

July 23, 2015

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; Supt. Givens; Mark Wengler – Johnson Controls, Inc.; Nancy Sexton; Jeff Woodford; Larry Williams; Ed Adams; Randy Adams; Troy and Brandy Ricketts; Cecil Waters; Corey Woolsey – Mount Vernon Democrat; and arriving during the meeting, Board member 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.

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 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

Chairman Curtis stated he has no report, but Mark Wengler from JCI is here for an update on the construction project.

Mr. Wengler stated he is the construction manager on the water project for JCI's Central Region. Tonight he will be presenting a possible addition to the project. He then stated the project thus far, is going very well. The foundation, the 100, 75' deep piers are in place.

Board member Jeffries arrived at the meeting.

Mr. Wengler added the concrete slab is poured as well as the walls for the filter building. He stated the filters are being manufactured off site, but all seems to be going well. They should arrive in September. The elevated water storage tank is being built on Port of Indiana land, and they have been working with Attorney Higgins on that.

Mr. Wengler continued by stating, according to the electrical engineer they are getting ready to work on the new power service entrance to the building/facility. He stated the generator/automatic transfer switch is not included in this project, but it would be much more economical if they would do that now, rather than later. There are benefits to doing it now – one being it would much less complicated to shut the plant down in the event of a power failure – it would be an instant switchover. The cost to add this is \$58,000. If they would wait and decide to do it later, it would cost an additional \$50,000.00-60,000.00 and the reason for that is they would have to tear out all of the new service and completely redo it. He further stated this is not required, it would be an additional scope item. They

have cut costs in other areas to get this installed. He concluded by stating he needs to know if this is something the Board is interested in so they can get the equipment ordered.

Chairman Curtis stated this is the first he has heard of this, but asked if the \$58,000 cost is after deductions ?

Mr. Wengler replied yes.

Supt. Gray stated the original cost is around \$70,000.00.

Mr. Wengler stated JCI felt they needed to let the city know about this since it would save significant money to do it now.

Supt. Gray stated they do not have an automatic switch now and shutting the plant down is a long process. This would switchover to emergency power.

Board member Hoehn questioned motors that may be in motion at the time.

Supt. Gray replied they would actually just have a brown out. The generator would be on and the switchover would occur.

Board member Hoehn asked how long as they talking for the switchover ?

Mr. Wengler replied a couple of seconds, one or two.

Board member Hoehn stated less than five seconds then.

Supt. Givens stated they have that at the sewer plant and it happens in a matter of seconds.

Chairman Curtis stated he doesn't know much about it as he doesn't run the plant.

Supt. Gray stated it takes them about 10 to 15 minutes to shut down the plant manually, minimum.

Board member Hoehn asked if he has to all in extra people when this happens.

Supt. Gray replied yes, he gets called in as wells Mr. Hansen.

Board member Hoehn stated in that case, it could take them 30 minutes or so to get everything shut down.

Supt. Gray stated it usually takes about 20 minutes. He then stated he recommends they move forward with this. They really do need it.

Board member Hoehn stated the price seems to be reasonable for that type of equipment. Standard in the industry.

Chairman Curtis asked if they will still be able to use the same generators.

Mr. Wengler replied yes.

Chairman Curtis stated if Supt. Gray feels he has the money in his budget, he would move that the Board allow the change, at a cost of \$58,529.00 for the automatic transfer switch. Seconded by Board member 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 Board voting as follows:

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

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Mr. Wengler stated they really will truly save between \$50 and \$60,000 later down the road by doing this now. He then stated he appreciates the Boards time and left the meeting.

Mayor Tucker asked if there were any questions for the Water Supt. or Water Chairman.

There were none.

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

Clerk-Treasurer Sitzman replies 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 ?
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 Curtis moved the meeting be adjourned. Seconded by Board member Hoehn.
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 Jeffries, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloat; Chief Dixon; Comm. Dieterle; Supt. Givens; Mark Wengler – Johnson Controls, Inc.; Nancy Sexton; Jeff Woodford; Larry Williams; Ed Adams; Randy Adams; Troy and Brandy Ricketts; Cecil Waters; and Corey Woolsey – 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.

Councilman Curtis moved the reading of the minutes be waived and they be approved as presented.
Seconded by Councilwoman 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 reports of the Standing Committees.

Street & Light Chairwoman Higgins stated she 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 stated he has no report.

Chief Beloit stated he has no report.
Mayor Tucker asked if there were any questions ?
There were none.

Fire Chairman Hoehn stated he 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 asked if the Clerk-Treasurer had any Communications for the Council ?
Clerk-Treasurer Sitzman replied she has no report.

