

January 24, 2013

The Common Council met as the Water Utility Board at 7:00 pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Shelton; Fuelling, Hoehn; Curtis; and Higgins attending. Others attending were Chief Dixon; Lt. Angel; Comm. Maynard; Attorney Higgins; Supt. Gray; Rich DeMarco – Johnson Controls, Inc.; Charles Lawrence and Tony Lawrence – Charles Lawrence Homes; Dr. Tom Kopatich – MSD of Mt. Vernon; Mindy Bourne – Area Plan Commission; Jerry Walden; Nancy Sexton; Ed Adams; John Taylor – Posey County Economic Development Partnership; Pam Robinson – Posey County News; and Sara Manifold – Mount Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Board member Curtis moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Higgins.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board member Higgins moved the claims presented be allowed for payment. Seconded by Board member Fuelling.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the report of the Water Chairman.

**Water Chairman Curtis** stated he has no report.

Supt. Gray stated they made the tap at The Landing yesterday and it went well. They had a few problems at the plant in this cold weather, the lamellas were freezing up as they are out in the open, but that has now been fixed.

Chairman Curtis stated he appreciates Supt. Gray's efforts. He then stated Mr. DeMarco is present with an update on the project.

Mr. DeMarco presented the following update to the Board:

1. New Electrical Building  
--Install VFD's for secondary pumps start next week

2. Deep Well Status
  - Piping for vacuum system and sump pumps 50%
  - Piping from primary pumps through chemical injection pit to lamella building 100%
  - Wiring from new electrical building to pumps to start next week.
3. Secondary Pumping Station
  - removed temporary bypass and tie-in to lamella building 100%
4. River Work
  - Divers return next Monday – level to be 23-24 feet
  - Two 18-inch piping runs – 280 ft and 360 ft 100%
  - Two inlet screens 100%
  - Four 6-inch pipes for chemical feed and backwash 50%
5. Lamella Building
  - Building structural steel erection is 80%
6. PPMI demobilization February 15-28

Mayor Tucker asked if there were any questions ?  
There were none.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Board ?  
Clerk-Treasurer Sitzman replied not at this time.

Mayor Tucker asked if there were any Legals for consideration ?  
There were none.

Mayor Tucker asked if anyone in the Audience wished to address the Board ?  
There was no response.

Mayor Tucker asked if there was any Old Business ?  
Board member Curtis stated at the last meeting Larry Williams brought up a question about credit cards being accepted by the Water Works for bill payment. He added Supt. Gray is looking into that but it seems there are issues that need to be looked into. He stated they will continue to work on that.  
Supt. Gray added he has been looking into this for about a year – nothing is ever as easy as it seems.

Mayor Tucker asked if there was any New Business ?  
Board member Curtis stated they have Change Order #3 before them from JCI in the amount of \$171,800.00 which deals with high water precautions, as follows:

ATTACHMENT #1 (MT VERNON IN PH 3; CHANGE ORDER #3; JAN 9, 2013)

## **General**

The scope of this change order addresses moving electrical equipment critical to the operation of the water treatment plant to an elevation at or above the 500 yr flood plain as provided to JCI by plant personnel.

## **Proposed Improvements**

In the Lamella building:

- a) Relocate the four (4) 480v Transfer Pump disconnects to an elevation above finished floor not to exceed 6'6" (code requirement) which is believed to satisfy the plain.
- b) Raise eight (8) flow transmitters above plain.
- c) Raise one (1) GFCI receptacle above plain.
- d) Raise one (1) light switch in SE corner of the building above plain.
- e) Provide all conduit, wire, and supervision for a complete installation

In the Main Shop Area:

- a) Relocate MCC #5( and the lamella building exhaust fan start therein) to the new electrical building.
- b) Provide preventive maintenance service on MCC #5.
- c) Relocate the three (3) Square D VFDs for the Transfer Pumps to the new electrical building.
- d) Raise the 75 KVA transformer from the floor to the wall above plain.
- e) Raise the lighting panel above the plain.
- f) Raise the four (4) Reliance speed drives above the plain.
- g) Inside the SCADA terminal box, raise the terminal blocks and associated wiring above the plain.
- h) Relocate and raise the 220v receptacle, compressor, and piping to new location near overhead door.
- i) Provide all conduit, wire, piping, and supervision for a complete installation
- j) Define and tag each receptacle and switch with circuit and panel number.

