

June 27, 2007
Newburgh Town Council Meeting

The Newburgh Town Council met in Executive Session on Wednesday, June 27, 2007, at 4:30p.m. Those present were Anne Rust Aurand, Eric Ellsperman, Bill Kavanaugh, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Tom Bodkin. The purpose of the meeting was discussion of personnel issues and contract negotiations and was held in accordance with Indiana Code 5-14-1.5-6.

CALL TO ORDER

President Kavanaugh called the June 27, 2007, Regular Session to order at 5:35p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Newburgh Town Council.

ROLL CALL

Those present at the Regular Session were Anne Rust Aurand, Eric Ellsperman, Bill Kavanaugh, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Tom Bodkin.

APPROVAL OF MINUTES

1. June 13, 2007 – Executive & Regular Session

MOTION by Ms. Sherman to approve the June 13, 2007 minutes, as submitted.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

BID OPENINGS

1. Royal Highlands Lift Station Improvement Project

MOTION by Ms. Sherman to close the bids.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

The bids are as follows:

Bidder's Name	Form No. 96 w/Non Collusion Affidavit	Bid Bond	Acknowledgement of Addenda	Financial Statement	Total Base Bid	Total Alternate Bid (mandatory)
Blankenberger Bros., Inc.	Present	Present	None	Present	\$78,900.00	3C add per unit \$1,400 2 nd alternate add \$550 per unit 3 rd alternate add \$3,200

MOTION by Ms. Sherman to take the bid under advisement for legal and engineering review.

SECOND by Mr. Moore.

DISCUSSION: None
 MOTION carried ayes 5, nays 0.

2. Heathervale Lift Station Improvement Project

MOTION by Ms. Sherman to close the bids.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

The bids are as follows:

Bidder's Name	Form No. 96 w/Non Collusion Affidavit	Bid Bond	Acknowledgement of Addenda	Financial Statement	Total Base Bid
Blankenberger Bros., Inc.	Present	Present	Present	Present	\$109,800.00

MOTION by Ms. Sherman to take bid under advisement for legal and engineering review.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

3. Yearly Time and Materials Contract

MOTION by Ms. Sherman to close the bids.

SECOND by Mr. Ellsperman.

DISCUSSION: None:

MOTION carried ayes 5, nays 0.

The following bids were received:

Bidder's Name	Form No. 96 w/Non Collusion Affidavit	Acknowledgement of Addenda	Financial Statement	Total Base Bid
Republic Companies, Inc.	Present	Present	Present	\$255,689.00 (\$182,989.00 for equipment & \$72,700.00 for time & materials)
Stemaly Excavating, Inc.	Present	Present	Present	\$303,878.80 (\$247,006.00 for equipment & \$56,872.80 for time & materials)

MOTION by Ms. Sherman to take bids under advisement for legal and engineering review.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

COMMISSION REPORTS

AIR AUTHORITY – Eric Ellsperman

No report.

FIRE – Alonzo Moore

No report.

PLAN – Anne Rust Aurand
No report.

PARK – Eric Ellsperman
The boat dock was placed back in the water today. The new fence around the tennis courts has been installed. The coatings will be applied to both the tennis and basketball courts on July 9, 2007.

POLICE – Bill Kavanaugh
Chief Sprinkle, Asst. Chief Williams, and Ms. Burger will be meeting to discuss Monroe Street parking. Asst. Chief Williams had received a complaint regarding congestion.

The department has been awarded an \$18,000.00 grant for a thermal imaging machine. Asst. Chief Williams thanked Mr. Hijuelos for his assistance with the grant process.

Byron Sherman reported the HNI Board of Directors voted to donate ten (10) tables and a large ice chest (purchased for the Wine Fest) to the Town. These items will be available for not for profits to use. Additionally, \$1,200.00 has been donated to the Newburgh Police Department to purchase detour and road closed signs along with materials to construct barricades.

MOTION by Ms. Sherman to accept the HNI donations.

SECOND by Ms. Aurand.

