



Town of Newburgh
Town Council Minutes for Tuesday, November 22, 2016

5:00 p.m. – Executive Session, Newburgh Town Hall, 23 W. Jennings, Newburgh, Indiana. The purpose of the meeting was to discuss pending litigation and/or personnel issues. The proper notice is given in accordance with Indiana Code 5-14-1.5-6.1.

The Regular Session of Newburgh Town Council was called to order at 5:40 p.m. at Newburgh Town Hall, 23 W. Jennings St, Newburgh, IN by Mrs. Hughes.

The Pledge of Allegiance was led by the Town Council.

REMEMBRANCES

The Rinehart Family – Sophie Grace Rinehart, 17, of Newburgh, passed away Sunday, November 13, 2016, along with her father, David Gary Rinehart, and grandmother, Ruth Ann Rinehart. All were victims of a tragic car accident.

A moment of silence was shared and all were asked to remember our troops.

ROLL CALL.

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

APPROVAL OF MINUTES.

Approval of the November 9, 2016 minutes.

Motion by Ms. Krieger to accept the minutes as electronically distributed prior to the meeting.

Second by Ms. Aurand

Discussion: None

Vote: Ayes 3; Nays 0

SCHEDULED REQUESTS AND APPEARANCES

1. Newburgh Community Theatre - Matt Mason and Jed Hutson, representing NCT, were present to request the use of Newburgh's Preservation Hall for October 2 through October 8, 2017. They will be presenting another production for the pleasure of the community.

Motion by Mr. Kavanaugh to allow NCT to use the facility with no charge for the production in October 2017.

Second by Mrs. McGuire

Discussion: None

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Vote: Ayes 5; Nays 0

2. Open Burning Ordinance – Diane Floyd 409 W Water St
Ms. Floyd was curious regarding progress on modifying the burning ordinance. She was informed that there was an ad hoc committee formed to review the ordinance and make recommendations. The committee replied that they were not ready to make any recommendations at this time.

NEW BUSINESS.

1. Labor Standards Services Agreement for the Kingston LS Elimination Project – Karen Conia, EDCSWI

Motion by Mrs. Hughes to
Second by Mr. Kavanaugh
Discussion: None
Vote: Ayes 5; Nays 0

2. Kingston LS Elimination
 - a. Contract with Infrastructure Systems, Inc.
The accepted bid for the project was \$629,324.00
Motion by Mr. Kavanaugh to accept the bid and assign the contract.
Second by Mrs. McGuire
Discussion: None
Vote: Ayes 5; Nays 0
 - b. "Notice to Proceed" with Construction
Construction should begin and have an effective date of November 23, 2016
Motion by Mr. Kavanaugh to issue the notice to proceed.
Second by Mrs. McGuire
Discussion: None
Vote: Ayes 5; Nays 0

3. 2017 Committee appointments and Chairs.
This item was on the agenda just as a reminder to have the committees and committee chair persons identified for installation at the first council meeting in January.
4. Ordinance 2016-22 Revision to Newburgh Chicken Ordinance.
The drafted ordinance was presented and discussed. No changes are recommended to the ordinance as it is being presented.

Motion by Mrs. Hughes for the first reading of Ordinance 2016-22 Revision of Newburgh Chicken Ordinance.
Second by Mrs. McGuire
Discussion: None
Vote: Ayes 5; Nays 0

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First reading was conducted by Mr. Wischer, counsel for the Town of Newburgh.

Motion by Mr. Kavanaugh to accept the first reading of Ordinance 2016-22 Revision of Newburgh Chicken Ordinance
Second by Mrs. McGuire
Discussion: None
Vote: Ayes 5; Nays 0

Since the first reading passed unanimously, we are able to continue with the second reading of the ordinance.

Motion by Mr. Kavanaugh to proceed with the second reading of Ordinance 2016-22 Revision of Newburgh Chicken Ordinance.
Second by Mrs. McGuire
Discussion: None
Vote: Ayes 5; Nays 0

Second reading was conducted by Mr. Wischer, counsel for the Town of Newburgh.