In the Chemical building:

- a) Raise LP-s above plain (after MCC #4 is removed)
- b) Raise chemical feed pump receptacles above plain
- c) Provide all conduit, wire, and supervision for a complete installation
- d) Define and tag each receptacle and switch with circuit and panel number

Board member Curtis asked if there were any questions for Mr. DeMarco ?

Supt. Gray stated the floor elevation of raw water pumps is 371' and in the 1937 flood the water got up to 376.66'. He added after this work, the plant would remain in operation with water at these levels.

Board member Curtis stated the advantage to having this work done now is the electrical crew on site is good and they are familiar with the plant. He then moved Change Order #3 be allowed at a cost of \$171,800.00, as outlined. Seconded by Board member Hoehn.

Mayor Tucker asked if there was any discussion ?

Board member Hoehn asked if any of the pumps need to be moved ?

Supt. Gray replied the lamella transfer pumps will be in the water but their motors will not be.

Board member Hoehn stated then there are no electric motors involved in this at all.

Supt. Gray replied no.

Attorney Higgins asked if this will be a cash payment ?

Board member Curtis replied yes, from Operating & Maintenance.

Mayor Tucker stated if there were no other questions, he requests a roll call vote.

Roll was called by the Clerk-Treasurer with Board voting as follows:

Shelton – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Mayor Tucker asked if there was other New Business ?

There was none.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Board member Shelton moved the meeting be adjourned. Seconded by Board member Curtis.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

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John Tucker  
Mayor

ATTEST:

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Cristi L. Sitzman  
Clerk-Treasurer

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Shelton; Fuelling, Hoehn; Curtis; and Higgins attending. Others attending were Chief Dixon; Lt. Angel; Comm. Maynard; Attorney Higgins; Supt. Gray; Rich DeMarco – Johnson Controls, Inc.; Charles Lawrence and Tony Lawrence – Charles Lawrence Homes; Dr. Tom Kopatich – MSD of Mt. Vernon; Mindy Bourne – Area Plan Commission; Jerry Walden; Nancy Sexton; Ed Adams; John Taylor – Posey County Economic Development Partnership; Pam Robinson – Posey County News; and Sara Manifold – Mount Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Councilwoman Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilwoman Shelton.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Standing Committees.

**Street & Light Chairman Hoehn** stated he met with Comm. Maynard this week and they looked at the building on the east side of town. They will be having another meeting soon and he is working on getting involved in the operations.

Comm. Maynard added that Councilman Hoehn is familiarizing himself with things and in the event of bad weather over night, they have pre-treated the streets, so they are ready.

Mayor Tucker asked if there were any questions ?

There were none.

**Police & Dog Chairwoman Higgins** stated she has no report.

Lt. Angel stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

**Fire Chairwoman Shelton** stated she has no report.

Chief Dixon stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

**Sewer Chairman Fuelling** stated he has no report. Supt. Givens is home sick but he will be going out to the plant soon to start learning the processes out there and he plans on being out there a lot.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Council ?

Clerk-Treasurer Sitzman replied not at this time.

Mayor Tucker stated they are now ready for the Legal portion of the Agenda.

Attorney Higgins stated they are ready for the second reading on the changes in the zoning ordinance, as passed on first reading at their last meeting. She added Mindy Bourne with the Area Plan Commission is present as well.

Mrs. Bourne stated the changes are in Section 153.021(B) they removed the number of animals in particular zoning districts – just removed the number. She then stated in Section 153.221(B)(5) they added the sentence “Site plan approval is not required for those structures which are exempt pursuant to 675 IAC 12-6-4, as may be amended.” Which means they will not have to submit a site plan for review. Section 153.223(A) they added the same sentence – if they do not have to have a state permit, they will not be required to go through the site plan process with the Area Plan Commission. She then stated the APC recommended approval.

Attorney Higgins stated the ordinance is up for second reading.