DISCUSSION: It was decided to store the materials in the basement of the Lock & Dam Building and the maintenance shop.

MOTION carried ayes 5, nays 0.

SEWER – Shari Sherman

MOTION by Ms. Sherman to pay \$4,425.00 to Stemaly Excavating to repair a sink hole at 8277 N. Birch Drive.

SECOND by Mr. Moore.

DISCUSSION: Ms. Sherman stated the sink hole was caused by a bad tap in the main line, and ground water is getting into the system. The line was dye tested.

MOTION carried ayes 5, nays 0 .

STREET – Alonzo Moore

The storm water ditch work between Dr. Hazelrigg's property and French Island Trail has been completed.

Parts to repair the sprayer have been received allowing riverbank spraying to resume, weather permitting.

STANDING COMMITTEES

FINANCE – Anne Rust Aurand

No report.

PERSONNEL – Bill Kavanaugh

The committee will be conducting interviews on July 10 and July 12.

SPECIAL BOARDS/COMMITTEE REPORTS

ARTS PAVILION – Eric Ellsperman

No report.

HISTORIC PRESERVATION – Alonzo Moore

No report.

RIVERTOWN TRAIL – Eric Ellsperman

Mr. Ellsperman stated the project is moving forward, and he expects detailed updates in the next few weeks.

STORM WATER - Anne Rust Aurand

Ms. Aurand stated the board voted to increase their participation in the State and Jennings project from \$7,500.00 (from a previous meeting) and pay up to \$8,100.00.

Plans were received from Commonwealth Engineers for Forest Park and Fourth and Monroe. The Forest Park plan is designed for five (5) phases. It was suggested that easements be obtained on some of these phases so they would be in place. The second plan was for the cave in at Fourth and Monroe intersection. Easements are needed from both property owners for the project at this intersection. This project is expected to cost in the neighborhood of \$30,000.00.

Work continues to enlarge and increase the Knob Hill retention pond capacity. The ditch between Maple Lane and Windsor Pointe was sloped and shaped in order for more effective drainage.

The EDUs, which would increase drainage fees for non-residential customers, have been forwarded to Indiana-American Water for processing. The maximum fee is \$40.00 per month and the minimum fee is \$5.00 per month.

Drainage plans for the Kiwanis Building have not been resubmitted for consideration.

TOWN HALL – Anne Rust Aurand

Cumberland Presbyterian Church

A progress meeting was held on Monday, June 25, 2007. Masonry work has begun on the new addition. The old roof and decking has been removed. Installation of the structural steel has begun. A new metal roof is in the process of being installed. A new floor will be poured in the new addition. Installation of structural steel will begin at the bell tower.

A hard hat open house is scheduled for Saturday, July 28, 2007.

Town Hall – 23 W. Jennings

Exterior painting still needs to be completed as well as some interior painting. There are still some condensation problems in the meeting room that need to be addressed.

The Bicentennial fountain is expected to be completed within the next few weeks. A dedication of the fountain and the British phone booth will then be held. The fountain project is being completed by volunteer labor.

Exterior painting still needs to be completed at 23 W. Jennings.

VETERANS MONUMENT – Shari Sherman

MOTION by Ms. Sherman to extend the date to purchase memorial bricks until July 31, 2007.

SECOND by Mr. Ellsperman.

DISCUSSION: The Newburgh Merchants Association will be holding a Salute to Soldiers event next week and order forms could be available at that time.

MOTION carried ayes 5, nays 0.

CLERK-TREASURER – Becky Gentry

MOTION by Ms. Sherman to approve the ARC Construction escrow agreement.

SECOND by Ms. Aurand.

DISCUSSION: The NBC also needs to sign this document.

MOTION carried ayes 5, nays 0.

ZONING ADMINISTRATOR – Frank Hijuelos

The permit application has been applied for by the Warrick County School Corporation for the track at Kiwanis Field.

