



Town of Newburgh
Town Council Meeting, Wednesday, January 27, 2016

Regular Session, Newburgh Town Hall, 23 W. Jennings, Newburgh, IN

CALL TO ORDER by council president Leanna K Hughes at 5:30 p.m.

PLEDGE OF ALLEGIANCE was led by Walker Selby from Troop #330, he is working on his Communications and Citizenship in community merit badges.

ROLL CALL.

District I – William F. Kavanaugh
District II – Leanna K. Hughes
District III – Stacie M Krieger
District IV – Anne Rust Aurand
Council-at-Large – Tonya R. McGuire
Clerk-Treasurer – Jon Lybarger
Town Manager – Christy Powell
Town Attorney – Christopher Wischer

ABS: William F Kavanaugh, Tonya R McGuire

REMEMBERANCES: Wes Foster a former student of Ms. Rust Aurand he was killed in an avalanche he lived in Jackson Hole, WY. Also, Lester Cox a long time resident of Newburgh, Katherine Kaiser Merrill, and Dick Mushlitz.

APPROVAL OF MINUTES.

1. Jan 13, 2016 ~ Regular Session
Motion by Ms. Rust Aurand to approve the January 13, 2016 Town Council Minutes.
Second by Ms. Krieger
Discussion: None
Vote: Ayes 3, Nays 0

NEW BUSINESS.

1. Sandra Wells basketball goal in the street at 112 Fairfax.
Information was presented by Mrs. Wells regarding the placement of play equipment which are either current guidelines or ordinances in place elsewhere in Indiana. She believes that something of this nature should be developed and approved by the Town of Newburgh primarily for the safety of children and promote safety in communities.

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It was moved that the town attorney should draft an ordinance that would limit the use of the streets for a play area.

Motion by Ms. Rust Aurand to have our attorney draft an ordinance for the town based on the discussion and ordinances in place elsewhere in Indiana.

Second by Ms. Krieger

Discussion: It was suggested that the Indianapolis ordinance should be used as a guide for developing our ordinance.

Vote: Ayes 3, Nays 0

2. Carol Schaefer – Presented a number of pieces of information and requests from HNI:

- A. Requesting use of town facilities for 2016.

Will need the Lock and Dam Park on Wednesday with street closing on Friday evening – Sunday.

--Grapes on the Grass Soiree is the Friday night, May 20, 6:30- 9 PM and is the evening before the Wine Art & Jazz Festival.

--Historic Newburgh Wine, Art & Jazz Festival presented by Evansville Living Magazine: Saturday May 21st, Noon – 9pm there is non-stop jazz, great food and an opportunity, to browse and buy local art.

-Will need Town Hall open each morning at 7 am – 12:30 pm for access to bathrooms.

Historic Newburgh Farmers Market: is every Saturday, morning Memorial Day Saturday morning, May 28 - September 24th

-Will need Old Lock and Dam Park July 2nd and July 3rd.

2016 Fireworks and Evening in the Park: is Saturday, July 2nd with rain date set for Sunday, July 3rd. At 5 pm the streets close and the games begin. The Fireworks begin at 9 pm.

-The Theatre will be breaking away from Historic Newburgh, Inc. and forming their own organization. They are in the process so I will be requesting use of Preservation Hall for their show. They will have a representative at the Town Council meeting in January to make the request for waiver of fee.

-Will need Preservation Hall for theatre practices the week days of Sept 19-22 for practice only and Sunday Sept 25-Oct 2 for the show, setup and cleanup.

Show dates for the new Newburgh Community Theatre Sept 30-Oct 2 which is the first weekend in October.

-Will need Preservation Hall and Town Hall lobby evening of Oct 14, 15, 16. Ghost Walks is October 14, 15, 16. It is an interesting walk through the streets of Downtown Newburgh.

