

MINUTES OF A REGULAR MEETING OF  
THE CLARKSVILLE TOWN COUNCIL HELD ON  
OCTOBER 07, 2013

A regular meeting of the Clarksville Town Council was called to order on October 07, 2013, 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, Donald Tetley, Bob Popp, Paul Fetter, and Tim Hauber. Council Members Absent: John Gilkey. Also present at the meeting: Clerk Treasurer Robert Leuthart, Fire Chief Tom Upton, Chief of Police Mark Palmer, Mike Huff for Street Commissioner Brad Cummings, Wastewater Treatment Plant Superintendent Mike Otto, Matt Taylor of the WWTP, Director of Stormwater Tom Clevidence, Town Attorney Chris Sturgeon, Town Attorney Rebecca Lockard, Parks Superintendent Brian Kaluzny, Administrative Assistant Patricia Fraser, Planning Consultant Sharon Wilson, Building Commissioner Ilpo Majuri, Redevelopment Director Nick Lawrence, Project Coordinator Brittany Montgomery and Deputy Clerk Treasurer Sherry Lockard.

**Public Comments**

-Town Council President Bob Polston introduced Project Coordinator Brittany Montgomery for her to give an overview and brief explanation of the wastewater and stormwater rate increase. Ms. Montgomery advised that the rates went up an average of 60%. Ms. Montgomery advised that this rate increase has been in the works for several years and that the Town has looked into various ways to fix the issues with the plant. Ms. Montgomery advised a series of public meetings were held. The Town decided to become pro-active in the matter, and tried to stay ahead of the issues by working with the State and the Federal regulations before the Town was ordered to fix the issues and fined. The Town had to enter into an agreed Order when the effluent line busted, thus making the Town have to move more quickly than expected with the plant issues. Ms. Montgomery then advised if anyone had any issues or questions, there were employees set up at a table set up in the foyer to assist them.

-Dave Disponett, 111 Walnut Grove Road, Clarksville, IN. Mr. Disponett advised he had been attending each town manager meeting. Mr. Disponett advised Clarksville has enjoyed less strife and more development than neighboring communities and that the Council has been instrumental in of the good things that have occurred-we have nice parks, great police, fire and street departments, a great pool and golf course. Mr. Disponett believes the Council and Administration has been hands on and passing job duties on to a Town Manager seems ill-conceived, and the fact that the governing body isn't leading the search somehow makes it even worse. Mr. Disponett advised he would like to see the Council gets rid of the idea of a town manager.

-Council Member Kraft then spoke up and advised he felt that hiring a town manager was too expensive, he felt the Council should be responsible for this type of work and that the Department Heads and employees did not want or need a town manager.

**Decommissioning the Search Committee for Town Manager...** Council Member Kraft made a motion to decommission the search committee for town manager and erase all efforts to hire a town manager. Council Member Tetley seconded the motion. Council Member Fetter spoke up and advised that the Town has part-time management and that a town manager will help avoid issues regarding audit reports, misappropriated or wasted money. Council Member Fetter felt a good town manager would pay for himself by bringing monies to the Town. Council Member Hauber spoke up and advised he too felt that a town manager would pay himself and advised that the Council is here to set policy and a town manager will help carry it out. A town manager would help oversee the departments and give full time leadership to the Town. Council Member Kraft spoke up and advised that the each department has a council member liaison and it seems to be working fairly well. Town Council President Mr. Polston advised there were a few more public comments regarding this matter and we would return to motion on the floor after the remainder of the public comments.

**Public Comments continued....**

-Ms. Dorsey, E Maple Court, Clarksville, IN. Ms. Dorsey asked how the town manager position would be funded and will it mean another increase in rates or taxes? Council President Polston advised it would be paid with Town funds, tax dollars.

-David Thompson, 13 Sunset Drive, Clarksville, IN...Mr. Thompson advised residents are getting rate increases and taxed with no cuts in sight. The town manager payroll has to come from somewhere and feels the burden of this cost would be on taxpayers and eventually another increase.

Back to motion on the floor...Council President Polston asked if there were any further comments from the Council...

-Council Member Popp advised when a statement is made to say that Government hasn't worked well in Clarksville, he advised what we've done here is unbelievable as far as growth and economic development, especially when most others seem to be struggling. Clarksville has not lost 100's or even 1,000's of dollars. As for the audit reports, there is not one public entity that doesn't get written up for minor infractions. Council Member Popp advised the money to pay for the town manager will come from the general fund and probably some wastewater funds as well, meaning taxpayers dollars. Council Member Popp advised we should be looking in to what we can do for residents on a fixed income instead of spending money on this position.

**At this time Council Member Kraft requested a roll call vote for the position of a Town Manager...**

Council Member Hauber-yes to town manager  
 Council Member Popp-no to town manager  
 Council Member Tetley-no to town manager  
 Council Member Fetter-yes to town manager  
 Council Member Kraft-no to town manager  
 Council President Polston-no to town manager

**-Motion passed 4-2.**

**Public Comments continued...**Ms. Dorsey stated with all the new taxes being added on at state and federal levels, plus new healthcare requirements and possible fines, while Clarksville is a nice place to live, each improvement has cost the taxpayer. Due to infrastructure and flooding on E Maple Court, Ms. Dorsey advises she is unable to sell her house and feels the ones who have suffered repeated flooding issues should not have to pay the rate increase on the wastewater bill.