TOWN ATTORNEY – Tom Bodkin

Mr. Bodkin reported that the Warrick County Commissioners recently agreed to waive recoupment for Bellmoore Landing as it relates to the Master Lift Station project. The Redevelopment Commission voted to waive ½ of the recoupment fee provided the Town of Newburgh and the Warrick County Commissioners extend the recoupment to ten (10) years. Mr. Bodkin recommended the Newburgh Town Council take no action regarding this matter at this time.

Indiana-American Water Co. has requested the Town of Newburgh consider intervening at the URC with the pending issues between the Town of Chandler and Indiana-American over the territorial dispute as it relates to water.

MOTION by Ms. Sherman to intervene at the IURC regarding the Chandler and Indiana-American Water matter.

SECOND by Mr. Moore.

DISCUSSION: Mr. Bodkin stated a settlement meeting had been requested by attorneys representing the Town of Chandler. A meeting was then scheduled on Friday, June 22, 2007. A number of Indiana-American representatives were in attendance but there was no one representing Chandler.

MOTION carried ayes 5, nays 0.

Mr. Bodkin stated he will prepare a set of standards for permitting water for the Council to consider. The ordinance would regulate the sale of water within the four (4) mile limit.

TOWN ENGINEER – Mike

The plan for the Veterans Park will be presented to the Council at the July 25, 2007.

The Council was requested to begin compiling a list of streets to be paved in 2007. Ms. Burger stated she would provide a list of roads that were on the 2006 list but not paved because of lack of funds. She stated milling will be in order for most of those streets. Mr. Bodkin stressed the importance of striping on main streets and curves.

TOWN ADMINISTRATIVE MANAGER – Cynthia Burger

Ms. Burger stated articles regarding fireworks legislation were placed in both the Evansville Courier and Press and the Newburgh Register. She will forward information regarding the extension of brick sales for the Veterans Monument to the papers.

The annual compliance report for Overlook Park was submitted this week to the Department of the Army.

UNFINISHED BUSINESS

1. Plum Street Parking...tabled June 13, 2007

MOTION by Mr. Moore to remove from table.

SEC OND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Hijuelos is reviewing this issue. It was decided to remove this item from the agenda.

2. Jefferson & Main Street Curb...continued from May 23, 2007

This project has been completed.

3. Resolution 2007-07 – EDIT Bond...tabled May 23, 2007

Continue to table.

4. Commonwealth Engineers Contract – 2007 Slip Line Analysis for Sanitary Sewer

MOTION by Ms. Sherman to remove from table.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve the Commonwealth contract for 2007 Slip Line Analysis for Sanitary Sewers in the lump sum amount of \$42,100.00.

SECOND by Mr. Moore.

DISCUSSION: Ms. Sherman stated this will include a video of the lines, analysis of the data, comparison of slip lines costs opposed to open cut repair, etc. She added this was part of CMOM requirements. Mr. Ellsperman stated he did not dispute the need for the work, only the associated cost.

MOTION carried ayes 4, nays 0, abstentions 1 (Ellsperman).

NEW BUSINESS

1. Mike Hughes – Discussion Re: Truck Weight Limits thru Town

Mr. Hughes has requested this item be removed from the agenda.

2. Encroachment Agreement – Jeffrey & Susan Cullison

MOTION by Ms. Sherman to approve the Cullison encroachment agreement.

SECOND by Mr. Ellsperman.

DISCUSSION: The Cullison's are requesting to construct a fence over a sanitary sewer line.

MOTION carried ayes 5, nays 0.

3. Encroachment Agreement – David Sexton

MOTION by Ms. Sherman to approve the Sexton encroachment agreement.

SECOND by Mr. Moore.

DISCUSSION: Mr. Sexton is requesting to construct a fence over a sanitary sewer line.

MOTION carried ayes 5, nays 0.

4. Bartlett Street Sanitary Sewer – Partial Pay Application No. 1 - \$86,301.00

MOTION by Ms. Sherman to approve partial pay request in the amount of \$86,301.00.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

5. French Island Trail Bank Stabilization – Partial Pay Application No. 1 - \$94,536.95

MOTION by Ms. Sherman to approve partial pay request in the amount of \$94,536.95.