Board member Curtis moved the Ordinance to Amend the City of Mt Vernon Code of Ordinances, Title 15-land Usage, Chapter 153-Zoning Code, The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, Town of Poseyville and Unincorporated Posey County, Section 153.021(B) Limitation on Domestic Animals in Non-Agricultural Zones, Section 153.221(B)(5) Application for Improvement location permit and Section 153.223(A) Site Development Plan Approval for More than Eight Attached Dwelling Unit and uses in the Business/Commercial and Manufacturing Zoning Districts pass on second reading. Seconded by Councilman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Shelton – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Councilman Curtis moved the rules be suspended. Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Shelton – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Councilman Curtis moved the ordinance pass on final reading. Seconded by Councilman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Shelton – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Clerk-Treasurer Sitzman added it will be numbered 13-1.

Attorney Higgins stated they need to have an Executive Session either before or after their next meeting.

Council agreed on February 7 at 6:00 pm.

Attorney Higgins stated she would like approval to move forward on an annexation study. She added Jonathon Weinzapfel works with a firm that will be sending a proposal for review by the Council before the next meeting. Again, she would like to them to consider it at their next meeting.

Mayor Tucker asked if anyone in the Audience wished to address the Council ?

Charles Lawrence approached and stated it is good news that a new fertilizer plant is coming to town and adding 300 jobs. He then stated Country Club Estates is filled up and there is a strip of ground north of there on Smith Road that he would like to develop. He added he has the plans tonight which call for three streets, 67 lots, which again, he would like to develop. He then stated he would take care of everything if the city would provide the water and sewer mains, and blacktop/pave the streets. He added he would like to get one street done immediately. This will be higher end housing and should sell well. He continued by stating Lawrence Addition has room for 87 more homes – he is prepared for all kinds of housing. He then stated he is asking Council to approve this first street.

Councilman Hoehn asked if he will be the only contractor allowed to build the homes or if it will be an open market ?

Mr. Lawrence replied it will be an open market.

Councilman Fuelling asked the price range of the homes ?

Mr. Lawrence replied in Country Club Estates, \$150,000 - \$250,000; and Lawrence Addition, \$100,000 to \$150,000.00.

Councilman Hoehn asked if Mr. Gillenwater still owned to property behind Country club Estates and if so, he is probably \$1M into it now. He then asked if Mr. Lawrence is basically asking the City to step out and be a third party in this ?

Mr. Lawrence replied yes and added the homes will provide great taxes and it will be a win/win situation for everyone.

Councilman Hoehn stated the homes would be on the tax rolls for 50 years, not to mention the tap fees that would be assessed for the water and sewer for all of those homes.

Mr. Lawrence agreed. He then stated there are almost unlimited lots in Country Club Estates. He added he will also be looking for street names. He stated he would like to see action and reminded Council he would do all the engineering.

Councilman Hoehn stated he is asking the city to look at water and sewer and paving of just the one street.

Attorney Higgins stated the water and sewer department heads and the street commissioner need to look at a fiscal plan for this. She stated they are having issues with annexation now because in the past they have piece-meal annexed and now it needs to be cleaned up.

Councilman Curtis this dove tails nicely to the conversant they were just having about the annexation study. He added Mr. Lawrence has the lots plotted, and Supt. Gray has had requests in the past for service in that area and out as far as Sauerkraut Lane. He added they need to, as quickly as possible, look at the sewer, water and street department getting together and talking about the impact of this.

Attorney Higgins added the fire department also needs to be involved as to number of hydrants that would be needed. She stated voluntary annexations are nice, much better than dealing with 92 individual property owners.

Mr. Lawrence stated his preference is to do the first street immediately, which would have 20 lots – that in itself could take a year.

Councilman Curtis replied the Council needs to look at that financially.

Councilwoman Higgins asked Mr. Lawrence if the city has done this kind of thing before in the older Country Club Estates ?

Mr. Lawrence replied no.

Councilman Hoehn stated it is interesting how these things are coming together. A new plant coming in to employ 300+ folks. Mount Vernon has been stagnant and they are now at an intersection in history. He feels they need to take advantage of the opportunity that is before them.

Councilman Fuelling stated he is anxiously awaiting word as to when and if the plant is definitely going to be here.

Councilman Hoehn questioned the timing of that.

John Taylor replied he will talk to them about that in three to four weeks, right now he is not at liberty to talk about it.

Councilwoman Higgins stated Mr. Lawrence was here about this development before there was word of this new plant coming.