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-Will need streets around Town Hall (Monroe, Jennings, State and Water) to be closed 2 pm – 3 pm on Oct 22nd for the Ghostly Stroll Halloween Parade. The parade starts at Town Hall Parking lot. Trick or Treat through the Downtown Newburgh stores, Oct 22 3-5pm.

-Free Family Movie Night was a huge success last year. We will be doing 4 nights at the Lou Dennis Community Park. It is just in the planning stages but we would like to do July Free Family Movie night with the pool open before the movie. This is yet to be determined.

-Will need the use of the Lou Dennis Community Park, August 20th, September 17th and October 22. If we do the pool party that date is July 23th. The times are 5-10 pm July –Sept with Oct 22 3 pm – 10 pm for the Harvest Festival along with Free Family Movie Night.

-Will need Town Hall for Santa for Historic Newburgh Celebrates Christmas is Dec 3rd and 4th which is the first full weekend in December. 10-5 on Saturday and noon – 5 on Sunday with lighting of Town trees at 5:30 pm.

Motion by Ms. Krieger to approve the use of town facilities by HNI at no cost.

Second by Mrs. Hughes

Discussion: None

Vote: Ayes 3; Nays 0

B. Moving of the town Christmas tree from Merchants Plaza to the North side of Town Hall on the concrete pad.

Motion by Ms. Krieger to in the future have the town Christmas tree on display in front of town hall.

Second by Ms. Rust Aurand

Discussion: Much discussion ensued including the purchase of a potted tree that could either be used from year-to-year or a tree with a root ball that could be transplanted after Christmas. All comments were to the positive regarding the moving of the tree.

Vote: Ayes 3; Nays 0

C. A suggestion was made to decorate the telephone booth in front of town hall at Christmas. Perhaps have a Santa in the phone booth it would not need to be a real person. Something to consider.

D. HNI will be approaching the RTT Commission about having a Chalk Art Day on the trail. They would like to create the event in conjunction with the farmers market. They received blessings from the Town

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Council, but it would ultimately be a decision made by the RTT Commission.

E. HNI would like to sponsor decorating the Old Lock and Dam at Christmas. The exterior of the facility, not the interior, the concern of the Council was that they make sure not to impede the handicapped accessibility to the building. More information to come on this later.

3. Financing options for Police and Fire Vehicles.

After receiving bids for the new police vehicles, it was found that German American Bank Corporation (GABC) presented the best rate and terms for financing. It was requested that the Town Council approve the letting of the financing to GABC.

Motion by Ms. Rust Aurand to approve the financing of the two new police vehicles be awarded to GABC.

Second by Ms. Krieger

Discussion:

Vote: Ayes 3; Nays 0

Financing rules have changed in Indiana and purchases do not have to be made through lease agreements. They can be purchased through conventional auto loans. For the new fire vehicle, that will be arriving in a few weeks, there will be requests for financing from all the approved depositories for the town of Newburgh. More information to be provided at the next meeting.

4. Agreement with CEI - 011 2015-27 Zoning and Floodplain Mapping Update.

This is for a contract between Commonwealth Engineering, Inc and the Town of Newburgh.

Motion by Ms. Krieger to approve the contract between CEI and the Town of Newburgh.

Second by Ms. Rust Aurand

Discussion: None

Vote: Ayes 3; Nays 0

5. Agreement with CEI - 047 2015-28 West MLS Bypass Pumping & Repair.

This contract is for Commonwealth Engineering to have the pump mounting base repaired.

Motion by Mrs. Hughes to approve

Second by Ms. Krieger

Discussion: None

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Vote: Ayes 3; Nays 0

6. Agreement with CEI -048 2015-29 Triple Crown LS Capacity Investigation.

This investigation is being conducted to determine the capacity of the lift station to decide if modifications are required to the lift station in light of the system upgrades that are being made.

Motion by Mrs. Hughes to approve the investigation into the lift station.

Second by Ms. Rust Aurand

Discussion: none

Vote: Ayes 3; Nays 0

7. Agreement with CEI -049 2015-30 Master LS FM Emergency Response SOP.

The SOP would be developed to determine what materials would be required in case of an emergency. Once materials are identified, they can be purchased and on hand so that the time to respond to an emergency would be greatly reduced.

