



Town of Newburgh  
**Town Council Meeting**  
Wednesday, July 26, 2017

MINUTES

REGULAR SESSION

**CALL TO ORDER** At 5:34 p.m. in the Council Chambers Newburgh Town Hall 23 W Jennings, Newburgh, IN.

**PLEDGE OF ALLEGIANCE**

The Pledge-of-Allegiance was led by town council.  
A moment of silence was shared following the pledge.

**REMEMBRANCES**

**Laura Warner Johnson** – Laura was a life-long member of Zion United Church of Christ in Newburgh where she was involved in the Quilters Group. Laura was a member of O.E.S. Friendship Chapter #32. She retired from Bristol Myers where she worked as a secretary for 33 years.

**Vicki Jo Gess** – Vicki graduated from Castle High School in 1969 and attended Purdue University. She was a charter member of Historic Newburgh, Inc. and a member of the Newburgh Women's Club for 44 years. She was also a member of the Bridge Club, History Club, and was awarded Miss Newburgh. She enjoyed riding horses and competing in the American Endurance Ride Conference where she placed 32nd in 50 miles on RH Gold Strike. She loved her chocolate. Vicki was an avid reader. She and her mother created Red Rooster Stitchery in Newburgh. She was an amazing mom and friend and established wonderful friendships over the years.

**Charla McDaniel Haley** - Charla graduated from Boonville High School and USI. She was a dedicated teacher for 30 years at Lynnville, Elberfeld, and Castle Elementary Schools. She coached volleyball and cheerleading. She was an active member of ADK sorority and St. Matthew Church of Lynnville. Charla loved spending time with family and friends, traveling, the beach, reading, teaching, and Gone with the Wind. Her favorite Saturday past time was babysitting her grand-daughter, Madelyn.

**ROLL CALL**

District I – William F. Kavanaugh - Absent  
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 – Chris Wischer - present

## MINUTES

The minutes for the July 12, 2017 meeting were electronically distributed earlier. Minor corrections were made to the minutes prior to the meeting and they were re-distributed with the modifications.

A motion was made by Mrs. Hughes to approve the minutes as they were corrected and distributed.

Seconded by Mrs. Krieger.

Discussion: Vote: Ayes 3; Nays 0

## COMMENTS BY CITIZENS PRESENT

None

## SCHEDULED REQUESTS AND APPEARANCE

- 2016 Outstanding Citizen Award – Dr. James Renne

An award was presented to Dr. Renne for all the hard work that he does for the town. Not just for Town Hall, but all aspects of the community. During the past few years he has written numerous grant requests for various community related projects. And he continues to be involved.

Dr. Renne provided two bits of advice for persons who are around persons writing grants. First, speak in a very quiet voice and don't sneak up on them and second, don't get between them and the scanner/printer.

As a community we are very thankful for the volunteer service that he provides.

## NEW BUSINESS

### MISCELLANEOUS

- Storm Water Billing – EDU Cap

The topic of EDU Caps was discussed, and it was decided that the existing Ordinance which addresses EDU Caps is unclear and should be revised to define it better. It was decided that counsel would develop Ordinance 2017-10 to address this situation. It should be available at the next meeting which will be held on August 9, 2017,

### SEWER PROJECTS

- Newburgh – CEI Victoria LS, FM and Gravity sewer Improvements Agreement.  
This agreement will be for the development of preliminary design and identification of potential easements. There will also be some areas that will need to be reviewed as wetlands.  
A motion was made by Mrs. Hughes to approve the contract between CEI and Newburgh.  
Seconded by Mrs. Krieger.  
Discussion: None  
Vote: Ayes 3; Nays 0
- Coppers Edge – Amendment to Sewer Agreement.

A request is being made as an amendment to the agreement so that the developer can recoup costs for sewer taps that are outside of the Coppers Edge Subdivision.

A motion was made by Mrs. Hughes to approve the amendments to the Sewer Agreement.

Seconded by Mrs. Krieger.

