

August 18, 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 Pharr; Williams; Hoehn; and Higgins attending. Board member Johnson was not present. Others attending were Attorney Higgins; Supt. Gray; Chief Dixon; Comm. Dieterle; Chief Alldredge; Ed Adams; Paula Rudibaugh; Nancy Sexton; Joe Winiger; representatives of Heritage Federal Credit Union; 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 their previous meeting and by asking if there were any corrections or additions. He added if note, 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 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 requested action on the claims presented.

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

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

Supt. Gray stated he 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 any Legals for consideration ?

There were none.

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 Williams moved the meeting be adjourned. Seconded by Board member Hoehn.
Lois Gray arrived at the meeting.

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 Pharr; Williams; Hoehn; and Higgins attending. Councilwoman Johnson was not present. Others attending were Attorney Higgins; Supt. Gray; Chief Dixon; Comm. Dieterle; Chief Alldredge; Ed Adams; Paula Rudibaugh; Nancy Sexton; Joe Winiger; representatives of Heritage Federal Credit Union; Rachel Christian – Mount Vernon Democrat; Lois Gray – Posey County News; and arriving during the meeting, Rick Mileham and Jeff Woodford.

Mayor Curtis called the meeting to order by stating members were emailed copies of their previous meeting and by asking if there were any corrections or additions. He added if note, he entertains a motion to waive their reading and to approve the minutes as presented.

Councilman Hoehn moved the reading of the minutes be waived and they be approved as presented. 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 stated he has no report.

Street & Light Chairwoman Higgins stated she has no report.

Mayor Curtis asked if there were any questions ?

There were none.

Chief Alldredge 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 there was a fire run today at St. Matthew's School and the department had a quick response and things went well. He appreciates their efforts.

Mayor Curtis asked if there were any questions ?

There were none.

Supt. Gray stated he has no report.

Sewer Chairman Williams stated he has no report.

Mayor Curtis asked if there were any questions ?

There were none.

Mayor Curtis stated he would like to welcome new 1st District Councilman Mark Pharr, and added that next meeting he will be giving the Police Department Chairman's report.

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

Clerk-Treasurer Sitzman replied not at this time.

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

Attorney Higgins stated the first item is the final reading on the Ordinance Vacating the East half of an East/West Alley Beginning at Main Street and Extending West to the East Edge of the North/South Alley Connecting 3rd and 4th Streets Within the City of Mount Vernon, Indiana. She added this is again for the construction of a Heritage Federal Credit Union at 4th and Main Streets. She then stated they had been waiting on their INDOT permit, part of the site development plan, and they do not have that yet. She stated if they so choose, they can approve on final reading, subject to curb cut from INDOT with exiting east on 4th Street only.

Councilman Hoehn asked when the permit should have been here.

Attorney Higgins replied last Thursday.

Councilman Hoehn moved the ordinance pass on final reading, subject to INDOT approval of directional curb cut. Seconded by Councilman Williams.

Mayor Curtis asked if there was any discussion ?

Councilman Hoehn stated at the last meeting, the property owner to the west, Rick Mileham, had some concerns and wondered if those had been resolved ?

Don Fuchs, Attorney for Heritage Federal, replied he has discussed this with Mr. Mileham, and Heritage Federal does not see a problem. He stated Mr. Mileham is concerned with the north/south alleyway. Heritage does not see it is an issue at this point as they are unsure about the traffic patterns right now. Mr. Mileham is free to bring a proposal forward, but Heritage does not see an issue at this time.

Councilman Hoehn asked if they are proposing a one directional alley ?

Mr. Fuchs replied Heritage is not proposing anything at this time.

Councilman Williams stated it is currently two direction.

Councilman Hoehn asked the width of the alley.

Rick Mills, designer of the project, replied 10 feet wide.

Mr. Fuchs stated Mr. Mileham's concern is vehicles on his lot may be damaged. He added Heritage can work with him but right now, they need to see how the traffic flows.

Mayor Curtis stated Mr. Mileham has called him several times, the last time being this afternoon. He is concerned with cars turning from the west coming in, and some going out, exiting the bank.

Rick Mileham and Jeff Woodford arrived at the meeting.

Mr. Mileham stated his concern is the alleyway being two way. There is no traffic in the alley now because there is not a business on that corner. The alley is 11'3" at its widest point, then going down to between and eight and nine feet. He added does not want to have to back up his inventory and feels that making the alley one way is the easiest solution. Mayor Curtis and Councilman Hoehn have been

down there and a full size truck gets off in the grass trying to make the turn. He would like to see the alley made one way, which direction matters not to him. He added he doesn't want a two way alley costing him money by bumping into his inventory. He also stated he is not against the bank, Mount Vernon needs it.

