

Newburgh Town Council Meeting  
Date: Wednesday, June 25, 2014

The Newburgh Town Council met in Executive Session on Wednesday, June 25, 2014, at 4:30 p.m. Those present at the meeting were Council President/Council-at-Large Leanna K. Hughes, District I William F. Kavanaugh, District II Tonya R. McGuire, District III Alonzo B. Moore, Jr., District IV Anne Rust Aurand, Clerk-Treasurer Jon E. Lybarger, Town Manager Lori Buehlman and Town Attorney Christopher C. Wischer. The purpose of the meeting was discussion of personnel matters and pending litigation.

5:30 p.m. Committee and Regular Session, Newburgh Town Hall, 23 W. Jennings, Newburgh, Indiana.

CALL TO ORDER

Council President Leanna K. Hughes called the Regular Session to order at 5:37 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Newburgh Town Council and the Newburgh Volunteer Fire Department. A moment of silence was observed for Sara McCauley Slack.

ROLL CALL

Those present at the meeting:

District I - William F. Kavanaugh

District II - Tonya R. McGuire

District III - Alonzo B. Moore, Jr.

District IV - Anne Rust Aurand

Council-at-Large - Leanna K. Hughes

Clerk-Treasurer - Jon E. Lybarger

Town Manager - Lori S. Buehlman

Town Attorney - Christopher C. Wischer

APPROVAL OF MINUTES

MOTION by Mrs. McGuire to approve the June 11, 2014 Town Council meeting minutes.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

SCHEDULED REQUESTS & APPEARANCES

1. Julie Washington, Frosty Treats, 621 B North Ninth Avenue, Evansville

Julie Washington, 519 Cypress St. Newburgh, representing Frosty Treats appeared before council to discuss the revoked Frosty Treat Peddler Permit due to a falsified driver application. This driver has been assigned a new area. The council had concerns with a second driver but that individual is no longer with the company.

MOTION by Mr. Moore to Reinstate Peddler Permit #2014- 04 for Frosty Treats on the condition that the two (2) drivers in question not be allowed to conduct Frosty Treat business in the Town, that future drivers will honestly complete the required application and Mrs. Washington meets with Chief Sprinkle.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

**2. Rodney Serio, Requesting Swim Team Refund**

Rodney Serio, 1015 N. Elliott St., Evansville, requested a swim team refund for his daughter due to family issues. Mr. Serio's request will be presented to the Park Board.

**PETITIONS AND COMMENTS FROM CITIZENS PRESENT**

None requested.

**UNFINISHED BUSINESS**

**1. Ordinance 2014-05, Re-zoning of 5 East Jennings from Commercial 1 to Residential 1**

The ordinance remains on the agenda due to no action at the previous meeting. For a zoning ordinance to be defeated, a majority vote is needed. Following 90 days of no action by the council, the Plan Commission recommendation stands.

**MOTION** by Mr. Kavanaugh to table Ordinance 2014-05, Re-zoning of 5 East Jennings from Commercial 1 to Residential 1 to the July 9, 2014 Town Council meeting.

**SECOND** by Mrs. Hughes.

Mrs. McGuire will not be present at the next meeting.

**MOTION failed:** ayes 2, nays 3 (Aurand, McGuire, Moore).

**MOTION** by Mrs. McGuire to table Ordinance 2014-05, Re-zoning of 5 East Jennings from Commercial 1 to Residential 1 to the July 23, 2014 Town Council meeting.

**SECOND** by Mr. Moore.

**MOTION carried:** ayes 3, nays 2 (Kavanaugh, Hughes).

**NEW BUSINESS**

**1. Open Bids for the Newburgh Volunteer Fire Department Pumper Engine Truck**

**MOTION** by Mr. Kavanaugh to close the bids for the Newburgh Volunteer Fire Department Pumper Engine Truck.

**SECOND** by Mr. Moore.

**DISCUSSION:** None

**MOTION carried:** ayes 4, nays 1 (Hughes).

Mr. Lybarger opened the bid for the Newburgh Volunteer Fire Department Pumper Engine Truck. Mr. Wischer stated Global Emergency Products submitted a base price of \$598,800.00, with discounts of \$18,948.00, and with 100% prepaid.

