

October 11, 2018

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; Hoehn; and Higgins attending. Board member Clements was not present. Others attending were Supt. Gray; Chief Alldredge; Chief Dixon; Comm. Dieterle; Paula Rudibaugh; Nancy Sexton; Jeff and Louann Woodford; Judy Heberer; Mary Fuelling; Dennis Noone; Gene Moore; Phyllis Levin; Cindy Naab; Ruth Duckworth; Charlotte Thomas; and Lois Gray – Posey County News.

Mayor Curtis stated before they begin the meeting, he will lead the group in the Pledge of Allegiance. He then 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 Pharr moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Hoehn.

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

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 Superintendent.

Supt. Gray stated he has hired Whittni Dike, after receiving approval from three Board members to proceed with the hire. She will start October 25.

Mayor Curtis asked if there were any questions ?

There were none.

Mayor Curtis stated they have the Financials and any questions could be directed to Utility Bookkeeper Blackburn.

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 Hoehn moved the meeting be adjourned. Seconded by Board member Pharr.

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.

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Bill Curtis, Mayor

ATTEST:

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Cristi L. Sitzman  
Clerk-Treasurer

The Common Council 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; Hoehn; and Higgins attending. Board member Clements was not present. Others attending were Supt. Gray; Chief Alldredge; Chief Dixon; Comm. Dieterle; Paula Rudibaugh; Nancy Sexton; Jeff and Louann Woodford; Judy Heberer; Mary Fuelling; Dennis Noone; Gene Moore; Phyllis Levin; Cindy Naab; Ruth Duckworth; Charlotte Thomas; Lois Gray – Posey County News; and arriving during the meeting, Attorney Higgins; Andy Ozete – Farmer Scott Ozete Robinson & Schmitt, LLP; and Councilman Williams.

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 Pharr moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilman Hoehn.

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 they also had the minutes of the Executive Session emailed to them.

Councilwoman Higgins moved the reading of the minutes of the Executive Session be waived and they be approved as presented. Seconded by Councilman Hoehn

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.

Chief Alldredge stated he has no report.

Chief Dixon stated he has no report.

Supt. Gray stated their bar screen was found to have some pretty big holes in it and was letting some good size solids in. The repair was approved at the Board of Works today.

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, with the first item being a Public Hearing on the Ordinance of Appropriations and Tax Rates for the City of Mount Vernon, for the Year Ending December 31, 2019 – the 2019 Budget. He asked what time the Hearing was advertised for ?

Clerk-Treasurer Sitzman replied 7:00 pm.

Mayor Curtis opened the Public Hearing and asked if there were any comments relative to the Budget Ordinance.

There was no response.

Mayor Curtis then closed the Public Hearing and asked Council what action they wished to take.

Councilwoman Higgins moved the Ordinance Establishing Appropriations and Tax Rates for the City of Mount Vernon for the Year Ending December 31, 2019 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:

Pharr – yes; Williams – absent; Hoehn – yes.

Clements – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Mayor Curtis stated the next item is the 2<sup>nd</sup> Reading of the Ordinance Establishing Salaries and Wages for the Appointed Officers and Employees of the City of Mount Vernon, IN for the Year Ending December 31, 2019.

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

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 – absent; Hoehn – yes.

Clements – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Mayor Curtis stated the next item is the second reading of the Ordinance Establishing Salaries for the Elected Officials of the City of Mount Vernon, IN, Payable from the General Fund, Water Utility, and Sewage Utility, for the Year Ending December 31, 2019.

Councilwoman Higgins 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:

Pharr – yes; Williams – absent; Hoehn – yes.

Clements – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Mayor Curtis stated the next item is the second reading of the Ordinance Vacating the Alley Beginning at Mulberry Street and Ending at Locust Street and Parallel to and Located Between 4<sup>th</sup> and 5<sup>th</sup> Streets Within the City of Mount Vernon, Indiana.

Councilman Pharr 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:

Pharr – yes; Williams – absent; Hoehn – yes.

Clements – absent; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

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

Gene Moore approached the podium and stated he lives at 2010 Greenbrier and moved to Mount Vernon in 1978. In the course of his career he was offered to relocate many times, but never did. His family loved it here. He, and others present in the audience tonight, are here in opposition of the location of the proposed inclusive playground. In fact, they have formed a relocation committee, of which he is a member. Quite simply, the playground needs to be relocated. The committee has conducted a survey and also circulated a petition with upwards of 200 signatures, all of whom are in support of the playground, but opposed to the location. He added from what he understands, the city is set to place the playground at Riverbend Park because of the potential for economic development. This playground is going to be in direct competition with two new playgrounds being built in Evansville. Mount Vernon's playground will have minimal interest as compared to Evansville. He further stated River Days uses a good part of Riverbend Park and it draws many people in as it continues to grow. Parking will be an issue at Riverbend Park; there are no restroom facilities at Riverbend Park. The city needs to work to preserve the "green space" that is there. Riverbend Park is currently a serene, peaceful park enjoyed by many. The swings, memorials, banners, and gardens make it a truly beautiful area. The committee feels a better location for the inclusive playground would be Brittlebank Park. It is a viable option with restroom facilities, activities, and ample parking. They also feel another option would be Hedges School. The committee is requesting the Council to reconsider the playground location, as it was originally voted down 3-2 by Council, only then to have the Board of Works go against the Council recommendation and approve this location. They are asking that Council hear their voices and reconsider. He added everyone believes Council has the best interests of the city at heart. The first impression is the best, and they only have one chance to get this location right. The committee supports Avery's Place, just not the location.

