

MINUTES OF MEETING OF  
THE CLARKSVILLE TOWN COUNCIL  
HELD ON SEPTEMBER 19, 2017

A meeting of the Clarksville Town Council was called to order on September 19, 2017 at 7:00 P.M. in the meeting room of the Clarksville Municipal Center Administration Building by Council President Paul Fetter, who chaired the meeting.

Council members present: Paul Fetter, Tim Hauber, John Gilkey, David Worrall, Jennifer Voignier, and Aaron Stonecipher. Absent David Fisher.

**Invocation:** Pastor Russ Livers, First Southern Baptist Church, Clarksville, IN

**Public Comments:**

-Dave Disponett, 111 Walnut Grove, Clarksville, IN. Mr. Disponett came before the Council and stated people have been voicing concerns at the Historical Society Meetings and asked if the Historical Society was open to everyone. Mr. Disponett stated there was talk of painting the War Memorial, but he believes it needs to be chemically cleaned instead, due to the paint material on it. Mr. Disponett stated he wants everyone to come out and respect the Veterans, but you have to wade through goose feces to get there, so the fewer geese, the better.

-Michael Mustain, 708 Flatwoods, Clarksville, IN. Mr. Mustain stated that the War Memorial belong to the Town, not the Historical Society, but without the Historical Society the Town wouldn't have the War Memorial. The Historical Society requested a copy of the letter that advised the Council would be in charge of the War Memorial, but were refused a copy. Mr. Mustain stated the Council is bent on destroying our greenspace, they are overcrowding Veteran's Parkway, the firefighters are operating without a contract, the Council destroyed Sister Cities and now the geese. Mr. Mustain stated the roads are torn up and traffic is congested. Mr. Mustain stated this is not Carbondale, this is Clarksville.

-Pat Knight, 407 Taggart Avenue, Clarksville, IN. Ms. Knight stated that she was upset. Ms. Knight stated that her heart is breaking to see all of the dirt out front and asked what the Town needed the money for? Ms. Knight suggested building a museum and that would go toward making up for what the Council did to the Historical Society. Ms. Knight asked if it will be advertised as to how the money will be spent.

-Lois Morris, 753 Randolph Avenue, Clarksville, IN. Ms. Morris stated that she was a proud resident of Clarksville. Ms. Morris stated she would like to see the money earned from the sale of property to go to the Police, Fire and Street Departments as they deserve compensation because Clarksville has the best.

-Jim Payne, 203 W. Winbourne, Clarksville, IN. Mr. Payne read a statement to the Council showing his support for the removal of the geese. Mr. Payne stated the population of the geese was continuing to multiply and sometimes tough decisions have to be made for the health and safety of all. The geese have contributed to infecting residents with Histoplasmosis, E.coli in the retention ponds, and traffic jams. Mr. Payne stated the Council has taken appropriate orders from the DNR.

-Janus Bowling, 194 Morningside Drive, Charlestown, IN. Ms. Bowling came before the Council on behalf of the Stewart-Emery Cemetery. Ms. Bowling stated some disturbing things have come to light within the last 24 hours regarding the remains from the cemetery. Ms. Bowling stated that while there can be no proof of direct line DNA, there is a massive paper trail of birth, marriage, and death records. Ms. Bowling advised that graves interred were unmarked before laws were changed, meaning you could knock over a stone and pave over the top of it. Ms. Bowling asked that they be allowed to participate in any process that takes place. Council President Fetter advised her to work with Town Manager Baity and the State.

Linda Godsey, 904 Dogwood Road, Jeffersonville, IN. Ms. Godsey came before the Council on behalf of the Stewart-Emery Cemetery. Ms. Godsey advised they were led to believe the remains would be returned and possibly have a monument erected and stated that none of that is true. Ms. Godsey asked the Council to put themselves in her shoes and think of how they would feel if it was their family and their descendants were faced with this matter. Ms. Godsey advised clear communication and transparency were needed.

