

Newburgh Town Council Meeting
Date: Wednesday, February 25, 2015

The Newburgh Town Council met in Committee and Regular Session on Wednesday, February 25, 2015, at 4:30 p.m. at Newburgh Town Hall, 23 W. Jennings, Newburgh, Indiana. Those present at the meeting were Council President/District I William F. Kavanaugh, District II Leanna K. Hughes, District III Alonzo B. Moore, Jr., District IV Anne Rust Aurand, Clerk-Treasurer Jon E. Lybarger, Town Manager Lori Buehlman and Town Attorney Kristen Head. Absent was Council-at-Large Tonya R. McGuire. The purpose of the meeting was discussion of personnel matters and pending litigation.

CALL TO ORDER

Council President William F. Kavanaugh called the Regular Session to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Newburgh Town Council. A moment of silence was observed for Jim Eifler who served on the Warrick County School Board and Boonville City Council and for our troops.

ROLL CALL

Those present at the meeting:

District I - William F. Kavanaugh

District II - Leanna K. Hughes

District III - Alonzo B. Moore, Jr.

District IV - Anne Rust Aurand

Clerk-Treasurer - Jon E. Lybarger

Town Manager - Lori S. Buehlman

Town Attorney - Kristen Head

Absent: Council-at-Large - Tonya R. McGuire

APPROVAL OF MINUTES

1. February 11, 2015 ~ Executive & Regular Session

MOTION by Mrs. Hughes to amend the February 11, 2015 council minutes to include the utility motion subjects.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

SCHEDULED REQUESTS & APPEARANCES

1. Deaconess Hospital Healthier U Walk, Sara Gallegos

Sara Gallegos, 4650 Miranda Dr., Newburgh, requested permission to hold the Deaconess Hospital Healthier U Walk on June 13, 2015 beginning at the Aurand Trailhead near St. John's Church. Setup for the walk is at 8:15 AM and all will be concluded by 10:15 AM. No streets or sidewalks will be closed; the Chief has approved their plan. The walks are held weekly for twelve (12) weeks at various locations throughout the area.

MOTION by Mrs. Hughes to approve the Deaconess Hospital Healthier U Walk on June 13, 2015.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

No petitions or comments from citizens present.

UNFINISHED BUSINESS

1. Town of Newburgh Rivertown Trail / Event Policy...tabled December 10, 2014

Continue to table.

2. Ordinance 2015-02, Amend Ordinance 2014-11, Salary Ordinance for 2015

Continue to table.

3. Mystic Development, Country Place Drive, Encroachment Agreement, tabled January 28, 2015

Continue to table.

4. Motor Vehicle Highway Budget Revisions

MOTION by Mrs. Hughes to table the Motor Vehicle Highway Budget Revisions and send to the Finance Committee for review.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 3, nays 1 (Aurand).

5. Town Vehicle Refinancing Options

Ms. Buehlman stated meetings are scheduled with several financial institutions to review refinancing options.

MOTION by Mr. Moore to table the Town Vehicle Refinancing Options to the next meeting.

SECOND by Mrs. Hughes.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

NEW BUSINESS

1. Ordinance 2015-03, Towing Ordinance

MOTION by Mr. Moore to table Ordinance 2015-03, Towing Ordinance to the next meeting.

SECOND by Mrs. Hughes.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

2. Sanitary Sewer Rehabilitation Projects (Notice of Award, Contract and Notice to Proceed)

The preconstruction meeting was held this week.

MOTION by Mrs. Hughes to approve the Notice of Award to Deig Bros. Lumber and Construction, Inc. in the amount of \$364,885.50.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

MOTION by Mr. Moore to approve the contract between the Town of Newburgh and Deig Bros. Lumber and Construction, Inc. in the amount of \$364,885.50.

SECOND by Mrs. Hughes.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

Mr. Hynes stated the Notice to Proceed will be effective tonight.

MOTION by Mrs. Hughes to approve the Notice to Proceed with Deig Bros. Lumber and Construction, Inc. which becomes effective tonight, the Commence to Run will begin on March 9, 2015 and construction is expected to begin on March 16, 2015 with a 120 day construction period to complete the work followed by 30 days to reach final completion.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

3. State Revolving Fund Documents for the Epworth Road Medical Corridor Sanitary Sewer Expansion
 - a. Pre-Award Compliance Review Report for All Applicants and Recipients
 - b. State Revolving Fund Compliance Form

MOTION by Mr. Moore to approve the Pre-Award Compliance Review Report for All Applicants and Recipients.