Motion by Mr. Kavanaugh to accept the reading and adopt Ordinance 2016-22 Revision of Newburgh Chicken Ordinance.
Second by Ms. Aurand
Discussion: None
Vote: Ayes 5; Nays 0

This ordinance will become effective once it has been published in the local paper. It should be published on November 30, 2016.

5. Kensington Manor Subdivision Sanitary Sewers – Acceptance of system for maintenance.
The value of the sanitary sewers is \$52,779.00 and it is recommended by engineering that we accept maintenance for this subdivision.
Motion by Mr. Kavanaugh to accept the maintenance on engineering recommendation.
Second by Mrs. Hughes
Discussion: None
Vote: Ayes 5; Nays 0

6. Copper Creek Sanitary sewer Rehab
It is recommended by engineering that we accept a bid by Blankenberger Brothers, Inc for performing the work on this project. The bid amount submitted was \$20,645.00.
 - a. Contract with Blankenberger Bros., Inc. (BBI)
Motion by Mr. Kavanaugh to accept the bid submitted by BBI.
Second by Mrs. Hughes
Discussion: None
Vote: Ayes 5; Nays 0

 - b. Notice to Proceed

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The project is scheduled to begin November 22, 2016 and will take approximately 30 days to complete.

Motion by Mr. Kavanaugh to accept the notice to proceed.

Second by Ms. Krieger

Discussion: None

Vote: Ayes 5; Nays 0

7. Halston FM Relocation – Bid Opening

Motion by Mr. Kavanaugh to close bids for the Halston project.

Second by Mrs. McGuire

Vote: Ayes 5; Nays 0

Bids were opened and a tabulation sheet was created. (The tabulation sheet for the Halston project is attached at the end of these minutes.) A total of seven (7) bids were received and accepted.

Motion by Mr. Kavanaugh to take the bids under advisement and review by counsel and engineering. The winning bid will be awarded at the December 14th council meeting.

Second my Mrs. McGuire

Discussion: None

Vote: Ayes 5; nays 0

8. Lincoln Avenue Widening Phase III SS Relocation – Bid Opening.

Motion by Mr. Kavanaugh to close bids for the Lincoln Avenue Widening Phase III SS Relocation.

Second by Mrs. McGuire

Vote: Ayes 5; Nays 0

Bids were opened and a tabulation sheet was created. (The tabulation sheet for the Lincoln Widening project is attached at the end of these minutes.) A total of four (4) bids were received and accepted.

Motion by Mr. Kavanaugh to take the bids under advisement and review by counsel and engineering. The winning bid will be awarded at the December 14th council meeting.

Second my Mrs. McGuire

Discussion: None

Vote: Ayes 5; nays 0

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

None

UNFINISHED BUSINESS.

1. Adoption of Ordinance 2016-19 Additional Appropriations.

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This is an ordinance to appropriate additional monies to identified funds for expenses to be incurred through the end of the year.

Motion by Mr. Kavanaugh for the first reading of Ordinance 2016-19
Additional Appropriations.
Second by Mrs. McGuire
Vote: Ayes 5; Nays 0

First reading was conducted by Mr. Wischer, counsel for the Town of Newburgh.

Motion by Mr. Kavanaugh to accept the first reading of Ordinance 2016-19
Additional Appropriations.
Second by Mrs. McGuire
Discussion: None
Vote: Ayes 5; Nays 0

Since the first reading passed unanimously, we are able to continue with the second reading of the ordinance.

Motion by Mr. Kavanaugh for the second reading of Ordinance 2016-19
Additional Appropriations.
Second by Mrs. McGuire
Vote: Ayes 5; Nays 0

Second reading was conducted by Mr. Wischer, counsel for the Town of Newburgh.

Motion by Mr. Kavanaugh to accept the first reading of Ordinance 2016-19
Additional Appropriations and also adopt the ordinance.
Second by Mrs. McGuire
Discussion: None
Vote: Ayes 5; Nays 0

The Ordinance will now be sent to the State Board of Accounts for their review, approval and/or adjustment.

