

July 7, 2016

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 Curtis presiding and members Jeffries, Williams, Hoehn, Johnson, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Dixon; Chief Alldredge; Comm. Dieterle; Acting Supt. Moss; Gene Carroll; Animal Control Officer Youngblood; Andy Sucharitakul – The Lochmueller Group; Nancy Sexton; Jeff Woodford; Paula Rudibaugh; Rachel Christian – Mount Vernon Democrat; and arriving during the meeting, Lois Gray – Posey County News.

Mayor Curtis called the meeting to order by stating members were emailed 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 Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Johnson.

Mayor Curtis asked if there was any discussion ?

There was none.

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

Mayor Curtis requested action on the claims presented.

Board member Williams moved the claims presented be allowed for payment. Seconded by Board member Jeffries.

Mayor Curtis asked if there was any discussion ?

There was none.

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

Mayor Curtis stated they will now hear the report of the Water Supt.

Supt. Gray reported 10th Street work is progressing slowly and the weather has been hindering them some.

Lois Gray arrived at the meeting.

Water Chairwoman Johnson stated she has no report.

Mayor Curtis asked if there were any questions ?

There were none.

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

Clerk-Treasurer Sitzman replied not at this time.

Mayor Curtis asked if there were Legals for consideration ?

Attorney Higgins stated there is going to be a change in the leadership of the water and sewer operations. Mayor Curtis has made a proposal that this be a joint superintendent position. The job description has been emailed to everyone and she would ask that the Utility Board look at that and approve if they are so inclined. Once they have done that, they will then approve the recommendation of Mayor Curtis to appoint Chuck Gray at the Water/Sewer Superintendent, as well as make a recommendation to the Council for the amendment of the salary ordinance. The salary is split 50/50 by water and sewer.

Mayor Curtis stated the Board of Works accepted the job description this afternoon with no changes. He added there was a question at the last meeting about a savings projection thru 2017. For two positions with all of the benefits, they would be looking roughly at \$154,600.00. If the two positions are combined into one, at a salary of \$75,000.00 (\$94,000.00 total with benefits) they would realize a savings of around \$60,500.00. For the fiscal impact, which is to be listed on all ordinances, he has \$40,000.00. There may be other costs associated with Mr. Moss and Mr. Carroll. He added he feels comfortable saying they will save between \$40 - \$50,000.00.

Board member Hoehn stated he seems to remember several years ago, that the water department could have been taken over under the city, like the street department, with their own profit/loss, etc. He asked about integrating the two, or is that even an option. The utilities are not currently included in the city and he wondered if they are intentionally separate ?

Mayor Curtis stated that is before his time, he does not recall.

Attorney Higgins stated the utilities fall under Title 8, which requires a superintendent, but not an exclusive superintendent. The Water Utility Board has to approve the superintendent.

Board member Hoehn asked the comingling of salary.

Attorney Higgins replied they are currently doing that on some positions now. That is fine as long as equal time is being spent on both jobs.

Board member Hoehn stated he just thought the water could be under the city like the street department.

Attorney Higgins replied it is fine as long as the time is documented.

Board member Hoehn stated if it is fine legally, that is all he is concerned about.

Mayor Curtis asked the Board's wishes about the job description ?

Board member Hoehn moved they accept the job description of the water/sewer superintendent.

Seconded by Board member Williams.

Mayor Curtis asked if there was any discussion ?

There was none.

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

Mayor Curtis asked for action on the appointment of Supt. Gray for water/sewer superintendent.

Board member Williams moved the Board accept the Mayor's appointment for water/sewer superintendent, Chuck Gray. Seconded by Board member Johnson.

Mayor Curtis asked if there was any discussion ?

There was none.

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

Mayor Curtis asked for action on the recommendation to the Council for passage of the amendment to the salary ordinance.

Board member Higgins moved the Water Utility Board recommend passage to the Council. Seconded by Board member Jeffries.

Mayor Curtis asked if there was any discussion ?

There was none.

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

Mayor Curtis asked if anyone in the Audience wished to address the Board ?

There was no response.

Mayor Curtis asked if there was any Old Business ?
There was none.

Mayor Curtis asked if there was any New Business ?
There was none.

Mayor Curtis stated if there was no further business, he entertains a motion to adjourn.
Board member Johnson moved the meeting be adjourned. Seconded by Board member Higgins.
Mayor Curtis asked if there was any discussion ?
There was none.

