of the Lakeshore Condo Association and she is here in reference to the raw sewage backup 6 weeks ago. Ms. Crabtree advised clean up and restoration is still on-going and two of the units are uninhabitable. Ms. Crabtree informed the council that the insurance company contacted them and advised this was an act of God and that the Town is not liable and that their claim was denied. Ms. Crabtree stated that there is a loss of value on the units and the ability to sell the property has decreased, and that the owners will have to disclose the property damage to any future potential buyer. Ms. Crabtree asked, what preventative measures were taken by the Town? Ms. Crabtree stated there has never been a back-up prior the Newman Avenue Pump Station was installed. Ms. Crabtree also stated the quote re: IDEM stating that it's better to have sewage back up in an enclosed unit is better than sewage in the streets was not located in the Clean Water Act. Ms. Crabtree is seeking answers to this problem. Council Member Gilkey advised that rainwater coming into your home is an act of God, but that raw sewage is not. Council President Polston asked that Council Members Gilkey and Hauber form a committee and research this further and for them to get in writing that it's ok to close off the by-pass pump.

-Katie Aebersold (PHS) , Amy Clere (CVHS and Renaissance Academy), and Providence and Clarksville High School students...Ms. Aebersold and Ms. Clere, along with local high school students addressed the council members regarding their support for the Sister Cities Exchange Program, where local students travel to France and French students travel to Clarksville. All parties stated what a valuable experience this is for all involved, and how for some it would not be possible to experience this program, without the assistance of Sister Cities. All stated that it would be devastating if Sister Cities could no longer support and assist with this program, and they are urging the Council to continue with this program as the cost is small compared to the gain.

-Insurance Agent of Record, Pepper Cooper, asked that all those here to support the Sister Cities program, to please stay for the portion of the meeting regarding this insurance issues/options of the program, as they will be discussed later on the agenda.

-Joni Grayson, 5 Lakeshore Drive, Clarksville, IN...Ms. Grayson addressed the council regarding the Lakeshore Condo issue and stated this is more than an insurance claim, more than a sewage back up, and that the devastation of the Units are unspeakable, thus leaving these residents basically homeless. Ms. Grayson asked that the council look at this from a human perspective.

-Russell Brooksbank, 1716 Whittier Drive, Clarksville, IN...Mr. Brooksbank has asked that his prepared statement be entered in its entirety to the minutes. Please see the full attached document as presented by Mr. Brooksbank as an attachment on the last page of the minutes. In addition to Mr. Brooksbanks prepared statement, he throws in his support for the Sister Cities Program, stating it would be a shame to see the program disappear.

-Teresa Ballew, 427 Kensington Drive, Clarksville, IN...Ms. Ballew stated she attended a steering committee meeting, where very few residents were in attendance, and she advised that lunch was brought in for the members, and asked who paid for the lunch. Redevelopment Director Nick Lawrence advised the Town paid for the lunch. Ms. Ballew stated she didn't think the taxpayers should be buying lunch for committee members and they should bring their own lunch. Ms. Ballew then posed the question to the council as to which of them would vote to give our land away to the Greenway Project. No replies given.

-Jim Williams, 2424 Addmore Lane, Clarksville, IN...Mr. Williams commented on the informative magazine called the SNAPSHOT. Mr. Williams also applauded members of the RCI and RDA and appreciates the fact that they are going to take time and talk to residents and be informed before decisions are made.

Approval of Minutes... Council Member Kraft made a motion to approve the minutes of the 7/20/15 regular meeting. Council Member Gilkey noted that he requested a clarification in the wording regarding his comments on the Emery Crossing Road closure issue. Ms. Lockard stated she did not re-send the request to remaining council as the council packets had already been sent to council members. Mr. Gilkey's statement was reworded as follows: "Council Member Gilkey asked if whether there was sufficient justification to keep Emery Crossing Road closed. He advised several residents were questioning why it was closed and that they would like to see it opened. Project Coordinator Brittany Montgomery advised the report regarding this should be in this week and she would let all know the results of the report." Council Member Popp stated that if the minutes were to be amended to add that clarification, then the minutes should be amended to add that Mr. Gilkey stated that he was not an Engineer. Council Member Kraft then made a motion to include the requested clarifications to the minutes. Council Member Hauber seconded the motion and was carried by unanimous vote. Council Member Kraft made a motion to approve the 7/20/15 work session. Council Member Hauber seconded the motion and was carried by unanimous vote.

UNFINISHED BUSINESS... Discussion was held at the previous work session regarding having a special meeting on the last Tuesday of the year, December 29, 2015. Council Member Gilkey made a motion to approve adding a special meeting on December 29, 2015. Council Member Fetter seconded the motion and was carried by unanimous vote.

Approval of 2015-BUD-05, a transfer ordinance within the LOIT Fund... Town Attorney presented Ordinance 2015-BUD-05, a transfer ordinance within the LOIT fund of previously appropriated monies. For the first reading, Council Member Kraft made a motion to approve 2015-BUD-05. Council Member Tetley seconded the motion and was carried by unanimous vote. For the second reading, Council Member Kraft made a motion to approve 2015-BUD-05. Council Member Tetley seconded the motion and was carried by unanimous vote.