-Eden Kuhlenschmidt, 1520 Greenwood, Sellersburg, IN. Ms. Kuhlenschmidt came before the Council regarding the Stewart-Emery Cemetery. Ms. Kuhlenschmidt advised she is an independent researcher and has spent this summer looking up death records and obituaries. Ms.

Kuhlenschmidt advised that 19 sets of remains did not have a specific gravestone, but details are known as to how they died due to bone structure and condition of the body. Ms. Kuhlenschmidt stated that they have been denied the opportunity to do a DNA test and stated they need to be buried in their own cemetery.

-Don McDonough, 106 W. Rosewood, Clarksville, IN. Ms. McDonough stated he has been a past President and Board Member of the Historical Society and the Historical Society has done a great service conducting the Memorial Day Service. Mr. McDonough asked why the Town Board was taking this over, and also stated that it was overwhelming to him. He stated he did not want to be a part this hurt to the Historical Society.

Jack Nokes, 348 W. Stansifer Avenue, Clarksville, IN. Mr. Nokes stated he didn't understand why the Council was treating the Historical Society in this manner as they haven't done anything wrong and went on to further state the Historical Society loves Clarksville, and that they even had the Town Campus treated to prevent the geese from eating the grass.

-Lorilee Ward, 1017 Gutford Road, Clarksville, IN. Ms. Ward stated she loved what the Council is doing for Clarksville. She thanked the Council for the sale of the property out front and hoped the money is used for wisely. Ms. Ward also stated she was concerned about the Historical Society and said it seemed like a political attack.

Janet Henderzahs, 304 S. Oak Street, Clarksville, IN. Ms. Henderzahs stated she is the current Vice President of the Historical Society, and former President. Ms. Henderzahs stated Town Manager Baity read the letter from Council President Fetter, stating that the Town would take over the responsibility of the Memorial Day Ceremony. Ms. Henderzahs stated a request was made for a copy of the letter and was advised Legal would get back with them. Ms. Henderzahs stated that the whole process was less than professional and transparency is not being used to run the Town.

-Amy Jo Munich, 1000 W. Harrison Avenue, Clarksville, IN. Ms. Munich stated that campaign promises were made and kept, but this issue with the War Memorial has upset a lot of members. Ms. Munich stated that is has been a privilege to have the responsibility of the War Memorial for years and this matter might be such a miniscule thing to the Council, but it's a big thing to the Historical Society and to the Veterans.

**Public Hearing on the Proposed FY 2018 Budget...** Town Manager Baity stated the advertisement for the Public Hearing for FY 2018 Budget was duly advertised per IC on the GATEWAY site on September 7, 2017. Council President Fetter asked if anyone from the public would like to make a comment regarding the proposed budget.

-James McClure, 1006 Hazelwood Court came before the Council and advised that he hadn't really looked at the budget, but would hope that the money from the sale of the property would be used to lower our debt. Mr. McClure also suggested looking at a Court House being built as was previously discussed.

No other comments were made. No further action necessary at tonight's meeting. The next step in the budget process is adoption of the FY 2018 Budget, scheduled for a Special Meeting on October 3, 2017 at 6:45 p.m.

**Public Hearing on the Annexation of Property for the Ray Lawrence Detention Basin...**

Town Manager Baity stated the advertisement for the Public Hearing for the Annexation of Property for Ray Lawrence Detention Basin was duly advertised on August 26, 2017. Council President Fetter asked if anyone from the public would like to make a comment regarding the proposed annexation.

No one from the public came before the Council to make a comment. No further action necessary at tonight's meeting. A Petition for Annexation will be the next step in the process.

**Public Hearing for Additional Appropriation for JAG Grant 2017...**

Town Manager Baity stated the advertisement for the Public Hearing for the Additional Appropriation for the 2017 JAG Grant was duly advertised on September 9, 2017. Council President Fetter asked if anyone from the public would like to make a comment regarding the additional appropriation.

