

Newburgh Town Council  
September 13, 2006 Minutes

The Newburgh Town Council met in Executive Session on Wednesday, September 13, 2006, at 4:30p.m. Those present were Bill Kavanaugh, Anne Rust Aurand, Ken Hughes, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Tom Bodkin. The purpose of the meeting was discussion of personnel issues and was held in accordance with Indiana Code 5-14-1.5-6.

CALL TO ORDER

The Wednesday, September 13, 2006, Newburgh Town Council meeting was called to order by President Kavanaugh at 5:40p.m.

PLEDGE OF ALLEGIANCE

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

A moment of silence was observed for Bob Traylor and U.S. Troops.

ROLL CALL

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

APPROVAL OF MINUTES ~ August 9, 2006, Executive & Regular Session...tabled from August 23, 2006

MOTION by Ms. Sherman to remove from table.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Mr. Hughes to approve the August 9, 2006, minutes.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Mr. Hughes to approve the August 23, 2006, minutes.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

COMMISSION REPORTS

UTILITY ~ Shari Sherman

MOTION by Ms. Sherman to enter into an agreement with the property owner at 8422 Birch Drive and pay him in the amount not to exceed \$6,000.00 for an easement and removal of a tree that covers a manhole.

SECOND by Mr. Hughes.

DISCUSSION: Ms. Sherman stated the property was recently sold, and the new owner does not have the same attachment to the tree the previous owner had.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman that the Town of Newburgh agrees to the following regarding property at Bell Road and Highway 66 (Moore Group):

- the Town will pay to upsize the on site pipe above 8"
- the Town will have the off site sewer designed and built at Town's expense from the Master Lift Station back to the east side of Libbert Road (the NW corner of the Moore Group)
- the Town will work in conjunction with the Moore Group to petition the Warrick County Commissioners to waive recoupment to the Master Lift Station for the Moore Group project
- Commonwealth Engineers Inc. will create a 5-year plan

SECOND by Mr. Hughes.

DISCUSSION: Ms. Sherman explained this plan will allow for future expansion.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to engage Commonwealth Engineers to design the Libbert Road extension for bidding and building at the earliest possible time.

SECOND by Mr. Hughes.

DISCUSSION: Ms. Sherman stated this is for property from the Master Lift Station to the Libbert Road area.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman for Commonwealth Engineers to finalize details and dates for receipt of bids for sewer relocation for Phase II INDOT SR 66 widening.

SECOND by Mr. Hughes.

DISCUSSION: Mr. Bodkin stated INDOT has assured the Town that SR 66 is going to be widened. The easements are in place now and need to be used within five (5) years of obtaining them.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to have the Prows property on Vanada Road appraised by David Matthews Assoc. for purposes of the PER for the Waste Water Treatment Facility.

SECOND by Mr. Hughes.

DISCUSSION: Ms. Sherman stated the Town needs to explore expansion options.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve Authorization 2006-6 between the Town of Newburgh and Commonwealth Engineers. This agreement directs Commonwealth to prepare design and bidding documents for the sanitary sewer relocation on Lincoln Avenue.

SECOND by Mr. Hughes.

DISCUSSION: Ms. Sherman stated Warrick County will be widening Lincoln Avenue from the county line to 1000' this side of Grimm Road. She added this agreement was in the amount not to exceed \$18,700.00.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve Authorization 2006-7 between the Town of Newburgh and Commonwealth Engineers. This agreement directs Commonwealth to complete, in compliance with NPDES permit and CMOM, a radio communication study to design and institute changes in the following lift stations in an amount not to exceed \$21,000.00:

- Master Lift Station
- Powers
- Old Plant
- Old Lock & Dam
- River Ridge
- Victoria

- Triple Crown
- Vanada Road
- Waste Water Treatment Plant main hub

SECOND by Mr. Hughes.

DISCUSSION: Ms. Sherman stated it was necessary to improve communications between the lift stations and the Waste Water Treatment Plant and this will provide the needed linkage. This will also be more cost effective and reliable.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve Authorization 2006-8 between the Town of Newburgh and Commonwealth Engineers directing them to provide final specs, quote, and bid package for a custom vehicle for sewer television equipment and a high head pump on an hourly basis not to exceed \$4,000.00.