Discussion: None

Vote: Ayes 3; Nays 0

## **UNFINISHED BUSINESS**

None.

## **STAFF REPORTS**

### ZONING ADMINISTRATOR

Since the last meeting, there have been 5 projects, with a total value of \$127,000.00 for these projects. Eleven (11) permits were issued, with total fees collected of \$450.00.

One COA was issued for the garage at 125 W Jennings Street.

### CLERK-TREASURER

Jon Lybarger and Rosie McMichael met with Robert Norris from the Department of Local Government Finance regarding the 2018 budget. This is an annual meeting that needs to be held. Public Hearing and Adoption dates were discussed and they are scheduled for October 11 and October 25, 2017. Both will be held at Town Hall at 5:15 P.M.

### TOWN ATTORNEY

-PPMI – Has closed their doors. They have declared bankruptcy. They are working on a project for the WWTF and all progress has suspended at the worksite by PPMI.

Litigation is moving forward to receive permission to secure the site and protect it from deterioration and move forward to complete the project.

Due to the fact that the project is not completed, and important work is to be completed, the town is declaring an emergency situation and completion of the project should be completed as soon as possible.

A motion was made by Mrs. Hughes to declare an emergency in regards to the Deaconess project.

Seconded by Mrs. Krieger

Discussion: None

Vote: Ayes 3; Nays 0

Also, since PPMI is in default of our contract it was suggested that the town should proceed with litigation as a protective measure for the towns interests.

A motion was made by Mrs. Hughes to have counsel proceed with litigation against PPMI.

Seconded by Mrs. Krieger.

Discussion: None

Vote: Ayes 3; Nays 0

Newburgh is not the only entity affected by the situation with PPMI. Evansville also has some projects which are contracted to PPMI. They are also proceeding with litigation. It was suggested by counsel that the town join with Evansville in bringing suit against PPMI.

A motion was made by Mrs. Krieger to join with Evansville as outside counsel to assist in the litigation matters.

Seconded by Mrs. Hughes.

Discussion: None

Vote: Ayes 3; Nays 0

#### TOWN ENGINEER

No report.

#### TOWN MANAGER

-AFLAC – An agreement has been established with AFLAC whereby they will be available to discuss medical issues over the phone. The cost of this service will be \$25.00. It is open to all employees regardless of whether they have insurance or not.

-Finance Meeting – Met with Paul Campbell, Fire Chief, and discussed with him the needs of NVFD. Not all items will be addressed in the budget, but the town is aware of the needs.

-American Queen Schedule – The cruise schedule is being released so the town will be aware of when the boat will be passing. The hope is that by knowing when it will be in the area, residents will come to the riverfront to wave and view the spectacle.

-Washington Street – The town may be receiving bids for this project this fall, although, the project may not be started until next spring.

-Sign Reflectivity – The sign reflectivity project which was completed with the assistance of INDOT has sent a document to the town for sign-off.

### **COMMISSION/COMMITTEE REPORTS**

#### COMMISSION

- Air Authority ~ Mrs. Krieger  
No report.

- Board of Zoning Appeals ~ Mrs. McGuire  
No report.

- Fire ~ Mrs. Aurand

A total of 41 runs were made in May. Seven (7) of those runs were in town, 32 were in the township, 1 public relations run and 1 mutual aid run. The total number of hours expended by the volunteers for May was 514. With 215 response hours, 170 station hours and 129 man hours.

-The open house at the fire department will be held on October 8<sup>th</sup>.

- Historic Preservation ~ Mrs. Krieger

HPC met on July 13<sup>th</sup> and discussed some properties that are showing signs of deterioration. At this time, we are trying to meet with property owners to discuss the concerns.