Mr. Fuchs stated right now this is hypothetical, there is no issue, and they can address it if the situation arises. He added they don't know the traffic patterns and they would like to reserve the issue until they see if they have a problem.

Mr. Mileham stated the problem is probable more than possible.

Mr. Fuchs stated he understands Mr. Mileham is concerned about his inventory, and that he already has taken measures in the form of a barricade around his lot, he suggests he build something more substantial.

Mr. Mileham replied that also takes money. The barrier is there to actually protect the AC unit at the building at the end of the block, as well as his inventory. Again, he stated there is not much traffic there now, but there is also no business there. He added he was also told by INDOT that this is not their jurisdiction to decide about the alley. He stated again, he is not against the bank, he just doesn't want it to cost him money.

Mayor Curtis asked if there were any other questions ?

Councilman Hoehn stated he hoped this would've been resolved after the last meeting, and he sees that it still isn't.

Mr. Fuchs no, there is no problem to resolve. There is not a problem at this time. Mr. Mileham can run a barrier and protect his lot, but he feels that is premature.

Councilman Williams asked if Council could make a decision now for it to be a one way and then look at it later, and change it if it needs to be. He asked what harm it would be.

Mr. Fuchs stated they do not know about traffic yet. They need to get open first and see if there is an issue – once they are operational. He added he thought that was the thinking of the Area Plan Commission.

Attorney Higgins stated the north/south alley was discussed, but right now there are no plans to make it one way. That was the only comment that was made. She added Council doesn't just need to consider the bank, but also the 4th Street traffic. There are several things that may need addressed which would require a separate ordinance. They need to see the lay of the land so to speak.

Mr. Winiger stated he thought that when this was first proposed, it was proposed as a one way with a right turn only.

Mayor Curtis stated it was discussed that it COULD be one way.

Mr. Mills stated he thought Mayor Curtis indicated that if a problem arose, it COULD be addressed at a later date, but that he wanted Heritage to be aware that the city could make it one way.

Councilman Williams stated a problem, if one is to arise, should show itself pretty quickly.

Councilman Hoehn stated he wants to be sure that this ordinance strictly vacates the east/west alley and has nothing to do with the north/south alley, but the city can address that later.

Mayor Curtis agreed. He then stated if there was no further discussion, he will call for a roll call vote.

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

Pharr – yes; Williams – yes; Hoehn – yes;

Johnson – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

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

Attorney Higgins stated the next item is an Ordinance Enacting and Adopting a Supplement to the Code of Ordinances for the City of Mt. Vernon, Indiana, and Declaring and Emergency for Its Adoption. She stated this is for the 2015 ordinances to be added to the codification.

Councilman Hoehn moved the ordinance pass on first reading. Seconded by Councilwoman Higgins.

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:

Pharr – yes; Williams – yes; Hoehn – yes;

Johnson – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

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

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.

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

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:

Pharr – yes; Williams – yes; Hoehn – yes;

Johnson – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

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

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:

Pharr – yes; Williams – yes; Hoehn – yes;

Johnson – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Councilman Hoehn moved the ordinance be passed on final reading. Seconded by Councilwoman Higgins.

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:

Pharr – yes; Williams – yes; Hoehn – yes;

Johnson – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Clerk-Treasurer Sitzman added it will be numbered 16-17.

Attorney Higgins stated the next item goes along with the alley vacation, it is the 2nd reading of the Ordinance to Amend the City of Mt. Vernon Code of Ordinances, Title VII – Traffic Code, Chapter 75 – Parking Schedules, Schedule I – No Parking Zones.

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

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:

Pharr – yes; Williams – yes; Hoehn – yes;

Johnson – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

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 ?
There was none.

Mayor Curtis stated they will now the reports of the Districts.

1st District Councilman Pharr 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 was not present.

Councilwoman-at-Large Higgins stated she has a Bicentennial update. There has been a route change for the torch relay. It will not effect Mount Vernon, but it will now be leaving the county through Cynthiana, September 11.

Mayor Curtis stated he received confirmation that the city was awarded the \$20,000 LARE grant to help with the erosion at the riverfront. The bids the first time were nowhere close to what the grant would cover. An RFP (request for proposals) will be sent out next for the feasibility study, of which the city will be responsible for \$3,000 - \$4,000.00. After that is the design phase, of which a \$100,000 grant is available. He then stated this work could be anything from simple rip rap to anything else. So, this is still an ongoing thing.

Councilman Hoehn asked if there is any money left from the feasibility study, can that be rolled over to the design phase ?

Mayor Curtis replied the \$20,000 won't even get the feasibility study done – there wont' be any left.

Mayor Curtis stated if there was no further business, he entertains 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