SECOND by Mr. Hughes.

DISCUSSION: Mr. Bodkin stated the department was spending alot of money to rent this type of pump and needed to be in a position to purchase one.

MOTION carried ayes 5, nays 0.

Discussion was held regarding the heavy rains which caused water to go over the road on French Island Trail causing ground around the force main to erode. Mr. Hynes stated the area was temporarily shored up but would need to be studied to determine a permanent fix. DNR and Army Corps will need to be involved.

MOTION by Ms. Sherman to declare an emergency for repairs on French Island Trail and the force main due to the heavy rain on Tuesday, September 12, 2006.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to authorize Commonwealth Engineers to conduct a preliminary study of the force main and French Island Trail and make recommendations to the Council as soon as possible.

SECOND by Ms. Aurand.

DISCUSSION: Mr. Bodkin stated this was an extremely serious problem and needed to be resolved as soon as possible.

MOTION carried ayes 5, nays 0.

Ms. Sherman stated she wanted to publicly commend Leon Key, Wayne Bradley, Cynthia Burger, Sewer Department staff and Street Department crew for their hard work and long hours during this emergency.

#### STREET ~ Ken Hughes

Mr. Hughes stated he, Ms. Burger, and Chief Sprinkle have looked into parking issues around 1<sup>st</sup> Street and Sycamore Street.

MOTION by Mr. Hughes for the Council to request Evansville MPO (formerly EUTS) study the area regarding safety and parking issues.

SECOND by Ms. Sherman.

DISCUSSION: Ms. Sherman stated this was the first step before any changes can be implemented. Mr. William Moore, 409 Sycamore, inquired how long the Council anticipated it would take to resolve this issue. It was decided that Ms. Burger would call the pastor of the church located on Sycamore to discuss the parking issue, as well as Evansville MPO.

MOTION carried ayes 5, nays 0.

#### FIRE ~ Anne Rust Aurand

No report.

PARK ~ Alonzo Moore

Mr. Moore provided a letter of resignation from the Newburgh Park Board. He stated he was hopeful to make a recommendation to the Council at the next meeting for his replacement.

He stated approximately \$1,000.00 was received on Ski Day. He stated that the Park Board would like to hire a dock manager next summer.

Mr. Moore stated the Board decided to refund a rental fee for the Lock & Dam Building due to the building being dirty. Discussion was held regarding refunds. Mr. Bodkin stated the Park Board was responsible for determining when a refund was issued.

Mr. Moore stated the Park Board also inquired if they had jurisdiction over Overlook Park and Kiwanis Field. Mr. Bodkin stated the Council has not formally decided to turn Overlook Park over to the Park Board. Likewise, Kiwanis Field is owned by the Council. In the past, the Council had given the Park Board the authority to negotiate with Newburgh Jr. Baseball and Newburgh Youth Sports Assoc. with regard to their use of the property. Ms. Burger added that neither parks are maintained out of the Park Board budget. It was clarified that that Park Board owns the pool and property surrounding the pool and the remaining property considered park property is actually owned by the Town by managed and operated by the Park Board Council.

PLAN ~ Shari Sherman

No report.

ZONING ADMINISTRATOR ~ Frank Hijuelos

Ms. Sherman stated a request for demolition was received for 409 E. Jennings.

POLICE ~ Bill Kavanaugh

Chief Sprinkle presented the August crime report (see attached).

AIR AUTHORITY ~ Alonzo Moore

No report.

COMMITTEE REPORTS

PERSONNEL ~ Bill Kavanaugh

MOTION by Mr. Kavanaugh to hire Donna Kelley for the clerical position at Waste Water Treatment Facility at an hourly rate of \$11.50 with full employee benefits beginning September 25, 2006, pending a negative drug screen.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Mr. Kavanaugh to hire Paul Rohrscheib for the position of collection system operations and maintenance at the Waste Water Treatment Facility at an hourly rate of \$10.00 with full employee benefits beginning September 25, 2006, pending a negative drug screen.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Mr. Kavanauagh to hire Bryan Bodkin for the position of collection system operations and maintenance at the Waste Water Treatment Facility at an hourly rate of

\$10.00 with full employee benefits beginning September 25, 2006, pending a negative drug screen.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

FINANCE ~ Anne Rust Aurand

No report.