2. Expansion of Town Hall Computer network with the addition of a new server for running of InCode Software – tabled October 12, 2016.

Motion by Mr. Kavanaugh to remove this issue from table.
Second by Mrs. McGuire
Discussion: None
Vote: Ayes 5; Nays 0

The need for the new server is precipitated by the upgrade to the new InCode software. The new version of software requires that it run on its own server. The enhancements with the new system will allow the Utility office to automate billing and send statement directly to customers instead of relying on US Mail for delivery of statements. Should 1,000 customers utilize this option, it would amount in an annual savings of approximately \$6,000.

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The total cost of the upgrade is approximately \$13,500. Most of the cost of the upgrade would be borne by the Utility office with the remainder being paid by Civil Town. The sharing of the cost would be 70/30 split. The total payback on the investment as described would be about two (2) years.

Motion by Mr. Kavanaugh to proceed with the upgrade of the server with a 70/30 split between the Utility office and civil town.

Second by Mrs. Krieger

Discussion: It was noted that the Utility office will by far be the largest benefactor of the upgrade and that they suggested that the split should be 75 Utility/ 25 Civil Town. Discussion continued and it was finally decided to amend the motion with a 75/25 split.

Motion by Mrs. Hughes to amended the original motion as a 75/25 split.

Second by Ms. Krieger

Discussion: None

Vote: Ayes 5; Nays 0

Vote; Ayes 4; Nays 1

3. Ordinance 2016-20 2017 Salary Ordinance Second reading... From November 9, 2016.

This item was not tabled it was carried over from the previous meeting because there were not enough council members to have the second reading at that meeting.

Motion by Mr. Kavanaugh to have the second reading of Ordinance 2016-20 2017 salary Ordinance.

Second by Mrs. Hughes

Discussion: None

Vote: Ayes 5; Nays 0

Second reading was conducted by Mr. Wischer, counsel for the Town of Newburgh.

Motion by Mr. Kavanaugh to accept the second reading of Ordinance 2016-20 2017 Salary Ordinance and adopt said ordinance.

Second by Mrs. Hughes

Discussion: None

Vote: Ayes 5; Nays 0

4. Ordinance 2016-21 Amended and Restated Bond Ordinance Second reading... From November 9, 2016

This item was not tabled it was carried over from the previous meeting because there were not enough council members to have the second reading at that meeting.

Motion by Mr. Kavanaugh to have the second reading of Ordinance 2016-21 Amended and Restated Bond Ordinance.

Second by Mrs. McGuire

Discussion: None

Vote: Ayes 5; Nays 0

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Second reading was conducted by Mr. Wischer, counsel for the Town of Newburgh.

Motion by Mr. Kavanaugh to accept the second reading of Ordinance 2016-21 Amended and Restated Bond Ordinance and adopt.

Second by Mrs. McGuire

Discussion: None

Vote: Ayes 5; Nays 0

5. 2017 town of Newburgh Holiday schedule – tabled October 26, 2016

Motion by Mr. Kavanaugh to remove this item from table.

Second by Mrs. McGuire

Discussion: None

Vote: Ayes 5; Nays 0

After much discussion regarding holiday policy, it was decided to leave the existing holiday schedule as is until it can be addressed in the Employee Handbook. This will be an issue that will be reviewed and discussed by the personnel committee.

Motion by Mr. Kavanaugh to leave the holiday schedule for 2017 as it is currently defined.

Second by Mrs. McGuire

Discussion: None

Vote: Ayes 5; Nays 0

COMMISSION/COMMITTEE REPORTS.

COMMISSION.

Air Authority ~ Ms. Aurand

No meeting.

Board of Zoning Appeals ~ Mrs. McGuire

No meeting.

Fire ~ Ms. Aurand

-Fire department Christmas party will be Wednesday December 14, 2016.

-Currently there are 35 active members on the NVFD. There are openings for 10 more members.