Motion by Mrs. Hughes to approve the development of a plan.

Second by Ms. Krieger

Discussion: None

Vote: Ayes 3; Nays 0

8. Agreement with CEI -2015-01 Newburgh Epworth Rd Medical Corridor SS Exp.

Motion by Mrs. Hughes to approve Epworth Rd Medical Corridor SS Exp.

Second by Ms. Rust Aurand

Discussion: none

Vote: Ayes 3; Nays 0

9. 6466 Water Stone Ct – Acceptance of Sanitary Sewers.

Motion by Mrs. Hughes to approve the acceptance of sanitary sewers at 6466 White Stone Ct.

Second by Ms. Krieger

Discussion: None

Vote: Ayes 3; Nays 0

10. 2014 Street Resurfacing Project-Pay Appl. #8 to Metzger Const. Co. Presentation of Pay Application #8 from Metzger Construction, Co. This is not their final bill, there is still a little work that needs to be completed around town. The total amount requested to be considered

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is \$147,783.76, with a 5% retainage of \$7,389.19 for a net payment of \$140,394.57.

Motion by Mrs. Hughes to approve payment to Metzger Construction Company for \$147,783.76, with a 5% retainage of \$7,389.19 for a net payment of \$140,394.57.

Second by Ms. Krieger

Discussion: None

Vote: Ayes 3; Nays 0

11. Jennings and State St. SW Improvements-Pay Appl. #6 to River Town Constr.

The payment request is the final pay request from River Town Construction which also included the release of retainage for a total of \$23,816.02.

There were questions from Mrs. Hughes pertaining to the amount of 'little' things that need to be completed in regards to the project. She suggested this request for payment be tabled until a complete list of open issues can be produced and a time frame established for completion of the items. She also noted that the project was not completed by the requested completion date.

Motion by Ms. Aurand to table this payment application until the next meeting.

Second by Mrs. Hughes

Discussion: None

Vote: Ayes 3; Nays 0

12. Epworth Med. Corr. SS Expansion- Pay Appl. #9 to BBI.

Mr. Hynes requested Pay App #9 to Blankenberger Brothers, Inc for \$240,803.41, with a 5% retainage of \$12,040.19 for a net payment of \$228,763.60.

Motion by Ms. Krieger to approve payment of payment application #9 to Blankenberger Brothers, Inc.

Second by Ms. Rust Aurand

Discussion: None

Vote: Ayes 3; Nays 0

13. Newburgh fire department is looking to transfer ownership of the 1993 Suburban to the Pigeon Township Volunteer Fire Department at no cost.

The vehicle was surplusd at a previous meeting.

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Motion by Ms. Rust Aurand to proceed with the transfer of the vehicle.
Second by Ms. Krieger

Discussion: There was a question by Mrs. Hughes regarding why we are just transferring the vehicle. Under Indiana law one VFD can transfer equipment another VFD without cost or other obligation. By charging even one dollar for the vehicle it would cause a number of financial hardships for the department.

Vote: Ayes 3, Nays 0

14. Weather Related Decisions

This topic was placed on the agenda by the Town Council President. There are many issues regarding this topic. Who should ultimately cancel work or declare an emergency and non essential employees should not report to work? If a citizen has a problem, how would they get in touch with someone in town? How should employees be paid if there is an emergency? These questions and more were posed during discussion. It was decided that the town phone will be forwarded to the town manager who will then contact whomever would be necessary to respond to a citizens issue. It was decided that a Standard Operation Procedure (SOP) should be developed to cover issues like this.

UNFINISHED BUSINESS.

1. State and Gray Residence...tabled September 23, 2015

Motion by Mrs. Hughes to remove item from the table

Second by Ms. Krieger

Discussion:

Vote: Ayes 3, Nays 0

This residence now falls under the review of the BZA and a Public Hearing will need to be scheduled to move ahead any further on this property. It should not come back to town council for action until BZA is completed with property review.