HISTORIC PRESERVATION ~ Ken Hughes

The committee meets on Thursday, September 14, 2006, and will review the wall repair at 111 State Street. Plans for the Jefferson Street School property will also be discussed.

STORM WATER ~ Anne Rust Aurand

The next meeting is scheduled for Monday, September 18, 2006.

BICENTENNIAL ~ Anne Rust Aurand

No report.

RIVERTOWN TRAIL ~ Anne Rust Aurand

Warner Bridge #264 will be stored at the Warrick County Highway Garage until it is placed across the "Great Ravine." Bridge #271, a triple span bridge, will be used by Warrick County for quite some time so plans for the trail need to move forward without the use of that bridge. The project will be constructed in three (3) phases: Yorkshire Road east to IHOP; Ellerbusch Road/Mulzer Drive to Yorkshire; Angel Mounds to Ellerbusch Road/Mulzer Drive. Ms. Aurand stated she was hopeful phase I construction could begin in late summer 2007. She expects the completion of phase I would be one (1) year. Ms. Aurand also stated that discussion was held during a recent meeting with ACE regarding old Highway 66. Plans are to use the old Highway 66 (at the IHOP) as it is and not repave but to patch.

Newburgh Women's Club has requested a presentation from representatives of the Rivertown Trail. Ms. Burger stated that a presentation will be made to the Council, community, and Women's Club in October by representatives from ACE and Green3.

TOWN HALL ~ Anne Rust Aurand

Ms. Aurand stated several offices will be moving into the new building on Thursday, September 14, and Friday, September 15, 2006. The carpet in the meeting room has been replaced.

A \$15,000.00 grant has been awarded for the old Town Hall from the Central Indiana Community Foundation. The Etroymsen Fund has assisted with other preservation projects in the state.

The new Town Hall will be dedicated on Sunday, October 8, 2006, at 1:00p.m. with an Open House to follow until 4:00p.m.

ARTS PAVILION ~ Bill Kavanaugh

No report.

VETERANS MONUMENT ~ Shari Sherman

Ms. Sherman stated the committee would like to hold a formal dedication of the park on November 11, 2006. The committee is hopeful to have an artist rendering of the monument at that time.

KIWANIS FIELD ~ Anne Rust Aurand

The next meeting is scheduled for September 18, 2006, at the new Town Hall.

ZONING ADMINISTRATOR ~ Frank Hijuelos

Mr. Hijuelos is attending a workshop in Nashville, IN regarding drainage issues.

CLERK-TREASURER ~ Becky Gentry

No report.

TOWN ATTORNEY ~ Tom Bodkin

No report.

TOWN ENGINEER ~ David Hynes

Mr. Hynes reported that many of the punch list items have been completed for the Master Lift Station.

- Division "A" continues to make progress
- Hopefully both will be finished by October meeting
- Dedication asap – plaque should be here
- Odor issues continue

TOWN ADMINISTRATIVE MANAGER ~ Cynthia Burger

Ms. Burger reported that all administrative offices and the Clerk-Treasurer's will be moving to the new location on Friday, September 15, 2006. The Zoning Administrator's Office will be moving on Tuesday, September 19, 2006. All subsequent committee and commission meetings will be held at the new location at 23 W. Jennings, except for Storm Water Management meeting on Monday, September 18, 2006.

MOTION by Mr. Hughes to approve the low quote for salt from for this winter from the North American Salt Company in the amount of \$42.59 per ton Eighty (80) tons will be reserved for the Town of Newburgh (we are required to consume a minimum of 60 tons).

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

UNFINISHED BUSINESS

1. Storage for Fiddler Fest Equipment...from August 23, 2006

Ms. Burger stated there is ample room for all the Fiddler Fest equipment at the Lock & Dam garage. Leanna Hughes, 3 W. Jennings, stated the Newburgh Business Association voted to donate all the equipment to the Town.

MOTION by Ms. Sherman to take under advisement.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

2. Sycamore Street Parking...from August 23, 2006

This item was discussed under the Street Department report.

