

**MINUTES OF A REGULAR MEETING OF  
THE CLARKSVILLE TOWN COUNCIL HELD  
ON SEPTEMBER 8, 2015**

A regular meeting of the Clarksville Town Council was called to order on September 8, 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, Town Attorney Rebecca Lockard, Town Fire Chief Tom Upton, Chief Of Police Mark Palmer, Street Commissioner Brad Cummings, Wastewater Superintendent Mike Otto and Matt Taylor, Planning Director Sharon Wilson, Parks Superintendent Brian Kaluzny, Project Coordinator Brittany Montgomery, Building Commissioner Ipo Majuri, Redevelopment Director Nick Lawrence, Administrative Assistant Anita Neeld, and Deputy Clerk Natalie McLochlin.

**Public Comments...**

-Mike Mustain, 708 Flatwood Drive, Clarksville, IN. Mr. Mustain commented on the Lakeshore Condo issue stating that the lift station failed and that the Town needs to fix this issue by making a motion to approve money for recoveries.

-Liz Nichols, 68 Lakeshore Drive, Clarksville, IN. Ms. Nichols made a request to the Council to please restore them into their homes.

-Mary Ann Crabtree, 8 Lakeshore Drive, Clarksville, IN. Ms. Crabtree made a public request to the council to receive a copy of the smoke test report and to make restitution for the damages to the two condos that have raw sewage damage.

**Approval of Minutes...** Council Member Kraft made a motion to approve the minutes of the 08/17/15 regular meeting and the 08/17/15 work session. Council Member Popp seconded the motion and was carried by unanimous vote.

**UNFINISHED BUSINESS...** Council Member Hauber commented on the previous claim damage against Flynn Brothers and stated that we needed to be more proactive.

**Approval of Ordinance 2015-BUD-07, a transfer ordinance of appropriated monies...**

Town Attorney Chris Sturgeon presented 2015-BUD-07, a transfer ordinance or previously appropriated monies. For the first reading, Council Member Tetley made a motion to approve 2015-BUD-07. Council Member Fetter seconded the motion and was carried by unanimous vote. For the second reading, Council Member Tetley made a motion to approve 2015-BUD-07. Council Member Fetter seconded the motion and was carried by unanimous vote.

**Approval of Resolution 2015-R-12, a resolution determining damages for CSX property being acquired by eminent domain...** Town Attorney Chris Sturgeon presented 2015-R-12, a resolution determining damages for CSX property being acquired by eminent domain. Attorney Sturgeon asked for public comments. None given. Council Member Gilkey made a motion to approve 2015-R-07, a resolution determining damages for CSX property in the amount of \$6637.50. Council Member Hauber seconded the motion and was carried by unanimous vote.

**Approval of Inter-Local Agreement for joint use and operation of the Jeffersonville-Clark County Animal Shelter...**

Town Attorney Chris Sturgeon presented an Interlocal Agreement for the joint use and operation of the Jeffersonville-Clark County Animal Shelter. Council Member Fetter made a motion to enter into the interlocal agreement for the time period of January 1, 2014 through December 31, 2017. The Town's percentage of expenses will be 20%, based upon most recent census, for a total expense of \$74,700.00 annually. Council Member Kraft seconded the motion and was carried by unanimous vote.

**Approval of Contract with Hart's Surveying and Engineering for Rosewood Drive Drainage Project...**

Project Coordinator Brittany Montgomery and Harold Hart presented a contract to the council for the Rosewood Drive Drainage Design Project. Council Member Popp made a motion to approve the contract in the estimated amount of \$12,000.00. Council Member Gilkey seconded the motion and was carried by unanimous vote.

**Approval of Beaver Dam Removal at Emery Crossing...** Project Coordinator Brittany Montgomery made a request to the council to have the beaver dam at Emery Crossing removed. Ms. Montgomery advised this was an urgent situation and is requesting approval tonight. Ms. Montgomery advised that Goodman Construction would do the work. Council Member Popp made a motion to approve the removal of the beaver dam at Emery Crossing. Council Member Fetter seconded the motion and was carried by unanimous vote.

**Approval of Paving Ditch behind Providence High School...** Harold Hart stated that Koetter Construction approached the Town with a proposal that if the Town would pay for the materials, then Koetter Construction would supply the labor for the improvement of the ditch. The Town has already repaired several drainage problems in that area, and this would be a definite improvement in getting runoff through the drainage system. Council Member Gilkey made a motion to approve the cost of materials for this improvement in the estimated amount of \$6700.00. Council Member Hauber seconded the motion and was carried by unanimous vote.

**Award of Contract in regards to the Evergreen Stormwater Improvement Project...** Project Coordinator Brittany Montgomery presented the request for bids that were submitted prior to the deadline of 2:00 p.m. on September 1<sup>st</sup>, 2015. There were 9 bids submitted. 1. Bischoff Brothers at \$207,696.00. 2. Clark Nickles at \$256,026.72. 3. Cornell Harbison at \$266,375.00. 4. Dan Cristiani at \$235,088.00. 5. Excel Excavating at \$207,465.00. 6. Flynn Brothers at \$244,517.20. 7. Richardson Contracting at \$215,435.00. 8. Temple and Temple Excavating at \$313,421.00. 9. TSI Paving at \$237,374.00. Ms. Montgomery made a request to award the contract to Excel Excavating, who came in with the low bid at \$207,465.00. Council Member Gilkey made a motion to approve the award of the contract to Excel Excavating in the sum of \$207,465.00. Council Member Kraft seconded the motion and was carried by unanimous vote.

**Approval of Construction Administration Contract with Hart's Surveying and Engineering...** Project Coordinator Brittany Montgomery presented a contract with Hart's Surveying and Engineering for Construction Inspection Services on the Evergreen Drive Stormwater Improvement Project, for an estimated cost of \$30,000.00. Council Member Gilkey made a motion to approve contract with Hart's Surveying and Engineering for construction administration. Council Member Tetley seconded the motion and was carried by unanimous vote.

The final cost of the repairs on Brown Station Way emergency repair came to \$22,011.73.

### **Council Comments**

- Council Member Gilkey made a motion to approve a forgivable loan to get the residents of the Lakeshore Condos back in their homes. Discussion was held regarding how many people, how much money and the effect due to this issue currently being litigated. Council Member Hauber seconded the motion. The motion did not pass with a vote of 2-5, with Council Members Hauber and Gilkey voting yea, and Council Members Popp, Kraft, Fetter, Tetley and Polston voting nay.
- Council Member Hauber stated that the Air Show was really great.
- Council Member Tetley stated that the new fire truck is the best design he's ever seen and will try to have it a meeting one night for all to view.
- Council President Polston announced that Ted Throckmorton passed away and that he will be greatly missed.

**Approval of Claims...** Accounts payable registers presented for approval consisted of Town current claims in the amount of \$211,804.54, Town pre-approved claims issued through 09/08/2015 in the amount of \$815,048.35. Wastewater/Stormwater utility current claims in the amount of \$375,462.21, Wastewater/Stormwater utility prewritten claims in the amount of \$46,499.30, Town and WW/SW payroll claims for PR ending 08/16/2015 in the sum of \$376,943.34, and for PR ending 8/30/2015 in the sum of \$434,680.54, SW Bond in the amount of \$20,844.22, and WW Bond in the amount of \$705,721.39. Council Member Kraft made a motion to approve claims registers presented. Council Member Fetter 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 Fetter made a motion to adjourn, Council Member Kraft seconded the motion and was carried by unanimous vote. The meeting was adjourned at 8:00 p.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 September 2015

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

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Bob Polston, President,  
Clarksville Town Council