Mayor Tucker stated they are now ready for the Legal portion of the Agenda.
Attorney Higgins stated they are reading for the first reading of the Ordinance to Amend the City of Mount Vernon Code of Ordinances, Title VII: Traffic Code, Chapter 75: Parking Schedules, Schedule VII-Loading Zones. She stated this was discussed at the last meeting and came as a recommendation from the Board of Works and Shane Claybrooke for his Ice House business.
Councilman Hoehn moved the ordinance pass on first reading. Seconded by Councilman Curtis.
Mayor Tucker asked if there was any discussion ?
Board member Jeffries stated since Board of Works meeting until today, he has noticed vehicles parked in that area. He is not sure who it is, maybe someone visiting a neighbor.
Councilman Curtis stated Mr. Claybrooke looked into that and he has talked to the neighbors.
Councilman Jeffries stated he is not sure if there is an issue going forward.
Councilman Curtis stated Mr. Claybrooke is allowing that use.
Councilman Jeffries stated it is being utilized by someone.
Mayor Tucker asked if there were any other questions ?
There were 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 stated the next item is possible discussion on the ATI Tax Abatement. She added Mr. Juncker has requested this be tabled until the August 20 meeting
Councilman Curtis moved the ATI Tax Abatement be tabled until the August 20 meeting. Seconded by Councilman Jeffries.
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.

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

Troy Ricketts approached and questioned where Council stands on the proposal for nuisance properties that they submitted ?

Councilman Jeffries stated he talked with Randy Adams twice today. He stated they need to get a product together and bring the landlords in.

Mr. Ricketts asked if he had a date in mind.

Councilman Jeffries replied the end of August or early September.

Mr. Ricketts asked if he could move that up.

Councilman Hoehn asked what product he is talking about.

Councilman Jeffries replied an ordinance.

Councilman Hoehn stated that would come as a result of the meeting.

Councilman Jeffries stated he and Randy Adams talked. The proposal they submitted was two pages.

He stated last week he identified 12 sections of the existing municipal code, title 35 of the Indiana Code, and Title 9 that could be impacted , all rolled into this.

Mr. Ricketts asked if that could be added to the ordinance ?

Councilman Jeffries stated they need a concept and then model it after the South Bend ordinance, which he added he pulled today. It is seven pages. Some of the issues in Mr. Ricketts' proposal are addressed there. He then stated he has talked with the Evansville City Clerk, their attorney, and IACT general counsel, concerning implementation. If they are going to do this, they need to do it right, and be sure they are going to get the intended result. Right now this proposal opens up the city to a lot of liability. The South Bend ordinance is more workable.

Mr. Adams stated they presented the South Bend ordinance originally, it was only after that they got down to a more simple proposal.

Councilman Jeffries stated he is working on it. Writing something is easy, but there has to be research, and lots of thinking, and getting the tools together. Again, they want to be sure they do it right. There are lots of details you can't overlook.

Mr. Ricketts suggested Councilman Jeffries give the South Bend ordinance to Attorney Higgins to make it legal.

Councilman Jeffries replied they can do that, that isn't really his call.

Mr. Ricketts stated basically it is the same ordinance.

Councilman Jeffries replied no, it isn't. He added he told Mr. Adams today at 3:50 he would look at it, and he did.

Mr. Ricketts stated this has been going on for two years now.

Councilman Ricketts stated the one thing that is glaring...." Five or more police complaints at a residence, then eviction happens..." He asked what is considered a police response ? He stated their proposal needs to be refined.

Mr. Adams stated they drafted this proposal in the hopes it could be turned into an ordinance.

Councilman Jeffries stated it is a process.

Mr. Ricketts stated he doesn't know why it won't for them. He added they all want something done with their neighborhood.

Councilman Curtis stated to Mr. Adams that, they have good ideas, but they really need to meet with the landlords as well.

Mr. Adams and Mr. Ricketts agreed.

Councilman Jeffries added they talked about that today, as well as involving the manager of South wind.

Councilman Hoehn stated they do not involve managers, they are not relevant and can not speak for the owner.

Councilman Jeffries replied yes, they can.

Councilman Hoehn asked about the committee, did they have any ideas they could get to the city attorney ? He stated there has not been one single meeting with all of the individuals involved – himself being one.

Councilman Jeffries stated that Councilman Hoehn has been on the Council for six years and wondered what he has done about the problem.

Councilman Hoehn replied this is not an efficient process, attorney to attorney. What about the neighbors, etc.

Councilman Jeffries stated he would rather bring a plan in, and then troubleshoot.

Councilman Hoehn replied that is what the committee is supposed to do.

A resident of the area stated they need a plan, and then asked if the neighbors don't count?

Councilman Jeffries replied no, that isn't the case.

The resident then stated that is the way they feel. They are just supposed to be quiet ? The problem residents rent, they own. She stated the police officers do a good job, but something needs to be done, that is all she is asking. She now lives with her son and they have to go in as soon as it starts to get dark, and lock themselves in. They don't feel safe. They can not sit out on the porch in the evening in their neighborhood. Council needs to make the landlords see this. Again, the police officers do a good job, but Council needs to make landlords liable.