SECOND by Ms. Aurand.

DISCUSSION: This represents a savings of \$17,142.05 as the original bid was in the amount of \$111,679.00.

MOTION carried ayes 5, nays 0.

6. Temporary License with the Department of the Army – Rivertown Trail

The town currently has a twenty-five (25) foot permanent easement. The Department of the Army has offered to renew the temporary construction easement for three (3) years.

MOTION by Ms. Aurand to approve the three (3) year license with the Department of the Army for the Rivertown Trail.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MISCELLANEOUS BUSINESS

Ms. Burger stated the Newburgh Business Association will be honoring veterans the week of July 4, 2007 (see attached).

Henderson County will be holding a public hearing regarding the Cash Creek project on Friday, July 29, 2007. Mr. Bodkin will be representing the Town of Newburgh.

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

Bill Wallace, representing St. John's Catholic Church, stated the church began celebrating the 140th anniversary in August 2006. The year long celebration will conclude on August 26, 2007, with a mass and parish picnic. Mr. Wallace invited the Council to this event.

The letter board in front of Cumberland Presbyterian Church is no longer usable. A letter will be sent to the Newburgh Women's Club thanking them for their donation and explaining its replacement.

APPROVAL OF CLAIMS

MOTION by Ms. Sherman that all claims, including any sewer adjustments, be paid.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

ADJOURNMENT

MOTION by Ms. Sherman to adjourn.

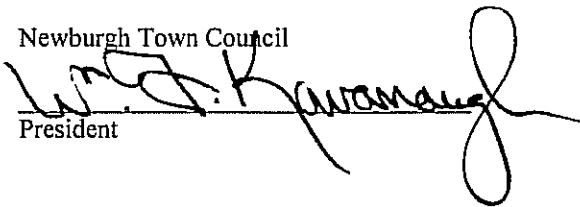
SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

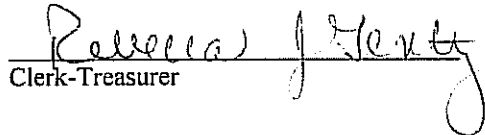
APPROVED this 11 of July, 2007.

Newburgh Town Council



President

ATTEST:



Clerk-Treasurer

NEWBURGH, IN – Historic downtown Newburgh is celebrating Independence Day for a week this year, starting with a salute to veterans and ending with free hot dogs and popcorn. Sponsored by the Newburgh Area Business Association, this is an opportunity to say thanks to the people who are willing to put their lives at risk to insure our freedoms: active military and former military personnel.

On Sunday, July 1, 4 p.m., the American Legion will gather at the Riverfront Plaza to honor Warrick County veterans. A prayer for the nation will be offered and the Legion will offer a rifle volley in honor of veterans at the end of the ceremony. The public is invited to participate.

Tuesday afternoon, historically-costumed characters will be downtown to share their experiences in early Newburgh. Come down and ask an 1860s soldier what it was like to fight in the War Between the States, or watch a spinning demonstration. Knitters will be on hand to teach a few stitches artists will be outside drawing.

Thursday, July 5, active duty military personnel will be honored in a ceremony at Newburgh Town Hall. Families with active duty soldiers, sailors or marines are asked to bring a photo of the service man or woman with them to the Town Hall at 4:30 p.m. for light refreshments. A brief ceremony will follow at 5:30 p.m. where all the active duty personnel will be named.

The photos may remain on display at the Town Hall through July if the family so wishes. Forms for the photo display are available from downtown merchants. Be sure to pick up a form and have it completed when you bring your photo to the Town Hall.

Active duty personnel who are home on leave are especially invited.

Friday evening, music will highlight the downtown with a First Friday performance at the Tin Fish Restaurant. Ty Buttrum will perform at the Tin Fish, in Jennings Station (on West Jennings up the hill from Newburgh Country Store), from 6-9 p.m.

The week will end with Dixieland Jazz by the Old Dam Band and free hot dogs and popcorn on the patio East Jennings St., just east of Nienaber Marketing, from 11 a.m.-1 p.m.