

MINUTES OF MEETING OF
THE CLARKSVILLE TOWN COUNCIL
HELD ON JUNE 18, 2019

A meeting of the Clarksville Town Council was called to order on June 18, 2019 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, John Gilkey, David Worrall, Aaron Stonecipher, Jennifer Voignier, Tim Hauber and Jaime Hunt.

Invocation: Pastor Daniel Tatum, One Community Church, Blackiston Mill Road

Public Comments:

- Russell Brooksbank, 1716 Whittier Drive. Mr. Brooksbank submitted a written comment in support of Theater X. Mr. Brooksbank's comment will be attached to the minutes, in full as Attachment A.

Consent Agenda:

-Approval of the Town Council Meeting, Work Session, and Executive Session held on June 4, 2019.

-Approval of the Claims of Town Current & Pre-written, WW/SW Current & Pre-written and Payroll for week ending 6/2/19.

-Approval of General Services Agreement with R.W. Moore Consulting Engineers.

-Resolution 2019-R-27, Authorizing the purchase of 231 Lyons Avenue

Council Member Stonecipher made a motion to Approve the Consent Agenda. Council Member Gilkey seconded the motion and it was carried by a 7-0 vote.

New Business:

-Approval of Bid Proposal with Schardein Mechanical for Town Hall HVAC Condenser Replacement. 4 quotes were submitted: (1) HMC Service Co: \$87,663.00 (2) Schardein Mechanical: \$74,789.00 (3) Perfection Group: \$73,575.00 (4) DeBra-Kuempel: \$69,200.00. Schardein Mechanical is the only company who addressed all specs that were requested. A motion was made by Council Member Worrall to Approve. Council Member Gilkey seconded the motion and it was carried by a 7-0 vote.

-Approval of Bid Proposal with Schardein Mechanical for Police Department Boiler Replacement. The cost of replacement is \$2490.00 higher than repairing current unit. A motion was made by Council Member Voignier to Approve. Council Member Hauber seconded the motion and it was carried by a 7-0 vote.

-Approval of Ordinance 2019-G-11, an ordinance establishing a fund for the deposit and expenditures of money received from the DNR for the Central Trail Project. For the first reading, a motion was made by Council Member Gilkey to Approve. Council Member Worrall seconded the motion and it was carried by a 7-0 vote. For the second reading, a motion was made by Council Member Gilkey to Approve. Council Member Worrall seconded the motion and it was carried by a 7-0 vote.

-Approval of Ordinance 2019-G-12, an ordinance Repealing and Replacing Chapter 117 of the Clarksville Municipal Code. On 1/25/2010, Special Judge Robert L. Bennett issued an order in the Clarksville Town Court in which he found that Ordinance 2005-G-03 pertaining to Sexually Oriented Businesses had been improperly adopted as an amendment to the Town's Zoning Ordinance without following the necessary statutory procedures for zoning regulations, such as Plan Commission public hearing and Plan Commission recommendation. Thus, the Judge found the ordinance to be void in its entirety. Ordinance 2019-G-12, which contains non-zoning regulations for addressing the negative secondary effects of sexually oriented businesses, was considered along with documents concerning such secondary effects that were previously provided to Council. Attorney Scott Bergthold gave a power point presentation entitled Legal Presentation on Regulating Negative Secondary Effects of Sexually Oriented Businesses. The legislative record for Ordinance 2019-G-12, including the PowerPoint presentation handout, the

CD-ROM containing reports, studies, articles, summaries, and affidavits concerning secondary effects, and the Index to Legislative Secondary Effects Documentation, was made part of the public record and of the minutes. This legislative record is available for review in the Clerk Treasurer's Office. For the first reading, Council Member Gilkey made a motion to approve 2019-G-12, an ordinance Repealing and Replacing Chapter 117 of the Clarksville Municipal Code. Council Member Hauber seconded the motion and was carried by a 7-0 vote. For the second reading, Council Member Gilkey made a motion to approve 2019-G-12, an ordinance Repealing and Replacing Chapter 117 of the Clarksville Municipal Code. Council Member Hauber seconded the motion and was carried by a 7-0 vote.

Adjournment... There being no further business to come before the Council at this time, a motion was made to adjourn by Council Member Hunt, seconded by Council Member Voignier, and carried by a 7-0 vote. The June 18, 2019 meeting of the Clarksville Town Council adjourned at 7:47 p.m.

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

Robert P Leuthart, Clerk-Treasurer
Town of Clarksville

Minutes approved by the Clarksville Town Council on the 2nd day of July, 2019

Paul Fetter, President, Clarksville Town Council