Councilman Jeffries stated he is proposing to bring in a lot of other things. He added he knows litter is also an issue. They just have to be sure they are fair to everyone. The proposal, as submitted, is not workable.

Councilman Hoehn added it wasn't supposed to be. The proposal wasn't presented that way. Yes, litter needs addressed as well, but not in the first round. They have asked for a meeting and to invite everyone involved – there hasn't been one.

Councilman Jeffries replied he just got the proposal June 25..

Councilman Hoehn asked how many meetings they have had ? The answer is none.

Councilman Jeffries replied that is correct.

Councilman Hoehn stated they need to bring their ideas to Attorney Higgins and she will put them into ordinance form.

Councilman Curtis suggested a possible committee meeting to work on a product.

Councilman Jeffries replied he wants an agenda, a structured meeting.

Councilman Curtis stated have a meeting, set a date. Bring a product to discuss, that way everyone has input and feedback.

Attorney Higgins stated they can look at both the Evansville ordinance and the South Bend ordinance. Folks can bring up comments and mark off what is included in each and at least form a skeleton for their own ordinance. After that, bring it to her and she will put it ordinance form.

Councilman Jeffries stated they also need to figure out the cost of implementation,

Attorney Higgins agreed and added there is fiscal impact statement required on the bottom of all of their ordinances.

Councilman Curtis stated with a meeting like that, it would give folks an opportunity to explain why things are an issue.

Mr. Adams stated they all really appreciate what has be done. But they need to know where they are going and when. They need a committee meeting.

Mr. Ricketts agreed and added they really just wanted a timeframe. This needs to move along.

Mr. Adams stated he and Councilman Jeffries had a good discussion. The residents are not blaming anyone - they are IN the loop, but NOT. If they had a timetable, they wouldn't feel like they are running in circles.

Attorney Higgins suggested having a meeting in the next three weeks.

Councilman Jeffries stated he will not meet on this until September or the last week of August. He can give it more attention then.

Mr. Ricketts stated that is another six to eight weeks.

Councilman Jeffries stated if Councilman Hoehn or another Councilman can step in, it would be much appreciated.

Councilman Hoehn stated Councilman Jeffries should step away and Councilman Curtis could step in, Councilman Curtis stated he has things going, with the water department, and the police and fire building.

Councilman Jeffries added they all do, and he also is in service, and he has been working on this as he can.

Mr. Adams stated they are not finger pointing. They are just asking for a timetable.

Councilman Fuelling stated Council had better not be discussing equal sharing – and added, don't go there. Folks on Council doing things. Don't go there.

Councilman Jeffries stated August 21, they can meet by August 21.

Mr. Ricketts asked if that will be with the committee and landlords ?

Councilman Jeffries stated he will talk to them before then. Put the other ordinances out there. Their information has already been disseminated some. He does not want a free-for-all. He needs a structured meeting.

Mr. Adams stated he wants the landlords to know it isn't us against them. We want to show common courtesy.

Councilman Jeffries stated the specifics needs nailed down.

Mr. Ricketts stated his only objective is a timetable. This has been going on for too long.

Councilman Jeffries stated they need bullet points.

Mr. Adams replied those are in the proposal, near the end.

Councilman Jeffries added it seems a little broad.

Mr. Ricketts thanked Council for their time.

Mayor Tucker stated Chief Beloat has some statistics for that area. He added that the lady speaking about not being able to sit on her porch at night and being afraid.....again, Chief Beloat has some statistics.

Chief Beloat stated he has some figures for comparison for the first and second quarters of 2014 and 2015. For the first quarter of 2014, calls were up 32%, but not all calls were criminal calls. Crime was actually down 13%. He added the police have a good relationship with Southwind management, who is also doing a good job. He stated for the first quarter of 2105 27% of their calls were to assist Southwind management with evictions, etc. and the second quarter of 2015, total calls were down 17%, and crime was down 66%. He then stated at the end of April the ISP began assisting the police department as well. He added they have seen improvement there statistically,

Mr. Ricketts agreed it is getting better, but the apartments are practically empty too.

Chief Beloat stated the police have been doing what they can, as Mr. Ricketts is aware. He added the problems there are bigger than just a police issue. There are code enforcement issues, animal control issues, and dilapidated housing issues. There needs to be a bigger scope than law enforcement.

Councilman Jeffries added that the housing board may need to be brought in.

Mr. Adams stated he will give the police credit but they need more tools to do it even better. He added he doesn't want it to get back to where they were two years ago.

Councilman Jeffries it is a work in progress.

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.

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 she has no report.

Mayor Tucker stated July 25 at 10:00 am there will be a ceremony honoring Korean War Vets who made the ultimate sacrifice, their lives. A monument will be in place, financed by Korean War Vet John Meadors. Everyone is invited to attend. He then stated if there was no further business, he entertained a motion to adjourn.

Councilwoman Higgins 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.

John Tucker, Mayor

ATTEST:

Cristi L. Sitzman
Clerk-Treasurer