Mayor Curtis 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.

Bill Curtis, 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 Curtis presiding and members Jeffries, Williams, Hoehn, Johnson, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Dixon; Chief Alldredge; Comm. Dieterle; Acting Supt. Moss; Gene Carroll; Animal Control Officer Youngblood; Andy Sucharitakul – The Lochmueller Group; Nancy Sexton; Jeff Woodford; Paula Rudibaugh; Rachel Christian – Mount Vernon Democrat; and Lois Gray – Posey County News.

Mayor Curtis called the meeting to order by stating members were emailed 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 Williams moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilman Jeffries.
Mayor Curtis asked if there was any discussion ?
There was none.
Mayor Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.
Mayor Curtis stated they also have copies of the minutes of their Executive Session on July 5.
Councilman Jeffries moved the reading of those minutes be waived and they be approved. Seconded by Councilwoman Higgins.
Mayor Curtis asked if there was any discussion ?
There was none.
Mayor Curtis stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

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

Comm. Dieterle asked that everyone be patient and drag their limbs to the curb, they will get them all. **Street & Light Chairwoman Higgins** stated she agrees with Comm. Dieterle's comment and added folks noticed how quickly the street department got out after the storm to start the clean up.

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

Chief Alldredge stated a month ago, he was asked to get some crime figures together on communities similar in size to Mt. Vernon. He added he sent out 12 inquires for 2015 crime stats, and only got back two responses, which he handed out to the Council.

Mayor Curtis asked if anyone had any questions for Chief Alldredge ? He then thanked him for his efforts.

Police & Dog Chairman Jeffries stated he has no report.
Mayor Curtis asked if there were any questions ?
There were none.

Chief Dixon stated he has no report.

Fire Chairman Hoehn stated he has no report.
Mayor Curtis asked if there were any questions ?
There were none.

Acting Supt. Moss stated he has no report.

Sewer Chairman Williams stated he has no report, but he looks forward to working with Supt. Gray and the staff at the sewer plant.
Mayor Curtis asked if there were any questions ?
There were none.

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

Attorney Higgins stated they have before them an Ordinance Amending the City of Mount Vernon, Indiana 2016 Salary Ordinance for the Superintendent Position with the Water Utility and the Sewage Utility. She added the Board of Works and the Water Utility Board have recommended passage and she apologized for walking this ordinance in, but this has been on hold for some time. She stated they need to get going on this and as Mayor Curtis will miss the next meeting, they felt they needed to proceed.

Mayor Curtis added he appreciates the work that Danny Moss and Gene Carroll have done over these past months, and he is assured that they will work equally as hard with Supt. Gray and continue to function sufficiently. Again, he added he appreciates all of their work.

Board member Williams agreed and added he has heard from many people that Mr. Moss and Mr. Carroll care about their positions. And with that being said, he the moved the ordinance pass on first reading. Seconded by Board member Jeffries.

Mayor Curtis asked if there was any discussion ?
There was none.

Mayor Curtis requested a roll call vote.

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

Jeffries – yes; Williams – yes; Hoehn – yes;
Johnson – yes; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Councilman Williams moved the rules be suspended. Seconded by Councilman Hoehn.

Mayor Curtis asked if there was any discussion ?

There was none.

Mayor Curtis requested a roll call vote.

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

Jeffries – yes; Williams – yes; Hoehn – yes;

Johnson – yes; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

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

Mayor Curtis asked if there was any discussion ?

There was none.

Mayor Curtis requested a roll call vote.

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

Jeffries – yes; Williams – yes; Hoehn – yes;

Johnson – yes; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Councilman Williams moved the rules be suspended. Seconded by Councilman Jeffries.

Mayor Curtis asked if there was any discussion ?

There was none.

Mayor Curtis requested a roll call vote.

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

Jeffries – yes; Williams – yes; Hoehn – yes;

Johnson – yes; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

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

Mayor Curtis asked if there was any discussion ?

There was none.

Mayor Curtis requested a roll call vote.

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

Jeffries – yes; Williams – yes; Hoehn – yes;

Johnson – yes; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Clerk-Treasurer Sitzman added it will be numbered 16-14.

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

There was no response.

Mayor Curtis asked if there was any Old Business ?

There was none.