- Park ~ Mrs. Krieger  
No report
- Plan ~ Mrs. McGuire  
No report.
- Police ~ Mrs. McGuire / Reported by Jon Scully  
-Jon Scully reported that Matthew Tevault has been sworn in as the town latest reserve officer. Matt was an officer in Chandler. He currently lives in Newburgh and works at Old National Bank.
- Site Review Committee ~ Mrs. McGuire / Reported by Christy Powell  
-Bob Brown – He is interested in purchasing the Leohr property on Phelps Drive and discussion revolved around sewers and road frontage.
- Storm Water ~ Mr. Kavanaugh  
-There are concerns regarding drainage at AMAX Field. This issue still requires some investigation.
- Street ~ Mrs. Aurand  
-Cleaning various ditches around town.  
-Performing repairs to Street Department vehicles  
-Trees are being trimmed.  
-Other trimming is being conducted.
- Utility ~ Mrs. Hughes, Mr. Kavanaugh  
No items to cover

#### STANDING COMMITTEES

- Finance ~ Mrs. McGuire, Mrs. Krieger  
-Met with Chief Paul Campbell from the Fire Department and discussed budget needs for the next year.
- Personnel ~ Mrs. Hughes, Mrs. Aurand  
No Report.

#### SPECIAL BOARDS/COMMITTEE REPORTS

- Sidewalk ~ Mrs. Hughes, Mrs. Aurand  
No report.
- Arts Commission ~ Mrs. Hughes, Mrs. Krieger

No report.

- Rivertown Trail ~ Mrs. Hughes, Mrs. McGuire  
Next meeting August 14th.
- Nominating ~ Mrs. Hughes, Mrs. Krieger  
No report.

#### AD HOC COMMITTEES

- Sign Committee ~ Mrs. Hughes, Mrs. Aurand  
No report
- Open Burning ~ Mr. Kavanaugh, Mrs. McGuire  
No report.
- Reflection Park ~ Mrs. Hughes, Mrs. Krieger  
-Counsel is writing amendments for the agreement for usage of Reflection Park.
- Residential Improvement Recognition ~ Mrs. Aurand, Mrs. Krieger  
-There will be information regarding this project in the next town newsletter that will be created around the middle of August.
- Parking Committee ~ Mr. Kavanaugh, Mrs. McGuire  
No report.
- Growth and Progress Committee ~ Mrs. Krieger, Mrs. McGuire  
No report.
- Trash ~ Mrs. Hughes, Mrs. McGuire  
No report.

#### **MISCELLANEOUS BUSINESS**

-The council president has been approached by a citizen who would like to put American Flags on some of the utility poles around down town. This would be of no cost to the town and the individual stated that they would contact the utility company to gain permission to mount the flags on their poles. Council did believe that this would be a good idea and suggested that the citizen should be informed that they have the town's support.

#### **APPROVAL OF CLAIMS**

The following amounts were presented to Town Council for their consideration for payment, plus any sewer adjustments that there may be:

CT \$455,900.19  
Sewer \$250,583.04  
SRF \$305,389.79

Motion by Mrs. Hughes to approve all claims properly signed to be paid.  
Second by Mrs. Krieger.  
Discussion: None  
Vote: Ayes 3; Nays 0

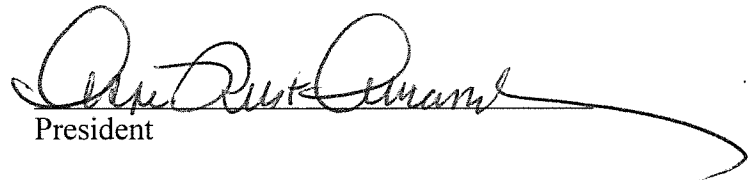
**ADJOURNMENT**

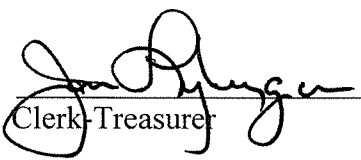
Motion by Mrs. Krieger to adjourn at 6:30 p.m.  
Second by Mrs. Hughes.  
Discussion: None  
Vote: Ayes 3; Nays 0

7/26/2017	Town of Newburgh	
	Sign in Sheet	
Name	Address	Area of Concern

APPROVED this 9 day of August, 2017.

Newburgh Town Council

  
President

Attest:   
Clerk-Treasurer