Mr. Lawrence agreed.

Councilman Curtis asked if he is out of lots in Country Club Estates ?

Mr. Lawrence replied yes.

Councilman Hoehn added “if you build it, they will come.”

Attorney Higgins asked if Mr. Lawrence had extra sets of the plans for the city ?

Mr. Lawrence replied he can get them to them.

Councilman Curtis stated this is something they should look at right away, it will take time.

Councilman Hoehn stated he would like to see an order of events or a timeline.

Attorney Higgins replied a voluntary annexation could be completed by Spring.

Councilman Hoehn asked if there was a cost to that ?

Attorney Higgins replied no, but there still needs to be a detailed plan.

Councilman Fuelling stated the department heads need to look at the plans.

Attorney Higgins added they also need to look at how to pay for it.

Mayor Tucker asked if there were any other comments ?

Dr. Kopatich stated this is very much needed. He feels the Council needs to be aggressive and help with the growth of Mount Vernon. He stated they should push for these new subdivisions – both of the proposed subdivisions would be in the Farmersville School district. It is a beautifully remodeled school with lots of rooms. He added this is a great opportunity and he feels they need to really look at it and move aggressively. He then stated the MSD needs this support. He then stated he would like to thank the Fire Department, and Chief Dixon, for notifying the school so quickly after the fatal fire a few weeks back that involved an MSD student. He added they were notified immediately. He also stated the Comm. Maynard has done a great job on the roads during inclement

weather and he is very proud of what Mount Vernon has going. Moving forward is for the best.

Councilman Curtis stated there is also money involved in this.

Dr. Kopatich agreed but added he is more interested in enrollment numbers. They average 70 students less per year.

Councilman Fuelling stated Mr. Lawrence needs to get the plans to the department heads then the Council can get numbers from the department heads as well and get a plan in place.

Councilman Curtis asked how long it should take ?

Supt. Gray replied engineering firms may need to get involved, though he can give a ballpark figure.

Councilman Curtis replied generalities will be sufficient to start with.

Attorney Higgins agreed, but cautioned as they get closer, they will need more concrete information. She stated they will be sizing for future growth, that will need to be looked at – the department heads will need to look at all of that. There is potential there and the capacity hopefully will not be an issue, but they need to hear that from the department heads.

Councilman Curtis asked a realistic time to get the information ?

Comm. Maynard asked if he is going to have to figure for storm sewers too ?

Mr. Lawrence replied there is adequate drainage there.

Councilman Curtis asked Comm. Maynard how long it would take him to get some figures together ?

Comm. Maynard replied at least a month, unless they need it in two weeks, though he feels they are kind of rushing it. He added he can get prices, but they can always change too.

Attorney Higgins added the utilities are based on rates.

Comm. Maynard asked if he will have to fix elevations too ? There are lots of things involved.

Councilman Curtis replied yes and added Mr. Lawrence should be able to help with that.

Councilman Fuelling stated they can come together again in two meetings (February 21) and see where we are. He then stated the requirements for subdivisions may have changed as well.

Mrs. Bourne replied the APC is revising that ordinance right now.

Councilman Hoehn asked if the consensus is that the city is to do whatever it can to move forward with this and no be a road block ?

Council concurred.

Attorney Higgins added she will contact Mr. Weinzapfel on the process.

Mayor Tucker asked if anyone else in the Audience wished to address the Council ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated they will now hear the reports of the Districts.

**1<sup>st</sup> District Councilwoman Shelton** stated she has no report.

**2<sup>nd</sup> District Councilman Fuelling** stated he has no report.

**3<sup>rd</sup> District Councilman Hoehn** stated things are looking promising for a new subdivision in his district.

**4th District Councilman Curtis** stated he has no report.

**Councilwoman-at-Large Higgins** stated they are getting ready to have the first meeting for the 6<sup>th</sup> Annual Riverdays.

Mayor Tucker stated he is glad to see them moving forward on annexations and they hopefully be doing more of that, as well as establishing more TIF districts. He then stated if there was no further business, he entertains a motion to adjourn.

Councilman Hoehn moved the meeting be adjourned. Seconded by Councilman Curtis. Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

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John Tucker  
Mayor

ATTEST:

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Cristi L. Sitzman  
Clerk-Treasurer