Brad Svboda 1031 N Taggart Avenue, Clarksville, IN...Mr. Svboda advised he was not aware of any increase regarding the rate and he was not notified. Mr. Svboda suggested it should have been put on the billing card and wondered why the Town did not do a gradual increase. Mr. Svboda was informed that the information was put on the July billing cycle card, in addition to fliers and mailers being sent out to residents. Council Member Fetter advised also there had been several public hearings on this issue as well as advertisements. Council Member Kraft advised the rates had to increase only enough to fund the bond issue that was obtained for the new plant. Brittany Montgomery, Project Coordinator, went on further to explain how the rates were figured to fund the bond and all other requirements.

**Appointments to the 911 Board approved...** Council President Polston advised appointments were to be made to the 911 fiscal/operational boards. The police and fire chief are automatic appointments. Fire Chief Upton advised he was delegating his appointment to Deputy Chief James Hendricks. Police Chief Mark Palmer advised he was delegating his appointment to Asst. Chief David Kirby. It was advised that both Hendricks and Kirby have a background and experience in this area. For the two (2) council appointments, Council Member Popp made a motion to nominate Council Members Hauber and Tetley, as they are the current liaisons to police and fire departments. Council Member Kraft seconded the motion and was carried by unanimous vote.

**Approval of 2014 Budget, Ordinance No. 2013-BUD-09...** Town Attorney Chris Sturgeon presented the 2014 Budget, Ordinance 2013-BUD-09. For the first reading, Council Member Kraft made a motion to approve Ordinance 2013-BUD-09. Council Member Popp seconded the motion and was carried by unanimous vote. For the second reading, Council Member Kraft made a motion to approve Ordinance 2013-BUD-09. Council Member Popp seconded the motion and was carried by unanimous vote.

**Approval of transfer ordinance 2013-BUD-10...** Town Attorney Chris Sturgeon presented ordinance 2013-BUD-10, a transfer ordinance in the General Fund, Council Dept. in the sum of \$2000.00. For the first reading, Council Member Hauber made a motion to approve ordinance 2013-BUD-10. Council Member Tetley seconded the motion and was carried by unanimous vote. For the second reading, Council Member Hauber made a motion to approve ordinance 2013-BUD-10. Council Member Tetley seconded the motion and was carried by unanimous vote.

**Introduction to Ordinance 2013-G-06, an ordinance regarding parking in front of mail boxes...** Town Attorney Chris Sturgeon presented ordinance 2013-G-06, an ordinance regarding parking near mailboxes. Council Member Kraft made a motion to approve Ordinance 2013-G-06. Council Member Popp seconded the motion and was voted down 4-2, with Popp and Tetley voting yea. Discussion was held. Council Member Fetter questioned the amount of the fine, \$2500.00, as being too high. Attorney Sturgeon advised it was the maximum allowable by law, and that the Town could choose any amount so long as it didn't go over that amount. Council President Polston asked if this ordinance was enforceable at all times. Attorney Sturgeon advises it is outlined in the ordinance, only during daytime work hours and not on Sundays and official postal holidays. Chief Palmer advised the police department was receiving numerous complaints regarding neighbors and visitors parking in front of other residents' mailboxes, preventing delivery. Chief Palmer advised at this time since the Town did not have an ordinance, there was no way to enforce people to move their vehicles. Attorney Sturgeon recommends tabling this ordinance and bringing it to next council meeting with suggested changes.

**Approval of Outdoor Lighting Service Agreement with Duke Energy for Gutford Woods...** Administrative Assistant Patricia Fraser presented agreement with Duke Energy for 4 lights and installation. Ms. Fraser advised the agreement brought before the council previously did not show decorative lights. The lights are standard issue. The cost for installation of four (4) lights is \$4581.90, and the monthly cost is \$5.78/per light/per month. Ms. Fraser advised this amount can be taken from the letter of credit from the contractor. Planning Director Sharon Wilson is to see to this. Council Member Paul Kraft made a motion to approve agreement. Council Member Tetley seconded the motion and was carried by unanimous vote.

#### **Council Comments**

- Council Members Kraft, Fetter and Hauber commended the Street and Stormwater departments for their efforts during the terrible rain issues we had over the weekend.
- Council Member Popp encouraged residents to try and stay within the 4000 gallon range of water usage to try and conserve and save money on the wastewater bill. Council Member Popp also stated the Town needs to research ways in which we can assist with fixed income and elderly residents with their wastewater bill.
- Council Member Tetley commended the fire department for a job well done regarding the house fire on Maple Court. Resident Beth Dorsey spoke up at this time to say how wonderful the firemen were as they went the extra mile and assisted in rescuing and saving the homeowner's pets.

**Approval of Claims**... Accounts payable registers presented for approval consisted of Town current claims in the amount of \$200,235.34, Town pre-written claims from 09/03/2013-09/06/2013 in the amount of \$693,672.90, Town pre-written claims from 9/16/2013-10/7/2013 in the amount of \$314,059.67, and Wastewater/Stormwater utility pre-approved claims issued in the amount of \$94,257.70, Wastewater/Stormwater utility current claims in the amount of \$220,918.57, and Wastewater/Stormwater BAN issued in the amount of \$188,979.76. A motion was made by Council Member Hauber to approve the accounts payable registers presented. The motion was seconded by Council Member Kraft and was carried by unanimous vote.

**Adjournment**... There being no further business to come before the Council at this time, Council Member Hauber made a motion to adjourn, Council Member Kraft seconded the motion and was carried by unanimous vote. The meeting was adjourned at 8:06P.M.

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

Minutes approved by the Clarksville Town Council  
on the 21<sup>st</sup> day of October 2013

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

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Bob Polston, President,  
Clarksville Town Council