

August 7, 2014

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 Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Dixon; Comm. Dieterle; Mindy Bourne – Area Plan Commission; The Azalea Trail Committee; Scott Elpers – Custom Sign; Nancy Sexton; Lois Gray – Posey County News; and arriving during the meeting, Supt. Givens.

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 Hoehn.

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 Curtis moved the claims presented be allowed for payment. 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 stated they will now hear the report of the Water Chairman.

Chairman Curtis stated he has no report.

Lois Gray arrived at the meeting.

Supt. Gray stated Bethel AME that had requested an adjustment at the last meeting – they do now have a normal bill and Board can now approve their adjustment.

Chairman Curtis moved the adjustment for Bethel AME be approved. Seconded by Board member Hoehn.

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.

Supt. Gray continued his report by stating the main at College Ave for the new police and fire station building is a slow go right now. He added he keeps having equipment issues.

Chairman Curtis asked if this a forewarning ?

Supt. Gray stated he has spent so much money this year on repairing the dump truck, he could have purchased a new one, and the backhoe is no better.

Chairman Curtis stated he and Supt. Gray have been in discussion about this and the equipment does have age on it, as well as a lot of hours. He added they will probably be bringing this up to the Board again at later date.

Supt. Gray concluded his report by stating they have started the demolition of Krofta #2, and they are doing the work themselves. He added the concrete is really hard and they are having a really hard time. As a result, the work is only about half done.

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

Attorney Higgins stated there are no Legals.

Supt. Gives arrived at the meeting.

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 ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

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

Board member Fuelling 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.

John Tucker
Mayor

ATTEST:

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 Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloat; Chief Dixon; Comm. Dieterle; Mindy Bourne – Area Plan Commission; The Azalea Trail Committee; Scott Elpers – Custom Sign; Nancy Sexton; Lois Gray – Posey County News; Supt. Givens; and arriving during the meeting, Councilman Jeffries.

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 Councilman Curtis.

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 has no report.

Comm. Dieterle stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Police & Dog Chairman Jeffries was not present.

Chief Beloit stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Fire Chairwoman Higgins 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 stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated they have the Financial Report before them and any questions could be directed to Clerk-Treasurer Sitzman.

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 the first item is a Resolution of the Common Council of the City of Mount Vernon, IN of Approval of a Supplement to the 2008 City of Mount Vernon, Indiana Comprehensive Plan, Said Supplement Entitled "City of Mount Vernon Downtown Redevelopment Plan Update, June 13, 2014". She added this comes on a recommendation of the Area Plan Commission.

Mindy Bourne stated American StructurePoint requested the update, and she is not sure how it all came about actually.

Attorney Higgins stated it came from the city side, but the Area Plan had to have a public hearing on it. She would recommend adoption.

Councilman Hoehn moved the Resolution be approved. Seconded by Councilman Curtis.

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:

Jeffries – absent; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Clerk-Treasurer Sitzman added it will be numbered 14-14.

Attorney Higgins stated then next item is a second reading on the Ordinance of Additional Appropriations in the EDIT Fund, in the amount of \$32,957.74. She added there will be a public hearing at the next meeting, followed by final reading.

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

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:

Jeffries – absent; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Attorney Higgins stated the next item is the revised alcohol ordinance, per the discussion of their last meeting, the ordinance was revised providing for park events only and referring to the temporary permit required by IATC (Indiana Alcohol and Tobacco Commission). She further added all such permitted events will need to come before the Board of Public Works & Safety prior to the event.

Councilman Hoehn moved the Ordinance Amending the City of Mount Vernon, Indiana Code of Ordinances, Title IX – General Regulations, Chapter 96 - Parks & Recreation and Title XI – Business Regulations, Chapter 110 – Intoxicating Liquors, Section 110.01 – Use of Alcohol on Certain Public Property Prohibited pass on first reading. Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion ?

Councilwoman Higgins asked if Old National Insurance was contacted and if they responded ?

Attorney Higgins replied yes, and she did hear back. She added their recommendations were incorporated into the ordinance.

Mayor Tucker requested a roll call vote.

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

Jeffries – absent; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Attorney Higgins stated the next item started with the Area Plan Commission and it is a change to the zoning ordinance – the flood plain chapter.