-A total of 39 runs were made during the month of October 30 of which were in the township. There were 6 town runs and 13 public relations runs.

-Truck 12 is due for final inspection the middle of December and should be received by the town by the end of the year. It should be in service sometime in January.

Historic Preservation ~ Ms. Krieger

At the last meeting, discussions were concerning the expansion of the Historic Districts in the town. A series of ordinances will be developed and presented to town council for consideration.

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Park ~ Ms. Krieger
No Report.

Plan ~ Mrs. McGuire
No Report.

Police ~ Mrs. McGuire
-Major Eric Mitchell, has officially been promoted to Chief of the Newburgh Police Department.
-The next pool of candidates are being selected. Currently, 5 have been selected and they are looking for a pool size of 8 candidates.
-Shop with a cop will be on December 5th, with a pizza party at the station following.

Site Review Committee ~ Mrs. McGuire
No Report

Storm Water ~ Mr. Kavanaugh
-A drainage plan for a minor sub-division was presented, but no action could be taken because the project engineer was not present. This will be covered again at the next meeting.

Street ~ Ms. Aurand
-The boat dock has been removed.
-The crew is in the process of preparing equipment for the winter season.
-The town Christmas tree has been erected with lights.
-Some alleys are receiving a treatment of new stone.

Utility ~ Mrs. Hughes
There are no motions, but a letter of commendation was presented that had been received by the Utility office. The author of the letter started off by stating his concern about the high cost of the sewer utility. Then it ended by explaining some of the services he received from the utility and how pleased he was. The service he received was provided without any additional cost. Needless to say he now understands why the rates are where they are and the services provided. A true change of heart and understand on his part.

STANDING COMMITTEES

Finance ~ Mrs. Hughes, Mrs. McGuire
No Report.

Personnel ~ Mrs. Hughes, Mrs. McGuire
No Report.

SPECIAL BOARDS/COMMITTEE REPORTS

Sidewalk ~ Mrs. Hughes
No Report.

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Arts Commission ~ Mrs. Hughes, Ms. Krieger
No Report.

River Town Trail ~ Mrs. McGuire, Mrs. Hughes
No Report.

AD HOC COMMITTEES

Sign Committee – Mrs. Hughes, Ms. Aurand
-Still waiting on work from counsel regarding new regulations regarding signage.

Open Burning – Mr. Kavanaugh, Mrs. McGuire
No report. But it was mentioned that Mrs. Floyd be added to the open burning committee (She presented earlier in the evening). The committee is currently reviewing state laws concerning open burning.

Meditation Park – Mrs. Hughes, Ms. Krieger
No Report.

Residential Improvement Recognition – Ms. Aurand, Ms. Krieger
No report

Parking Committee – Mr. Kavanaugh, Mrs. McGuire
No Report.

Growth and Progress Committee – Ms. Krieger, Mrs. McGuire
No Report.

ZONING ADMINISTRATOR

No Report

CLERK-TREASURER.

No Report

TOWN ATTORNEY.

No Report.

TOWN ENGINEER.

-It was requested by the town engineer that the town hold the projects for Plum and Jennings, and Main Street until after the first of the year. Road closures will be necessary for these two projects and it may disrupt holiday activities.

TOWN MANAGER.

No Report.

MISCELLANEOUS BUSINESS.

-Proclamation 2016-02 200th Anniversary of the state of Indiana. Celebrate the statehood of Indiana on December 11, 2016.

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Motion by Mr. Kavanaugh to accept the proclamation celebrating the 200th anniversary of the state of Indiana.

Second by Mrs. McGuire

Discussion: None

Vote: Ayes 5; Nays 0

-Lighting of the town Christmas tree will be on Saturday December 2, 2016 at 6:00 p.m. instead of Sunday December 3, 2016. Why the change? HNI decided to make the change and didn't talk to anyone regarding the change. HNI involvement on Saturday now and in the future will be a Saturday event and not be as involved on Sunday. The Christmas tree is a town tree and not a HNI tree, should it not been discussed with the town.

