

December 20, 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; Williams; Hoehn; Clements; and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Alldredge; Chief Dixon; Comm. Dieterle; Trent VanHaaften; Phil Wells; Paula Rudibaugh; Nancy Sexton; Jeff Woodford; David Ashworth; and Lois Gray – Posey County News.

Mayor Curtis led the Pledge of Allegiance and 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 Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Pharr.

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 Clements.

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 had emailed everyone about a refund for AstraZeneca, and as they did pay their bill well in advance, but due to the mail service, it was actually received late. He would ask that the late fee be waived, and their refund approved, in the amount of \$8,572.93.

Board member Clements moved the late fee be waived and the refund issued. Seconded by Board member Pharr.

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.

Supt. Gray continued by stating he would like permission to attend training January 21-25, 2019 in Indianapolis for his CEU's, as well as use of the city credit card and vehicle.

Board member Clements moved permission be given. 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 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.

Supt. Gray concluded his report by stating in reference to the 2019 chemical bids, Item #14, Chemtrade's bid was \$1.41/gallon whereas USALCO was \$1.44/gallon.

Board member Williams moved the Board accept the low bid of Chemtrade on Item #14. Seconded by Board member Clements.

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 then asked if there were any questions ?

There were none.

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 Clements moved the meeting be adjourned. Seconded by Board member 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

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; Clements; and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Alldredge; Comm. Dieterle; Trent VanHaafte; Phil Wells; Paula Rudibaugh; Nancy Sexton; Jeff Woodford; David Ashworth; 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 Pharr.

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 had a run and missed the Board of Works meeting, but they had 36 calls since the last meeting.

Supt. Gray stated they have been busy flushing main in anticipation of all of the fat, oily, and greasy foods to come over the holidays.

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 they will have the Public Hearing for the alley vacation request by TMI, followed by 3rd reading of the alley vacation ordinance.

Mayor Curtis convened the Public Hearing and asked if anyone in the Audience wished to address the Council relative to the vacation ?

Mr. VanHaaften approached and stated he is representing TMI and owner Phil Wells, and they would like to thank Council for passing the ordinance on first and second reading at their last meeting. This vacation had a lot of title work that needed to be done before the end of the year. He reminded Council that the alley in question is located at the TMI site on W. 2nd Street, on the south side of the street, and is actually under the current fab shop. He continued by stating back in the day, there was an alley along Mill Creek that never was an alley, it was actually only found by survey. Because this was discovered during a survey, the alleys need to be recorded in order to clean up the title. He stated they are also having to deal with Vectren and AT & T as they do have facilities in the area. They have agreed on an easement with Vectren, with limitations, as the easement stops at the building. A consent letter is forthcoming, and AT & T will have the same issue. A consent letter is not required in this situation as there is recorded easement for either in this alley vacation. The easement is automatically preserved for a utility there, per Indiana law. This alley vacation will provide Mr. Wells more opportunities to bring even more to the community for which he has already done so much. The notices as well as proof of certified letters have all been given to Clerk-Treasurer Sitzman.

Attorney Higgins stated if Council will see page 5 of 10, in the bold writing: **are hereby vacated as public thoroughfares, except that said vacations shall be subject to the dedication of the Alleys as public utility easements for the on-going service, maintenance of, and ingress and egress to public utilities which are currently occupied and used, or as**

waived by exhibit hereto, as provided by I.C. 36-7-3-16, located in said alleys, as defined as follows:....

Per the Indiana Code, documents from AT & T and Vectren will be attached to the ordinance as recorded. If Council chooses to pass on third reading, they will also need to accept the supplements/waivers from AT & T and Vectren.

Mayor Curtis asked if there were any questions ?

There were none.

Mayor Curtis then closed the Public Hearing and asked if there was any action ?

Councilwoman Higgins moved the Ordinance Vacating Alleys Within the City of Mount Vernon, Indiana pass on final reading, and the supplements of Vectren and AT & T also be accepted. 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 – yes; Hoehn – yes;

Clements – yes; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Clerk-Treasurer Sitzman added it will be numbered 18-34.

Attorney Higgins stated the next item is the Resolution on the Safe Haven Baby Box, but it seems they are still clarifying donations, etc. She would suggest this be tabled for now and brought back to Council at a later date.

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

There was no response.

Mayor Curtis stated under Old Business, there is some very good news on the Main Street Trail Project. The bids were opened by INDOT, with an estimated cost of the project being \$3,385,781; the low bid of Radle came in at \$3,198,420. That is a savings of \$186,800 under the estimate. He let INDOT know the city would proceed and the city share of the project is \$639,684.11. He would ask tonight for permission to pay \$100,000 this year out of the City Hall Lot/Park line in the EDIT Budget, as this is part of the Main Street project as well and can be used as part of the city match. INDOT indicated they do not care to receive the city match in multiple payments, so he would like to use that out of this year's budget and he has money in next year's budget for the remainder; \$400,000 on which is in the budget and \$300,000 from the Community Foundation.

Councilman Williams moved Mayor Curtis be permitted to send INDOT the \$100,000 from the EDIT budget line for City Hall Lot/Parking in 2018. Seconded by Councilman Clements.

Mayor Curtis asked if there was any discussion ?

Councilman Williams asked about the timeline for the project ?

Mayor Curtis replied it is the same timeline with a completion date of 12/31/19. He then requested a roll call vote.

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

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

Clements – yes; Higgins – yes.

Mayor Curtis stated the motion carried unanimously.

Mayor Curtis stated under New Business Council needs to make an appointment to the Posey County Economic Development Partnership. He added he has served for the past three years and would like to continue as he has been very active within the organization.

Councilwoman Higgins moved Mayor Curtis be appointed to the PCEDP for 2019. Seconded by Councilman Pharr.

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 continued by stating the committees for next year will be changed up a bit: Street & Lights will be Councilman Hoehn; Police and Dog will remain Councilman Pharr; Sewer will be Councilman Clements; Fire will be Councilwoman Higgins; and the Water will be Councilman Williams.

Mayor Curtis concluded by stating Council needs to elect a President for 2019.

Councilman Williams moved Councilwoman Higgins serve as President of the Council. Seconded by Councilman Clements.

Mayor Curtis asked if there was any discussion or any other nominations ?

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 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 Councilman Clements stated he has no report.

Councilwoman-at-Large Higgins stated she would like to give kudos to Comm. Dieterle as there have been at least three times she has had an issue and he has been Johnny on the Spot to take of them. Good job.

Mayor Curtis stated he would like to thank all the Department Heads and employees for their work over this past year. Everyone responds quickly to complaints and works under difficult conditions. He would also like to thank Clerk-Treasurer Sitzman and her office as many times people and things are overlooked, and they are there taking the phone calls and complaints, and they do a good job. He appreciates that.

Mayor Curtis then thanked the community groups, churches, organizational groups, etc. for the packages and things they put together to help folks in the community. This is what it takes to be a community – the people make the community.

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

Councilman Clements 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