Ms. Bourne stated they need to update the current flood plain ordinance which has been in effect since 1984. This has been in the works for several years now and the new maps need to be in effect by November 5, 2014 to stay in the NFIP (National Flood Insurance Program). She then stated in 2012 they consolidated the zoning ordinance and it was updated at that time. There is now a new model of ordinance out there and this changing for that reason – mainly just definition changes, no change in substance. The DNR is recommending the update to the new model ordinance, which again, must be

in effect by November 5, 2014. She stated Posey County approved the update to the flood ordinance, which, again, maps must be updated by November 5, 2014.

Councilman Hoehn asked what happens if they would miss the deadline ?

Ms. Bourne replied they would be suspended from the NFIP, which would mean no discount on rates for flood insurance.

Councilwoman Higgins questioned why New Harmony isn't listed in the ordinance ?

Ms. Bourne replied they do their own zoning, and Griffin doesn't have zoning.

Councilman Curtis moved the ordinance pass on first reading.

Councilman Hoehn stated point of order – there is no financial impact statement on the ordinance. He added he would like an opinion saying what they is, if any, associated with the changes in the ordinance. He added he is not well versed enough to know.

Attorney Higgins stated the financial impact statement is a city thing on all of their ordinances stating how an ordinance could impact the city budget, etc. The cost to the city.

Councilman Hoehn agreed it is not an APC thing. He then stated he would just like to see that done, get an outside opinion.

Attorney Higgins stated when something comes from the APC the city has 30 days to take action.

Ms. Bourne stated the APC certified their action on July 11.

Attorney Higgins stated they need to table it, acknowledge receipt, some kind of action. She added they do have time to still get it passed before November 5, 2014.

Ms. Bourne she would like to have all entities pass it sometime in October.

Councilman Curtis stated he would think there would be no impact, but he withdraws his motion to pass.

Councilman Jeffries arrived at the meeting.

Councilman Hoehn stated he would like someone to look at it. It is imperative that that happen.

Councilman Curtis stated he withdraws his motion to pass, and then moved the ordinance be tabled until August 21. 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:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Attorney Higgins added they may get some indication from DNR or the APC, but there will be some cost from American Legal due to the codification. She stated cost of implementation could come from the Flood Plain Director or Administrator.

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

Marcie Miller of the Azalea Trail Committee approached and stated they are present to seek approval for a sign at Riverbend Park. She added Scott Elpers of Custom Sign in Newburgh is also present. She continued by stating the Committee is interested in beautification of Mount Vernon and increasing tourism and other amenities in the downtown area. She stated they are seeking the support and approval of the Council for their proposed sign at Riverbend Park. She continued by stating over the life of their Committee, they have planted 1200 azaleas, numerous daffodils, tulips, irises, day lilies, ornamental grasses, etc. on city property, which the Committee maintains. They have made substantial contributions to the landscape of the community with walking trails that have also been established. She then stated they have the annual azalea sales with proceeds helping towards the maintenance of the plants. The sign they are proposing would have trail information on one side, and LED lights on the

other side that would list community events, acknowledge past and present donors, and keep the community informed on activities around town.

Mr. Elpers stated as he came into town, he saw lots of Stellar signs, and Mount Vernon definitely has a Stellar riverfront. He added Custom Sign has been in business for 14 years and they continue to grow. They provide quality work and the LED messaging is made here in the US, in Danville, IL. He stated they have done several signs here in Mount Vernon as well, again, made in the US, and good quality equipment. There is also a five year manufacturer's warranty, as there are minor issues that come up from time to time. The power usage is a very minimal \$.85/day and UL certified. The sign has louvers for shade and to help prohibit vandalism. The programming will be at the sign itself and can be programmed well in advance. It can also be programmed to shut off at any given time. It is an excellent communication tool.

Councilman Hoehn questioned the size of the sign.

Ms. Miller replied 3' x 5'.

Councilman Hoehn asked if both sides are LED ?

Ms. Miller replied no, the other side will be for map and trail information – changeable and written in historic script like the other signs at the park.

Councilman Hoehn asked if that side will be lit ?

Ms. Miller replied not that side. That will be for information for the trails, which folks will use during the day. She added the location will be across from the Waters Edge Restaurant, with the LED portion facing the west.

Councilman Fuelling stated the amphitheater has many, many events and it would not be a good idea to locate the sign there.

Ms. Miller agreed. She then stated the Friends of the Park will work with the Park & Recreation Department on the programming.

Councilman Hoehn asked if Park & Rec will have authorization to change the sign?

Ms. Miller replied yes, it will be their ultimate decision. They do schedule most of the events at Riverbend Park.

Councilman Curtis asked who will update the sign and program it ?