COMMISSION/COMMITTEE REPORTS

COMMISSION.

Air Authority ~ Ms. Aurand

No meeting/ No report

Board of Zoning Appeals ~ Mrs. McGuire

January meeting was cancelled next meeting scheduled for February 22.

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Fire ~ Ms. Aurand

Paul Campbell was present and he provided a year end report from the Newburgh Volunteer Fire Department. During 2015, there were a total of 415 runs were made. Ninety-four of the runs were within the town and 306 were outside of town and in the township. The remainder of the runs were mutual aid runs outside of the township. A total of 4974 man hours were expended during 2015.

Also, the new squad is in Indianapolis and should be delivered in about 3 weeks.

The master equipment list is being updated with indications of which items will need to be repaired or replaced.

Paperwork has been submitted for firefighter grants and the town has asked for \$348,000 to replaced the firefighting self contained breathing apparatus' and related equipment.

Chief Campbell is working with our town attorney to develop an ordinance that will allow the fire department to create an invoice to re-coup costs for expendable items used at a crash scene. The bill would be submitted to the insurance company of the responsible party.

The December run results indicated that there were a total of 21 runs with one being in town and the remainder in the county.

Historic Preservation ~ Ms. Krieger

At a meeting held on January 14th, there was discussion regarding the red brick house on the Simpson property. Dr. Renne and Ken Oliver are continuing to investigate the history of the building.

The Town Council, at a previous meeting, agreed to provide property to which the building may be relocated provided private sources can acquire funds for the relocation.

There was discussion regarding whether the town could expand the historic district to include this building thereby protecting it from destruction. A public hearing will be scheduled for February 11th to discuss the possibility of protecting this property.

Park ~ Ms. Krieger

Next meeting will be February 4th. They are looking at having a long range planning meeting for the parks and pool sometime in late February.

Plan ~ Mrs. McGuire

February meeting cancelled

During December, there were 12 project applications with a total estimated enhanced value of \$775,000. Revenue from the sale of these permits was \$1,455.12.

Police ~ Mrs. McGuire

No Report

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Next meeting February 8th.

Site Review Committee ~ Mrs. McGuire
No Report

Storm Water ~ Mr. Kavanaugh
No Report
Next meeting February 8th.

Street ~ Ms. Aurand
January 17th – the town street crew responded to snow emergencies.
Cleaning of various locations around town.
Sledging at the hills at the Lock and Dam by residents in town.

Trash ~ Mr. Kavanaugh, Ms. Hughes
No Report

Utility ~ Mrs. Hughes, Mr. Kavanaugh
- Utility Motions (If available)
No utility motions or activity was presented.
Next meeting will be February 3rd at 10:00 a.m.

STANDING COMMITTEES

Finance ~ Mrs. Hughes, Mrs. McGuire
Final budget order was received from the state and Newburgh needs to reduce its proposed budget by \$292,901.
It is also requested that all departments reduce their respective budgets by 20%.
We are expecting to provide an across the board 2% wage increase.

Personnel ~ Mrs. Hughes, Mrs. McGuire
No Report

SPECIAL BOARDS/COMMITTEE REPORTS

Sidewalk ~ Mrs. Hughes, Mr. Kavanaugh
No Report. (Reports earlier in the meeting.)

Arts Commission ~ Mrs. Hughes, Ms. Krieger
Next meeting February 1st at 5:15

Rivertown Trail ~ Mrs. McGuire, Mrs. Hughes
Staff meeting – Working on reimbursement for land Acquisitions made for the trail.

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G. ZONING ADMINISTRATOR.

No Report

H. CLERK-TREASURER.

-Reviewing budget for applying necessary reductions.

-Contacting approved depositories to determine best source for financing of the new fire truck that will be arriving shortly.