SECOND by Mrs. Hughes.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

MOTION by Mrs. Hughes to approve the State Revolving Fund Compliance Form.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

4. Engineering Services Agreement between the Town of Newburgh and Commonwealth Engineers for:
 - a. Acorn Drive Sanitary Sewer Rehab – Manhole 15-134 to 13-133
 - b. Copper Creek Sanitary Sewer Rehab – Manhole 10-216 to 10-213
 - c. 7322 Oakdale Drive Sanitary Sewer Rehab - Manhole 15-118 to 15-124
 - d. Pecan Lane McCool Mobile Home Park Sewer Investigation
 - e. Main Street Sanitary Sewer Rehab
 - f. 4166 Pine Drive Sanitary Sewer Rehab

MOTION by Mr. Moore to approve the Engineering Services Agreement between the Town of Newburgh and Commonwealth Engineers for the Acorn Drive Sanitary Sewer Rehab study and inspection services.

SECOND by Mrs. Hughes.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

MOTION by Mrs. Hughes to approve the Engineering Services Agreement between the Town of Newburgh and Commonwealth Engineers for Copper Creek Sanitary Sewer Rehab for preliminary engineering, final design, bidding, construction engineering, inspection services, right of entries and to provide record drawings at the end of the project.

SECOND by Mr. Moore.

DISCUSSION: Mr. Hynes stated this infrastructure has failed due to incorrect installation some fifteen (15) years ago.

MOTION carried: ayes 4, nays 0.

MOTION by Mrs. Hughes to approve the Engineering Services Agreement between the Town of Newburgh and Commonwealth Engineers to perform a study, design and bid to repair a failure at 7322 Oakdale Drive Sanitary Sewer Rehab.

SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

MOTION by Mrs. Hughes to approve the Engineering Services Agreement between the Town of Newburgh and Commonwealth Engineers to perform a study, design, bid and acquire easements for Pecan Lane McCool Mobile Home Park Sewer.
SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

MOTION by Mrs. Hughes to approve the Engineering Services Agreement between the Town of Newburgh and Commonwealth Engineers for the study, design and bid for Main Street Sanitary Sewer Rehab Manhole 09-133 to 09-180A.
SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

MOTION by Mr. Moore to approve the Engineering Services Agreement between the Town of Newburgh and Commonwealth Engineers to perform a study, design, bid and easement for a failure at 4166 Pine Drive Sanitary Sewer Rehab
SECOND by Mr. Kavanaugh.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

COMMISSION REPORTS
AIR AUTHORITY - Ms. Aurand
No report.

BOARD OF ZONING APPEALS – Ms. Aurand
The board did not meet this month due to lack of agenda items.

FIRE - Mr. Moore
MOTION by Mr. Moore to approve the agreement between the Newburgh Volunteer Fire Department (NVFD) and the Owensboro department for a transponder, a \$799.00 value, with no cost to the NVFD.
SECOND by Ms. Aurand.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

HISTORIC PRESERVATION COMMITTEE (HPC) - Mrs. McGuire
Ms. Aurand stated the meeting was held on February 12, 2015. Historic Preservation Week events in May were discussed.
A tree was removed in the historic district without permission or permits as the owner was unaware the property was located in the preservation district. Notification will be sent to area realtors on an annual basis detailing the historic preservation district area. Ms. Aurand suggested placing a plaque on all structures in the preservation area. Mrs. Hughes suggested including notification with the deed. Ms. Buehlman stated the arborist who removed the tree will provide paperwork substantiating its removal. Research will be completed to determine if the alley in this vicinity has been vacated.

Sue Morrison, a member of the HPC advisory committee, spoke against the proposed Wal-Mart and was advised to attend the Plan Commission meeting on Monday.

PARK – Mrs. Hughes

Mrs. Hughes stated Park will meet on March 5, 2015. Ms. Buehlman will prepare a list of equipment and improvements needed at the Fortress of Fun for the next Park Board meeting.

PLAN – Ms. Aurand

Ms. Aurand stated the Plan Commission will meet on March 2, 2015 and encouraged all council members to attend the public hearing regarding a proposed Wal-Mart.

POLICE – Mrs. McGuire

The Police Commission will meet on March 2, 2015 at 4:30 PM.