Ms. Miller replied Friends of Park in conjunction with the Park Department.

Councilman Jeffries stated his concern is that they all have the same goal, and unity of effort.

Ms. Miller stated she is a member of the Friends of the Park and they work closely with the Park Department, that should not be an issue.

Councilman Jeffries agreed it is important to all speak in one voice.

Councilman Curtis stated he is confident that someone will take care of it.

Ms. Miller stated the Friends of the Park meet monthly with the Park & Recreation personnel. She then stated she knows everyone wants to know the cost - \$24,450.00. She then stated the Azalea Trail Committee will donate \$6,500 and the Friends of Park can donate \$1,000, with the city being asked to fund the balance – contingent on approval for the sign from the Zoning Board. She added Ms. Bourne feels there should be no problem. She then asked if there were any questions, at which time she also thanked Council for their consideration.

Attorney Higgins stated as the fiscal body, Council may get a request for an additional appropriation, but authorization for the purchase, must come from the Board of Works. They actually determine that. She stated this is an informational step in the process.

Councilman Fuelling stated they knew they wanted to get folks down there when the silos came down. Now, they need folk to know about the various events. He asked which line item and in the what budget they can fund this ?

Mayor Tucker stated they have had many activities there and he hopes that continues. He added he is for this, there is a need there. Currently the city pays the water and electric bills at Riverbend Park. The goal is to get to the place where Park & Rec can fund this and of course get more people down

there. He added he will find the money, with the help of Clerk-Treasurer Sitzman. Possibly the COIT fund, which also helped Councilman Fuelling with the service building there.

Councilman Fuelling stated they are fortunate to have the Azalea Trail Committee come up with the money that they did, as well as the Friends of the Park.

Councilwoman Higgins asked if they had considered a fundraiser ? It seems that when folks donate to something they tend to take more pride in it.

Ms. Miller replied they have the annual sales event, and they have received some grants. Possibly they could put the word out in the paper.

Councilwoman Higgins stated it raises awareness.

Ms. Miller stated their grant money is good through the end of the year.

Mr. Elpers added the sign itself could even be used to fundraising.

Attorney Higgins stated if Mayor Tucker and Clerk-Treasurer Sitzman can find the money, then proceeding would be authorized through the Board of Works.

Councilman Jeffries stated the devil is in the details. It is a great idea, but they should do it in a way that works.

Mayor Tucker stated he wanted the feel of the Council before it came before the Board of Works.

Councilman Fuelling stated the sign would be a good way to get people on board up front.

Mr. Elpers again stated the electricity would run less than \$.85/day.

Mayor Tucker questioned the Council's wishes.

Council concurred unanimously with the idea.

The Azalea Trail Committee then thanked the Council and left the meeting.

Mayor Tucker asked if there was any Old Business ?

Councilman Hoehn questioned the status of the "meth" house on Mulberry ?

Mayor Tucker replied Ms. Willis is working on that right now actually.

Attorney Higgins stated a hearing was held last Thursday and the owner has agreed to convey it the property to the city and allow the city to apply it to the Blight Elimination Program for demolition and clearing of the lot. The city will put that on their application, which is due August 18.

Councilman Hoehn asked the timing, will it be done this year ?

Attorney Higgins replied yes. She added they should hear in 30 days if they were successful and then they would have to advertise for bids. If they are, the demolition would be fully funded.

Councilman Curtis stated this is not a sure thing, and questioned what happens if they are not successful ?

Attorney Higgins replied then the agreement with the owner is off and it would be demolished and a lien would be filed. The owner has no funds to demolish the house, at least according to the owner.

Mayor Tucker asked if there was any New Business ?

Attorney Higgins questioned the parking on lower Main Street that they discussed at the last meeting.

Councilman Curtis asked if they could address this at the next meeting, as he has just got back in town.

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

1st District Councilman Jeffries stated he has no report.

2nd District Councilman Fuelling stated he has no report.

3rd District Councilman Hoehn stated he has no report.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated this time next week they will either be a happy city, or a sad city.

Mayor Tucker agreed added the Stellar announcement will be next week at the Indiana State Fair. All six finalists must attend. He added the core committee will be going up with him and they should know August 14 around 9:00 am. He then stated if there was no further business, e entertains a motion to adjourn.

Councilman Curtis moved the meeting be adjourned. Seconded by Councilman Fuelling.

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.

John Tucker
Mayor

ATTEST:

Cristi L Sitzman
Clerk-Treasurer