I. TOWN ATTORNEY.

-We have received from Chandler an extension for meter reading through March of 2016. (We are in the process of negotiating a final agreement.)

Motion by Ms. Rust Aurand to approve the extension for meter reads.

Second by Ms. Krieger

Discussion: None

Vote: Ayes 3; Nays 0

-Need approval for Cleveland Environmental to inspect the construction of the newly constructed Sanitary Sewer and Halston subdivision.

Motion by Mrs. Hughes to approve the inspection.

Second by Ms. Krieger

Discussion: None

Vote: Ayes 3; Nays 0

J. TOWN ENGINEER.

No Report

K. TOWN MANAGER.

No Report

L. COMMENTS BY CITIZENS (three (3) minutes per speaker).

Melinda Mitchell - 101 Yorkshire Drive – A public records request was provided to Mr. Wischer from Ms. Mitchell. She is requesting PC Quest invoices from 2014 and 2015. She also requested all Legal (BFOH) invoices for the years 2014 and 2015. The third part of this report was for River Town Train Staff Reports.

Melinda Mitchell – 101 Yorkshire Drive – also requested an update on the status of the brick building. It was pointed out to Ms. Mitchell that numerous reports on the brick building (Simpson building) were presented during the meeting and there was nothing more to add.

At this point, Ms. Mitchell deviated from her discussion topics and began discussion regarding the order of the current agenda and was requesting that the order be changed, as well as the time when the Town Council meeting was being held..

Ms. Mitchell was informed not only in this meeting, but previous meetings, that the agenda order was the choice of the Council President.

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Ms. Mitchell then began to complain about the un-availability of an agenda prior to meetings. At this point the Clerk-Treasurer, Mr. Lybarger, informed Ms. Mitchell that the town was complying to law by publishing and posting the agenda 48 hours in advance of the meeting.

Ken Wycliff – 215 Adams St – (Not signed in) – Hasn't been to a meeting in 20 years. Does not feel that the current way of handling meetings allows for public input.

M. MISCELLANEOUS BUSINESS.

-Ms. Rust Aurand – Additions like Windsor Pointe should consider green space for children to play when laying out their additions.

-Ms. Rust Aurand – Main street should be resurfaced between State and Middle streets. Nothing but pot holes and washes out whenever there is a heavy rain.

-Ms. Rust Aurand –what effect will it be on Newburgh with 600 people losing the jobs at ALCOA? Only 200 of those employees are from Warrick county and not all of them are from Newburgh. Mr. Lybarger believed there would be no immediate effect on the economy or spending but did believe that unless there were other businesses to take up the slack, there may be some long term issues with town revenue.

N. APPROVAL OF CLAIM.

Civil Town \$177,972.78
 Sewer \$236,116.68
 SRF \$17,233.17

Motion by Ms. Krieger to approve

Second by Ms. Rust Aurand

Discussion: None

Vote: Ayes 3; Nays 0

O. ADJOURNMENT. Time: 8:15

Motion by Ms. Krieger to approve

Second by Ms. Rust Aurand

Discussion: None

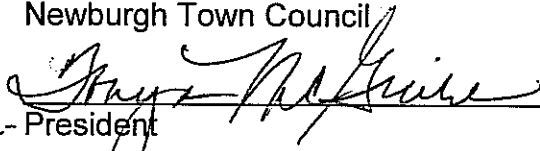
Vote: Ayes 3; Nays 0

Sign In Sheet		
Date: January 27, 2016		
NAME	ADDRESS	DISCUSSION TOPIC
Melinda Mitchell	101 Yorkshire Dr.	Pub. Request
Melinda Mitchell	101 Yorkshire Dr.	Any updates on brick building

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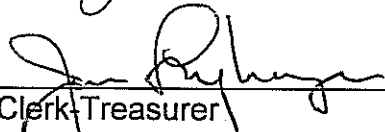
APPROVED this 10²⁷ day of February~~January~~, 2016.

Newburgh Town Council



Vice-President

ATTEST:



Clerk-Treasurer