No one from the public came before the Council to make a comment. An Ordinance authorizing the Additional Appropriation will be acted upon during the legal section of the meeting.

**Approval of Minutes** The minutes presented for approval consisted of Joint Town Council and Redevelopment Commission Executive Sessions July 27, 2017 and August 29, 2017, and the Town Council Regular Meeting and Executive Session of September 5, 2017. A motion was

made by Council Member Voignier to approve the minutes presented. Council Member Worrall 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 \$122,315.18, Town pre-approved claims issued through 09/19/2017 in the amount of \$605,838.59. Wastewater/Stormwater utility current claims in the amount of \$25,400.91, Wastewater/Stormwater utility prewritten claims in the amount of \$38,453.89, payroll register for week ending 09/10/17 in the amount of \$392,407.12. Council Member Gilkey made a motion to approve claims registers presented. Council Member Hauber seconded the motion and was carried by 6/0 vote.

**Unfinished Business:**

-Council Member Stonecipher asked for an update on the A/V for Council Chambers. Manager Baity advised there was nothing new at this time, but that funds were being re-purposed for Town Hall Campus upgrades.

-Council Member Stonecipher asked about a mobile friendly website. Manager Baity advised currently they are looking at webinars and proposals will be written at the end of 2017 or beginning of 2018.

-Council Member Stonecipher inquired about the traffic study for County Highway 311. Planning Director Wilson advised the report was finalized about 6 weeks ago and stated paper and electronic versions were available. Ms. Wilson advised the study only affected a very small portion of Clarksville. Utility Director Montgomery advised a presentation could be organized if the Council wishes to do so. Council Member Stonecipher surmised that the study was purely conceptual then, and Ms. Wilson advised yes, and at this point there was no funding available and the costs would be tremendous, ranging in the 10's of millions.

**New Business:**

**Approval of Ordinance 2017-BUD-03, an Additional Appropriation for the 2017 JAG Grant...** Town Attorney Sturgeon Presented Ordinance 2017-BUD-03, an ordinance appropriation money for the 2017 JAG Grant, a reimbursable grant in the amount of \$12,650.00. For the first reading, Council Member Hauber made a motion to approve 2017-BUD-03. Council Member Voignier seconded the motion and was carried by 6-0 vote. For the second reading, Council Member Hauber made a motion to approve 2017-BUD-03. Council Member Voignier seconded the motion and was carried by 6-0 vote.

**Approval of Ordinance 2017-Z-04, an Ordinance Amending Articles I, III, and IV of the Zoning Code...** Town Attorney Sturgeon Presented Ordinance 2017-Z-04, an ordinance amending Articles I, III, and IV of the Zoning Code. Discussion was held regarding Article III, Section 130 and the flood plain overlay concerns. For the first reading, Council Member Stonecipher made a motion to approve 2017-Z-04, with the exception of Division 130 of Article III. Council Member Worrall seconded the motion and was carried by 6-0 vote. For the second reading, Council Member Stonecipher made a motion to approve 2017-Z-04, with the exception of Division 130 of Article III. Council Member Worrall seconded the motion and was carried by 6-0 vote.

**Approval of General Services Agreement with Redwing Ecological Services...** Town Manager Baity came before the Council and presented a general services agreement with Redwing Ecological Services, which may include services such as archaeological concerns when digging, remediation of retention ponds, and restoration of Town Hall Campus. Council Member Hauber made a motion to approve General Services Agreement with Redwing Ecological Services. Council Member Gilkey seconded the motion and was carried by 6-0 vote.

**Miscellaneous:**

-Council President Fetter read a letter from a citizen regarding certain issues. The citizen thanked the Council for taking action to do something about the Canada Goose population that has plagued the Town for many years. The citizen also commented on selling the property in front of Town Hall, stating that the highest and best use for this property has always been commercial. The citizen thanked the Council and Redevelopment Commission for getting top dollar for this piece of real estate and for committing a portion of funds to provide more greenspace. The citizen stated these projects, and others, have been criticized by an organization

that is supported by the town with “in kind” contributions and taxpayer dollars and further stated it is perfectly acceptable for individuals using their own resources to criticize, but using the resources of an organization that is supported by the Town is absolutely unacceptable and requested Council to please address this issue.