**MOTION** by Mr. Moore to take the Newburgh Volunteer Fire Department Pumper Engine Truck bid under advisement for legal and engineering review.

**SECOND** by Mrs. McGuire.

**DISCUSSION:** None

**MOTION carried:** ayes 5, nays 0.

**2. Open Bids for the 2014 Street Resurfacing Project**

**MOTION** by Mr. Kavanaugh to close the bids for the 2014 Street Resurfacing Project.

**SECOND** by Mr. Moore.

**DISCUSSION:** None

**MOTION carried:** ayes 5, nays 0.

Mr. Wischer opened the bids for the 2014 Street Resurfacing Project.

Bids were submitted by E & B Paving in the amount of \$1,299,017.37; JH Rudolph for \$1,601,870.90; and Metzger Construction Co., Inc. for \$1,270,825.40. The Bid Opening Record is included in the minutes.

MOTION by Mr. Kavanaugh to take the 2014 Street Resurfacing Project bids under advisement for legal and technical review until the next meeting.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

#### COMMISSION REPORTS

AIR AUTHORITY - Ms. Aurand

No report.

BOARD OF ZONING APPEALS – Ms. Aurand

The board has not met since the last council meeting.

FIRE - Mr. Moore

Chief Paul Campbell thanked the council for their assistance with the bid process. 37 sets of turnout gear, a thermal imaging camera, digital camera and gas detector were purchased within the last eight (8) months with fund drive funds and a FEMA grant with a 5% match. Over \$100,000.00 was spent on updating equipment. A set of turnout gear and the thermal imaging camera were shown to the council.

HISTORIC PRESERVATION - Mrs. McGuire

Mrs. McGuire stated the HPC has not met since the last meeting.

PARK – Mrs. Hughes

Mrs. Hughes stated Park Board will meet on Thursday, July 3, 2014.

PLAN – Ms. Aurand

Ms. Aurand stated the American Legion will attend the July BZA meeting. Plan will meet on July 7, 2014.

POLICE – Mr. Kavanaugh

No report.

STORM WATER – Mr. Kavanaugh and Mr. Moore

The next meeting will be held on July 21, 2014.

STREETS – Mr. Moore

Mr. Moore stated the batting cage area is near completion. The Street Crew striped the Town Hall parking lot and repainted the arrows at the Water Street intersections. Clay dirt was removed from the bottom of Overlook Drive. Rock was added to the Locust Street alley and then graded and compacted. Bamboo was trimmed from the Adams and Section Street intersection. A double pole was used to increase the support of the stop sign located at Monroe and Water Street. Ms. Aurand stated the stop sign at Middle and Main Street that stops westbound traffic needs replacement; Mr. Moore will have the crew check the sign.

UTILITY – Mrs. Hughes

The next meeting will be held on July 2, 2014.

STANDING COMMITTEES

FINANCE – Mrs. Hughes

The exit interview in draft form was held with the State Board of Accounts auditor: the Town's results were favorable.

PERSONNEL – Mr. Kavanaugh

No report.

SPECIAL BOARDS/COMMITTEE REPORTS

RIVERTOWN TRAIL – Mr. Kavanaugh

The Rivertown Trail Committee met on June 16, 2014. A Rivertown Trail policy is being developed. Parking at Lock & Dam Park is under review and the recent Rivertown Trail 5K Run and Blue Ribbon River Run were discussed.

SIDEWALK – Mrs. Hughes

The committee will meet June 27, 2014 at 10:00 a.m. July 9, 2014 is the letting date.

ARTS PAVILION – Mrs. Hughes

Mrs. Hughes stated the next meeting will be held on July 7, 2014. Musicians have been scheduled for the Arts Council's Summer Sundays from 2:00 to 4:00 p.m.

ZONING ADMINISTRATOR – Commissioner Ms. Aurand

Mrs. Hughes stated Ms. Buehlman is preparing a job description for a Zoning Administrator which will be discussed at the next meeting. Mrs. Hughes would like to be present.