STORM WATER – Mr. Kavanaugh and Mr. Moore

Ms. Buehlman stated the street crew repaired a broken drainage pipe on Outer Gray. Correspondence will be sent to some Forest Park residents regarding a drainage issue. The next meeting will be held on March 16, 2015.

STREETS – Mr. Moore

Mr. Moore stated a broken drainage pipe was repaired on Outer Gray. The crew performed maintenance on two plows and repaired the throttle body on the salt spreader motor. Snow and ice removal was a major priority. Mowers and summer equipment are being readied for a welcomed change in seasons. In March, John Heck and Dustin Smith will attend Road School at Purdue University. Mrs. Hughes would like the street crew to make a few pathways from the street to the sidewalk after the roads have been plowed following a snow event.

UTILITY – Mrs. Hughes

Mrs. Hughes stated the committee will meet on March 4, 2015 at 10:00 AM.

STANDING COMMITTEES

FINANCE – Mrs. Hughes

Mrs. Hughes will schedule a finance meeting immediately.

PERSONNEL – Mrs. Hughes

MOTION by Mrs. Hughes to hire Alec Moore for the full-time position of Collection System Operator at the Wastewater Treatment Facility at an hourly rate of \$14.90 plus benefits pending a negative drug screen.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

SPECIAL BOARDS/COMMITTEE REPORTS

RIVERTOWN TRAIL – Mrs. McGuire

No report with no meeting scheduled.

SIDEWALK – Mrs. Hughes

No report.

ARTS COMMISSION – Mrs. Hughes

The Arts Commission will not meet on March 2, 2015.

ZONING ADMINISTRATOR – Commissioner Ms. Aurand

No report.

CLERK-TREASURER – Mr. Lybarger

Mr. Lybarger stated the annual report and a debt report is in progress for the Department of Local Government Finance. The value of the Williams property annexed to the Town is needed. The 2015 budget will be entered into Incode and 2014 balanced and closed.

TOWN ATTORNEY – Kristen Head

No report.

TOWN ENGINEER – Mr. Hynes

Mr. Hynes stated construction on the Epworth Road project will begin next Wednesday. A ground breaking ceremony will take place on March 4, 2015 at 2:30 PM.

TOWN ADMINISTRATIVE MANAGER – Ms. Buehlman

Ms. Buehlman thanked Josh Cornelius who allowed use of his downtown Newburgh picture on the Town's website. The Newburgh Women's Club craft show will be held this Saturday. The Newburgh Senior Center has hired Nancy Lybarger as their director.

MISCELLANEOUS BUSINESS

Ms. Buehlman stated the Town has a direct contract with Advanced Disposal for trash removal. The recycling is done through Warrick County Solid Waste and not through the Town of Newburgh.

The outstanding citizen award will be announced in the spring.

Ms. Aurand stated the general membership meeting of Historic Newburgh Inc. was held recently. Thanks were extended for the sidewalk project and there was discussion on the riverfront event center. An event entitled Dark Sky will be considered. Reg Porter sent Ms. Aurand an article on George Washington's ancestral home which is located in Warton, Lancashire where the American flag is displayed on the village church flag pole every July Fourth.

The Museum is featuring an exhibit detailing the history of coal mining in Newburgh.

APPROVAL OF CLAIMS

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

Civil Town – \$150,336.70

Sewer – \$166,894.80

State Revolving Fund (SRF) – \$14,278.67

SECOND by Mrs. Hughes.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

ADJOURNMENT

MOTION by Mrs. Hughes to adjourn.

SECOND by Mr. Moore.

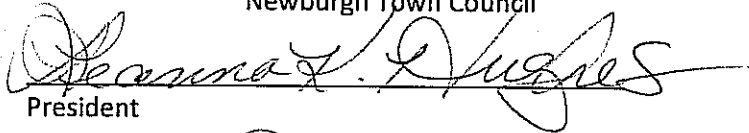
DISCUSSION: None

MOTION carried: ayes 4, nays 0.

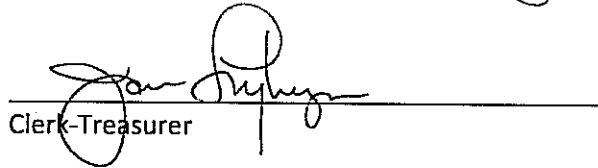
Mr. Kavanaugh adjourned the meeting at 7:04 p.m.

APPROVED this 11 day of March, 2015.

Newburgh Town Council


President

ATTEST:


Clerk-Treasurer