Approval of 2015-R-08, acquisition of land through eminent domain... Town Attorney Chris Sturgeon presented resolution 2015-R-08, acquiring interests in property of CSX and determining damages for property being acquired by eminent domain. Attorney Sturgeon stated a public hearing was held and no comments were made or received. There will be another public hearing in September and assessed value will be determined in August. Council Member Gilkey made a motion to approve 2015-R-08. Council Member Hauber seconded the motion and was carried by unanimous vote.

Approval of 2015-R-09, relinquishing an easement... Town Attorney Chris Sturgeon presented resolution 2015-R-09, relinquishing a 5' easement, which is identified as a sewer easement on an ALTA survey of property. The owners of the property will be donating a 20' separate sewer easement to the Town at the property, as the new CVS will be built over the 5' easement, and the 5' easement is of no use to the Town now, nor will be in the future. Council Member Popp made a motion to approve 2015-R-09. Council Member Gilkey seconded the motion and was carried by unanimous vote.

Approval of 2015-R-10, re-adopting investment policy and authorizing the investment of public funds... Town Attorney Chris Sturgeon presented resolution 2015-R-08, a resolution re-adopting the investment policy and authorizing the investment of public funds. This resolution will expire two years from date of approval. Council Member Gilkey made a motion to approve 2015-R-10. Council Member Tetley seconded the motion and was carried by unanimous vote.

Approval of Conflict of Interest form submitted by Firefighter Matt Whalin... Town Attorney Chris Sturgeon presented the Uniform Conflict of Interest Disclosure Statement from Firefighter Matt Whalin for approval by the council. Council Member Tetley made a motion to approve Conflict of Interest Form. Council Member Popp seconded the motion and was carried by unanimous vote.

Approval of Purchase of Truck to replace truck that caught fire... Director of Stormwater Tom Clevidence submitted quotes for new full size pickup truck to replace the truck that recently caught fire. Five (5) quotes were received: (1) Coyle Chevrolet-\$29,212.00- 2015 Crew Cab (2) John Jones Chevrolet-\$31,269.00-2015 Crew Cab (3) John Jones Dodge-\$30,528.00-2016 Crew Cab (4) Carriage Ford-\$28,299.92-2015 Extended Cab (5) Jim O'Neal Ford-\$29,327.84-2015 Extended Cab. Mr. Clevidence recommends approval of purchase of new truck from Carriage Ford, with the lowest submitted quote. Council Member Gilkey asked Mr. Clevidence how much money we were receiving from Insurance Co. for the destroyed truck. Mr. Clevidence advised he did not know at this time. Council Member Kraft made a motion to approve the purchase of a truck from Carriage Ford at the quoted price of \$28,699.92. Council Member Gilkey seconded the motion and was carried by unanimous vote.

Council Comments

-Council Member Gilkey inquired about the report on Emery Crossing Road. Project Coordinator Brittany Montgomery advised there was a problem with the soil sample and the report should be due in this week. Street Commissioner Brad Cummings advised the Town is erring on the side of caution here and stated that if the report comes back before the next meeting and the report deems the road safe and clears the road to be re-opened, then the Street Dept. will work to have it open within a couple of hours of receiving notice.

-Council Member Fetter thanked all for coming out and expressing their views and concerns. Mr. Fetter thanked all for participating and staying for the meeting.

-Council Member Hauber stated he assumed the plant was up and running, but noticed a lot of odor and was wondering if things were working properly. Superintendent of Wastewater Plant, Mike Otto, stated that the new plant's odor control system is working well, and the smell is most likely from emptying tanks and filters from the old plant. Council Member Hauber states he is anxious to get Emery Crossing Road report. Street Commissioner Cummings advised the road may not be as bad as everyone initially thought, but the report will advise whether the road is deemed safe for travel.

-Council President Polston wanted to let all know that the Town doesn't have the ability to take away Sister Cities, but stated there was a lack in insurance coverage and that the Town and SC is looking for ways to resolve this issue.

Approval of Claims... Accounts payable registers presented for approval consisted of Town current claims in the amount of \$114,458.58, Town pre-approved claims issued through 08/03/2015 in the amount of \$461,779.07. Wastewater/Stormwater utility current claims in the amount of \$58,806.38, Wastewater/Stormwater utility prewritten claims in the amount of \$8433.01, Town and WW/SW payroll claims for PR ending 07/19/2015 in the sum of \$405,394.94, SW Bond in the amount of \$275,126.07, and WW Bond in the amount of \$189,381.05. Council Member Kraft made a motion to approve claims registers presented. Council Member Gilkey seconded the motion and was carried by unanimous vote.

**Several students, teachers, and community members also submitted letters in support of the Sister Cities program, and will be attached to these minutes as part of the record.

Adjournment... There being no further business to come before the Council at this time, Council Member Gilkey made a motion to adjourn, Council Member Fetter seconded the motion and was carried by unanimous vote. The meeting was adjourned at 8:13 p.m.

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

Minutes approved by the Clarksville Town Council
on the 17th day of August 2015

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

Bob Polston, President,
Clarksville Town Council