### **Council Comments:**

-Council President Fetter remarked on the issue of the War Memorial. Mr. Fetter stated the importance of the ceremony is paramount and is for all to use and honor Veterans for years into the future. Mr. Fetter stated that he hoped the Historical Society will be around forever, but the Council has more sustainability. Mr. Fetter stated that the current leadership of Historical Society is harboring political action. Mr. Fetter stated it was important to work together, and not against each other. Mr. Fetter addressed the issue of clean-up of the War Memorial and stated that a presentation was supposed to be brought before the Council with specific requests, as that is how the process of spending money and Council taking action is done, and just asking for volunteers to clean up and paint is nothing specific. Mr. Fetter stated that a week after the request of the Historical Society was made, work was being done, and further stated the Town is currently working on cleaning up Town Hall Campus and doing some restoration work.

-Council Member Hauber stated he was offended by Mr. Mustain’s public comments.

-Council Member Voignier thanked the Fire Dept. for the Firefighter’s Program, Fire Safety at School and thanked them for allowing her at the most recent agility testing for firefighters.

-Council Member Worrall stated that Clarksville has the best Fire, Public Works and Police Departments. Mr. Worrall stated that the issue with the War Memorial should not be a political issue and further stated there is nothing the Council won’t look at for consideration. Mr. Worrall stated he was a little offended by what was going on and that we all needed to work together. Mr. Worrall asked that you keep Butch Fisher in your prayers.

-Council Member Stonecipher thanked Council Member Worrall for his comments. Mr. Stonecipher stated this is the most accessible, (to the public), Council there has ever been. Mr. Stonecipher stated that all Council Members have their cell phone numbers published on the Town website and that he will take calls at all times and address grievances directly. Mr. Stonecipher stated together we can make things better. Mr. Stonecipher also stated that he would like to see a lobbying effort regarding the security breach of Equifax and believes our joint efforts would be of value. Mr. Stonecipher gave kudos to Hogan Real Estate for acquiring Blaze Pizza and is proud of the project in front of Town Hall. Mr. Stonecipher would like to recognize the Redevelopment Commission and their commitment to the School Tech Fund Program. Mr. Stonecipher also commented on the 10% savings available to residents regarding the Flood Plain Insurance Program. Mr. Stonecipher also commented on the work of the firefighters and the 2 structure fires fought this week, as well as the position of Deputy Fire Marshall being implemented. **Mr. Stonecipher stated the Redevelopment Commission is currently planning to use the proceeds from the land sale for our rails-to-trails initiative for usable greenspace, in addition to funding a new fire station on Stansifer Avenue and maintaining our debt reductions.**

**Rescinding Contract with Historical Society...** Council Member Tim Hauber stated there is a need for policy and procedure regarding War Memorial and any other project involving Town property and the Historical Society. Council Member Hauber made a motion to rescind the agreement contract with the Historical Society until policies and procedures can be put in place, stating this will give the two parties 90 days to come up with a plan. Council Member Worrall seconded the motion and was carried by a 5-1 vote, with Council Member Gilkey voting nay.

Council President Fetter allowed a question from Pat Knight regarding the upcoming Veteran’s Day Ceremony. Council President Fetter stated a committee would be formed and stated he wants the Historical Society participate and to have a positive working relationship.

**Adjournment...** There being no further business to come before the Council at this time, on a motion made by Council Member Hauber, seconded by Council Member Worrall, and carried by 6/0 vote, the September 19, 2017 meeting of the Clarksville Town Council adjourned at 8:24 p.m.

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

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

Minutes approved by the Clarksville Town Council  
on the 3<sup>rd</sup> day of October 2017.

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Paul Fetter, President,  
Clarksville Town Council