CLERK-TREASURER – Mr. Lybarger

No report.

TOWN ATTORNEY – Mr. Wischer

Mr. Wischer stated a notice to sell bonds, which includes the Epworth Road project, will be discussed at the July 2, 2014 Utility meeting. If a notice to sell bonds is published by July 10, 2014, the bonds could be closed by August 7, 2014.

TOWN ENGINEER – Mr. Hynes

Mr. Hynes stated the bids received tonight were good bids with the engineer's estimate at 1.8 million. Commonwealth Engineering Inc. (CEI) will conduct a review process and make a recommendation so the Notice of Award can take place at the next council meeting. A Notice to Proceed will be held at the July 23, 2014 council meeting allowing the project to begin in July. The priority projects are scheduled for two (2) phases. Phase 1 does not include the following streets, Water, Jennings or State, due to Vectren work in progress. There will be a meeting on July 1, 2014 to discuss the streets that will be paved. The following will attend: Ms. Buehlman, Mr. Kavanaugh, Mr. Moore, Mr. Hynes, Mr. Wischer and a representative from the Wastewater Treatment Facility (WWTF). A list of all projects in Phase 1 and 2 has been provided to the council members. There will be a meeting with Vectren at 11:00 a.m. tomorrow.

TOWN ADMINISTRATIVE MANAGER – Ms. Buehlman

Ms. Buehlman extended greetings from Reg and Shirley Porter of Newburgh, England council. She had a great trip and was warmly welcomed by Newburgh residents. Mementos were exchanged.

Ms. Aurand stated this year marks the 20<sup>th</sup> anniversary of the twinning.  
The River Basin Blues Society BBQ Fest has cancelled their event scheduled for August 8, 9 and 10, 2014.

MISCELLANEOUS BUSINESS

Mr. Kavanaugh stated Wanda will not be able to sing the National Anthem at the HNI Fourth of July Fireworks Celebration. Mrs. Hughes encouraged all council members to attend; several members will help with the event as volunteers.

Council members were asked to review the July Meeting Schedule.

Mr. Moore stated he spoke at the Crusader Quest a few weeks ago and he received thank you notes from all those who attended.

Mrs. Hughes stated she met with a couple of downtown businesses regarding problems and successes with the recent Cruise-in. It was suggested the antique cars be parked in the Town Hall parking lot.

Ms. Aurand suggested the committee again review the Newburgh street structure to determine alternative routes when streets are under repair and an evacuation plan in the event of an emergency.

APPROVAL OF CLAIMS

MOTION by Mr. Moore moved that claims be paid in the following amounts including any sewer adjustments:

Civil Town – \$273,229.53

Sewer - \$200,282.98

SECOND by Mr. Kavanaugh.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

ADJOURNMENT

MOTION by Mr. Moore to adjourn.

SECOND by Mrs. Hughes.

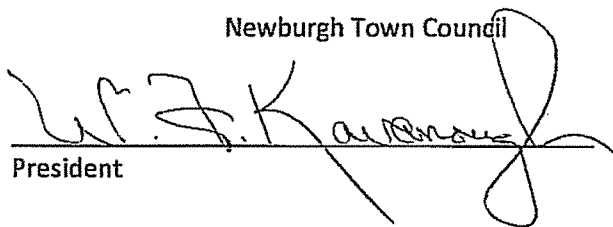
DISCUSSION: None

MOTION carried: ayes 5, nays 0.

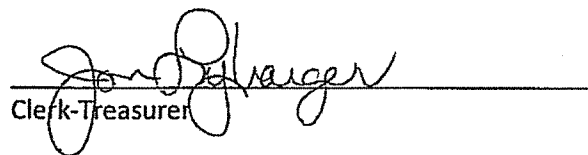
Mrs. Hughes adjourned the meeting at 7:28 p.m.

APPROVED this 9 day of July, 2014

Newburgh Town Council

  
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President

ATTEST:

  
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Clerk-Treasurer