Attorney Higgins arrived at the meeting.

Mr. Moore continued by stating Brittlebank is already handicapped accessible, there is less traffic there as well. The same can also be said of the Hedges location. He concluded by stating, he begs Council delay, or slow down, the approval process of the location. It is said that if one gets a rock in their shoe, it can be a sore spot for years to come. This could be a rock in Mount Vernon's shoes.

Mayor Curtis thanked Mr. Moore for his comments and asked if anyone else wished to address the Council ?

Dennis Noone stated he grew up in Mount Vernon back in the days when there was a hominy mill located on Riverbend Park. He also has concerns for the location. He stated the original intent was to remove the blight that was down there and replace it with green space, serene beauty and a view of the river. The memorials there are for the war veterans, the walkways in the tree harbor are impressive and the azalea trail is a place of great beauty. Not the place for an 8,000 sq. ft playground that would distract from the beauty of the park. Restrooms will be needed and there will be a fence around the playground which will obstruct the view of the gardens and the river. Handicapped parking will also be needed. All of this will detract from the serenity of the war memorials. Maintenance and upkeep will need to be a continuous effort, as the Imagination Station is already not being upkept. If the playground is located at Riverbend there will need to be more security lights and police patrols. The River Days event space will be compromised, with the terraces being the only flat areas that River Days can expand to. The electrical panels on the east side are also vital to River Days. This is just not a desirable location for the playground when there are two other magnificent locations that could be used.

Mayor Curtis thanked Mr. Noon for his comments

Andy Ozete arrived at the meeting.

Mayor Curtis thanked everyone for their interest in the city.

Councilman Williams arrived at the meeting.

Councilman Hoehn stated he has had several discussions with people about this and he is largely hearing the same thing that has been presented tonight. He added he knew Avery when she was alive, as well as her family, and he supports this playground. The location is a big problem. He feels there is more access and fewer hazards at other locations that also might make this less divisive. There has been a diverse group of folks here tonight speaking on this issue and he feels the Board of Works needs to look at this again. The location needs to be moved.

Mayor Curtis replied this is a Board of Works decision, not one the Council can make.

Ms. Sexton stated she believed the Board of Works had no control over use of land. She asked if there is an ordinance allowing the Board of Works to make that decision ?

Councilman Pharr stated he has talked to lots of folks that feel the area is beautiful and should be kept that way. He agreed there are better locations. The tennis courts are not being used at Brittlebank Park. Riverbend Park is beautiful, and he would like to commend the "flower ladies" that work to keep it that way. He concluded by stating his District has voiced their opinions to him.

Mayor Curtis questioned Attorney Higgins.

Attorney Higgins stated she wants to apologize for being late, as she and Councilman Williams had to attend an Area Plan Commission meeting on the alley vacation the Council addressed at the last meeting. There were no negative comments. The Public Hearing on the alley vacation will be at their next meeting.

Mayor Curtis mentioned that the ordinance to vacate that alley passed second reading this evening.

Mr. Ozete then left the meeting.

Mayor Curtis stated under Old Business is discussion on the baby "safe" to be installed at the police and fire building.

Chief Dixon stated a contract is required stating that we (the city) guarantee to maintain properly and inspect the "box". At this point, the contract just needs to be signed.

Attorney Higgins replied she did receive a copy of the contract a day or so ago, and it is pretty lengthy. There are some liability provisions that need to be stricken, along with some other dialog changes. She added there will also be an ordinance needed that authorizes the fire department to adopt SOP's for the police and fire to know exactly what to do in the case that a baby is placed in the box. That ordinance will need to be adopted. Once the police and fire have SOP's in place, they will be attached to the

ordinance. There will be statutory immunity, that can not be stricken. She asked Chief Dixon if he had the SOP's written for this yet ?

Chief Dixon replied yes.

Attorney Higgins asked that he circulate to Council and herself.

Mayor Curtis agreed Council would like to see those.

Attorney Higgins stated she can have the ordinance by the next meeting, though she is not sure if she will have a response back from the company by then.

Chief Dixon replied they are willing to work with us.

Mayor Curtis asked if there was any New Business ?

There was none.

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

**1<sup>st</sup> District Councilman Pharr** stated he has no report.

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

**3<sup>rd</sup> District Councilman Hoehn** stated he has no report.

**4<sup>th</sup> District Councilman Clements** was not present.

**Councilwoman-at-Large Higgins** stated Christmas on Main Street has another meeting next week.

This year they will be including a 5K as well as a children's run and an ugly Christmas sweater contest. It is going to be more like a Christmas festival and so far, there has been a lot of interest.

Mayor Curtis stated as an update on 4<sup>th</sup> Street, the south side should be complete this week and milling will start on the center lane October 16. After that, they will bring all three levels up, weather permitting. INDOT did warn that there could be other lane closings from time to time until the project is complete on October 31. He concluded his report by stating the Wabash Bridge will also have some lane closures next.

Ms. Sexton asked what the next step will be for the Council on the location of the playground.

Mayor Curtis replied it is not a Council issue, but they will find out about the Board of Works authority on approving land usage.

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

Councilwoman Higgins moved the meeting be adjourned. Seconded by Councilman Pharr.

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.

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Bill Curtis, Mayor

ATTEST:

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Cristi L. Sitzman  
Clerk-Treasurer