3. Birch Drive Sanitary Sewer Construction Permit...tabled from June 14, 2006

MOTION by Ms. Sherman to remove from table.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve the Birch Drive Sanitary Sewer Construction Permit.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

NEW BUSINESS

1. Ordinance 2006-26 ~ Adoption of 2006 Budget

MOTION by Ms. Aurand for the first reading of Ordinance 2006-26.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Bodkin read Ordinance 2006-26.

MOTION by Ms. Aurand to accept the first reading of Ordinance 2006-26.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Aurand for the second reading of Ordinance 2006-26.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Bodkin read Ordinance 2006-26.

MOTION by Ms. Aurand to adopt Ordinance 2006-26.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

2. Bid Opening ~ 2006 Street Paving

MOTION by Ms. Sherman to close the 2006 street paving bids.

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

The following bids were submitted:

BIDDER	BID SUMMARY DESCRIPTION	BID FORM 96	ADDENDA ACKNOWLEDGED	FINANCIAL STATEMENT	BID BOND	BASE BID
Metzger Construction	Total Base Bid	Present	n/a	Present	Present	\$101,369.30
E & B Paving	Total Base Bid	Present	n/a	Present	Present	\$112,111.00
Rudolph Asphalt	Total Base Bid	Present	n/a	Present	Present	\$145,037.50

MOTION by Ms. Sherman to take bids under advisement until the September 27, 2006, meeting.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

3. Streets for Acceptance

Convenience Drive

Riverbend Court

Woodridge Court

Jefferson Park Court

Creekside Drive

Jefferson Court

Mr. Hynes recommended the above named streets be accepted for maintenance in order to be added to the street inventory for additional tax revenue for the Town.

MOTION by Mr. Hughes to accept all of the above named streets for maintenance.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

#### MISCELLANEOUS BUSINESS

MOTION by Ms. Sherman to approve the encroachment agreement for 4344 Stonegate Lane.

SECOND by Mr. Hughes.

DISCUSSION: Ms. Sherman stated this was a standard encroachment agreement for construction of a fence.

MOTION carried ayes 5, nays 0.

Ms. Aurand reminded everyone that the Fiddler Fest will be held on September 22, 23, 24, 2006.

The Ghost Walk is scheduled for October 21, 22, 28, and 29, 2006.

#### PETITIONS AND COMMENTS FROM CITIZENS PRESENT

Byron Sherman requested a street closure for the annual Forest Park block party.

MOTION by Ms. Sherman to close the street beginning at the northeast corner of Carole Place at Forest Park Drive around to the southeast corner of Carole Place and Forest Park Drive on October 14, 2006 (October 28, 2006 rain date) from 2:30p.m. until approximately 10:00p.m.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Leanna Hughes, 3 W. Jennings, stated the Newburgh merchants would like to have a parade commemorating the 13<sup>th</sup> Ghost Walk on Friday, October 13, 2006.

MOTION by Mr. Hughes to close the streets around the new Town Hall for a parade on Friday, October 13, 2006, at 6:30p.m.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Robert F. Seibert, 6388 Summit Pointe Way, stated the Newburgh Senior Citizens Center will be hosting Candidate Day on October 13, 2006, at 9:30a.m.

MOTION by Ms. Sherman to change the September 28, 2006, Council meeting to September 27, 2006, at 5:30p.m.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

#### APPROVAL OF CLAIMS

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

SECOND by Mr. Hughes.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

#### ADJOURNMENT

MOTION by Ms. Sherman to adjourn.

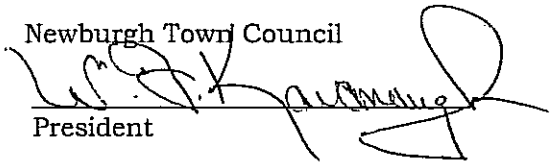
Second by Mr. Moore.

DISCUSSION: None

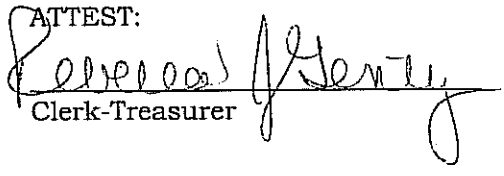
MOTION carried ayes 5, nays 0.

APPROVED this 27 day of September, 2006.

Newburgh Town Council

  
President

ATTEST:

  
Clerk-Treasurer