-The December meeting schedule was reviewed by all and it was asked if there were any changes to be made. No changes were identified.

-Request from Leon Keys to provide a soils report to Jack Rodgers.

Motion by Mrs. McGuire to provide the report to Jack Rodgers.

Second by Mrs. Hughes

Discussion: None

Vote: Ayes 5; nays 0

APPROVAL OF CLAIMS.

The following amounts are presented to the council for their consideration and approval. Plus any sewer adjustments there may be.

Civil Town	- \$226,325.91
Sewer	- \$280,309.58
SRF	- \$162.33

Motion by Mr. Kavanaugh to approve the warrants as presented.

Second by Ms. Aurand.

Discussion: None

Vote: Ayes 5; Nays 0

ADJOURNMENT.

Motion by Mrs. McGuire to adjourn at 7:30 p.m.

Second by Ms. Krieger

Discussion: None

Vote: Ayes 5; Nays 0

11/22/2016	Town of Newburgh	
	Sign in Sheet	
Name	Address	Area of Concern

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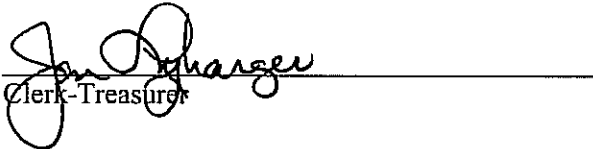
APPROVED this 14 day of December, 2016.

Newburgh Town Council



President

ATTEST:



Clerk-Treasurer

BID OPENING TABULATION
 TOWN OF NEWBURGH
 LINCOLN AVENUE WIDENING
 PHASE III SANITARY SEWER RELOCATION
 BID OPENING DATE: NOVEMBER 22, 2016



COMMONWEALTH
ENGINEERS, INC.
 1419 West Lloyd Expressway, Suite 401
 Evansville, Indiana 47710

No.	Bidder's Name	Form 96 w/Non-Collusion Affidavit	Bid Bond	Financial Statement	E-Verify	Acknowledgement of Addenda Received (2)	Total Base Bid
1	Cornerstone Boring						\$
2	Koberstein Contracting, Inc.						\$
3	PPMI Construction						\$
4	Snyder Construction Co.						\$
5	Infrastructure Systems, Inc.						\$
6	Deig Bros. Lumber & Construction Co., Inc.					✓	\$ 1,321,811.00
7	Atlas Excavating, Inc.					✓	\$ 927,734.00
8	Kieffer Bros Construction Co. Inc.					✓	\$ 1,238,689.00
9	Blankenberger Brothers, Inc.					✓	\$ 926,300.00
10	Ragle, Inc.						\$
11	Midwest Mole Inc.						\$
12							\$
13							\$
14							\$
15							\$

BID OPENING TABULATION
 TOWN OF NEWBURGH
 HALSTON FORCE MAIN RELOCATION
 BID OPENING DATE: NOVEMBER 22, 2016



No.	Bidder's Name	Form 96 w/Non-Collusion Affidavit	Bid Bond	Financial Statement	E-Verify	Acknowledgement of Addenda Received (1)	Total Base Bid
1	Blankenberger Brothers, Inc.					✓	\$ 396,557.00
2	Thieneman Construction						\$
3	Deig Bros. Lumber & Construction Co., Inc.					✓	\$ 548,819.00
4	PPMI Construction					✓	\$ 509,773.00
5	Koberstein Contracting, Inc.						\$
6	Bobby Luttrell and Sons LLC	✓	✓			✓	\$ 321,556.00
7	Snyder Construction Co.						\$
8	Atlas Excavating, Inc.						\$
9	Kieffer Bros Construction Co. Inc.					✓	\$ 446,496.00
10	Cornerstone Boring						\$
11	Midwest Mole Inc.						\$
12	Infrastructure Systems, Inc.					✓	\$ 644,053.00
13	Ragle, Inc.						\$
14	BL Anderson Co Inc						\$
15	<i>United Excavating and Construction</i>					✓	\$ 322,829.88