Mayor Curtis asked if there was any New Business ?

Comm. Dieterle stated the city got some “free money” from the state (\$510,000), 75% of which is to be used for street paving, and can be used for matching grant money. He has bids from Rudolph upwards of \$800,000.00 for this. He then stated he needs a letter of financial commitment to go in the with the grant application, which is due July 29. He stated the financial commitment would be the \$510,000.00 they received from the state, though they may actually only need around \$450,000.00, IF all of the projects are approved.

Mayor Curtis stated to put this in perspective, that is about four to five years of paving and if they are successful, they will be five years ahead on their paving.

Councilman Jeffries asked if Comm. Dieterle could circulate a list so they know the projects.

Comm. Dieterle replied yes and added there are 12 different projects and the state will make the decision on what gets approved.

Mayor Curtis stated the work would not all be done this year. He stated Council needs to give him permission to sign the letter of commitment. He then added counties of 50,000 or less in population will have a preferential place on the list.

Councilman Jeffries moved permission for Mayor Curtis to sign the letter committing the funds, not to exceed \$510,000.00 for the INDOT paving grant, be given. Seconded by Councilwoman Johnson.

Mayor Curtis asked if there was any discussion ?

There was none.

Mayor Curtis requested a roll call vote.

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

Jeffries – yes; Williams – yes; Hoehn – yes;

Johnson – yes; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Councilman Hoehn stated there was a dog bite incident and he would like some more information on this like where was the incident, how did it happen, what happened, where is the dog now, etc.

Chief Alldredge replied it happened on June 25, a child was bitten, there was an investigation for possible criminal charges and none were found to be criminal. He added he got with the prosecutor and he found no criminal element or statute to cover the incident. He then stated the dog was quarantined and will be returned to the owner tomorrow.

Councilman Hoehn stated according to the city's own ordinance, this dog can not be returned to the city limits.

Attorney Higgins stated she has talked with Capt Angel about this and there is no history with the dog. She added she can look at the current ordinance and this could end up being a civil matter, as it does not meet the requirements of a vicious attack for a criminal matter.

Councilman Hoehn stated our ordinance requires this dog not be housed in the city limits.

Chief Alldredge stated he will be out of town tomorrow but he will have Capt Angel look into this and they will go from there.

Councilman Hoehn then read from ordinance 91-32.

Chief Alldredge stated they have more than one dog bite per year and if they enforce this on this incident, they will have to enforce it on all of them.

Councilman Hoehn stated this one was different, it was an attack.

Chief Alldredge stated the dog in question was on his own property, he may have to refer back to Attorney Higgins on this.

Councilman Jeffries stated it sounds like a civil matter.

Attorney Higgins agreed,

Councilman Hoehn stated he would like to see the dog put down in a humane way.

Chief Alldredge stated the dog shot out the door and bit a child, there was also another dog involved as well, trying to get the other dog off the child. That was probably where the most damage was done, by the other dog,

Attorney Higgins stated they can not cross over from being a Council setting policy to something else here.

Councilman Hoehn asked why the dog can't remain impounded while the investigation continues into the ordinance.

Mayor Curtis asked if they can ask that the dog be held while that is being reviewed ?

Attorney Higgins replied yes.

Councilman Jeffries agreed and added they need to be sure they are in compliance with their own ordinances.

Mayor Curtis stated ACO Youngblood will see that the dog remains impounded.

Mayor Curtis stated they are now ready for the reports of the Districts.

1st District Councilman Jeffries stated he has no report.

2nd District Councilman Williams stated he has no report.

3rd District Councilman Hoehn stated he has no report.

4th District Councilwoman Johnson stated she has no report, but would like to mention that there is a new business, Consigned by Design, having their grand opening on Saturday.

Councilwoman-at-Large Higgins stated she has Bicentennial update. The bison is on its way and should be here next week. Local artist, Judith Powers, will be painting it. The Hoosier Experience semi will be here during Riverdays, from 9:00 am to 1:00 pm. It is a 40' semi set up like a museum.

Mayor Curtis stated he will not be at the next meeting. He then entertained a motion to adjourn. Councilman Williams moved the meeting be adjourned. Seconded by Councilwoman Higgins. Mayor Curtis 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.

Bill Curtis, Mayor

ATTEST:

Cristi L. Sitzman
Clerk-Treasurer