

Newburgh Town Council Meeting
Date: Wednesday, October 22, 2014

The Newburgh Town Council met in Executive Session on Wednesday, October 22, 2014, at 4:30 p.m. Those present at the meeting were Council President/Council-at-Large Leanna K. Hughes, District I William F. Kavanaugh, District III Alonzo B. Moore, Jr., District IV Anne Rust Aurand, Clerk-Treasurer Jon E. Lybarger, Town Manager Lori Buehlman and Town Attorney Christopher C. Wischer. Absent was District II Tonya R. McGuire. The purpose of the meeting was discussion of personnel matters and pending litigation.

5:30 p.m. Committee and Regular Session, Newburgh Town Hall, 23 W. Jennings, Newburgh, Indiana.

CALL TO ORDER

Council President Leanna K. Hughes called the Regular Session to order at 5:39 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Newburgh Town Council. A moment of silence was taken to remember all troops, police and firemen who serve as our protectors; well wishes were expressed for employee Heath Dill.

ROLL CALL

Those present at the meeting:

District I - William F. Kavanaugh

District III - Alonzo B. Moore, Jr.

District IV - Anne Rust Aurand

Council-at-Large - Leanna K. Hughes

Clerk-Treasurer - Jon E. Lybarger

Town Manager - Lori S. Buehlman

Town Attorney - Christopher C. Wischer

Absent: District II - Tonya R. McGuire

APPROVAL OF MINUTES

MOTION by Mr. Kavanaugh to approve the October 8, 2014 Town Council meeting minutes as amended.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

SCHEDULED REQUESTS & APPEARANCES

None scheduled.

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

Carol Schaefer, Executive Director of Historic Newburgh Incorporated (HNI), stated the Ghost Walks last weekend were a wonderful success. Alcoa will assist in the removal of the lamp post baskets. Char Nixon has written two (2) grants: one to fund a new parking lot sign and the other for the amphitheater feasibility study. Ms. Aurand remembered Jackie Johnson for her past efforts with the Ghost Walks.

UNFINISHED BUSINESS

1. Rezoning 116 Plum Street

MOTION by Mr. Kavanaugh for the second reading of Ordinance 2014-09, Rezoning of 116 Plum Street.
SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

MOTION by Mr. Kavanaugh to adopt Ordinance 2014-09, Rezoning of 116 Plum Street.
SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

NEW BUSINESS

1. Town of Newburgh Rivertown Trail / Event Policy

Ms. Buehlman distributed drafts of the proposed event policy with hopes it can be enacted by January 2015. Suggestions were made and discussion took place.

MOTION by Mr. Kavanaugh to table the Town of Newburgh Trail / Event Policy to the next council meeting.

SECOND by Ms. Aurand.

MOTION carried: ayes 4, nays 0.

2. Bid Opening – Jennings and State Street Sidewalk Improvement Project

MOTION by Mr. Kavanaugh to close the bid acceptance for the Jennings and State Street Sidewalk Improvement Project.

SECOND by Ms. Aurand.

MOTION carried: ayes 4, nays 0.

Mr. Wischer opened the bids for the Jennings and State Street Sidewalk Improvement Project. Bids were submitted by JBI Construction, INC. with a total base bid in the amount of \$666,760.00 and alternate bid of \$60,000.00; by River Town Construction, LLC with a total base bid in the amount of \$494,782.25 and alternate bid of \$34,250.00; and, by Deig Brothers Lumber & Construction Co., INC. with a total base bid in the amount of \$609,140.00; and alternate bid of \$68,000.00.

MOTION by Mr. Kavanaugh to take the Jennings and State Street Sidewalk Improvement Project bids under advisement for legal and engineering review until the next meeting.

SECOND by Mr. Moore.

MOTION carried: ayes 4, nays 0.

3. Surplus Used Bicycles

MOTION by Mr. Kavanaugh to approve the surplus of used bicycles at the Street Department and donate them to the Boonville Middle School.

SECOND by Mr. Moore.

DISCUSSION: Ms. Aurand stated the Boonville Middle School will refurbish the bikes and then donate to those in need.

MOTION carried: ayes 4, nays 0.

4. Encroachment Agreement 6622 River Ridge Drive

Mr. Wischer stated this is a standard encroachment agreement for a fence across a sewer easement.

MOTION by Mr. Kavanaugh, on the legal recommendation, to approve the Encroachment Agreement at 6622 River Ridge Drive.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

COMMISSION REPORTS

AIR AUTHORITY - Ms. Aurand

No report.

BOARD OF ZONING APPEALS – Ms. Aurand

The board will not meet in October.

FIRE - Mr. Moore

Chief Campbell distributed the September department report which is included in the minutes. He stated the truck committee spent three days last week in preconstruction meetings in Appleton, Wisconsin and near Chicago, Illinois for the development of the new fire truck; construction will begin in early 2015.

HISTORIC PRESERVATION - Mrs. McGuire

Ms. Buehlman stated HPC approved a Certificate of Appropriation (COA) for 20 West Jennings Street. The next meeting will be held on November 13, 2014.

PARK – Mrs. Hughes

No report.

PLAN – Ms. Aurand

No report.

POLICE – Mr. Kavanaugh

The commission met on October 13, 2014 and approved the hiring of Drew Decker who will be sworn in on December 8, 2014. Three (3) reserve officers were also sworn in. The next meeting will be held on November 10, 2014.

STORM WATER – Mr. Kavanaugh and Mr. Moore

Ms. Buehlman stated the storm water fee is included on the sewer bill. The board approved a \$25.00 write-off amount when a bill is deemed uncollectable. Ms. Buehlman will now serve as the signatory on all storm water lien letters. The reported storm ditch problem in Forest Park was cleaned and cleared of all debris. A board member's term will end this year. Mr. Kavanaugh recommended retaining the current members. The next meeting will be held on November 17, 2014.

STREETS – Mr. Moore

Mr. Moore stated the Street Department fabricated a new sign for the Lock & Dam Park which reads "Newburgh, Indiana-Settled 1803". The department replaced several informational signs in Copper Creek including six (6) stop signs and installed restricted parking signs in front of Town Hall. The boat dock was repaired; the wood will need to be replaced next spring. Loose bricks were repaired at State and Main Streets and the hand railings downtown were tightened and repaired. Loose rock was gathered at 406 Monroe and on Hillcrest and a roadside washout at Middle and Grey Street was repaired. The downtown area was spruced up and flowers were planted at Preservation Hall for Ghost Walks. The dump truck was outfitted for fall leaf pick-up. Tree limbs were trimmed at 700 Prince Drive.

Several drains were cleaned and the crew continues to mow and trim Town properties. Mr. Lybarger stated he has received a few complaints regarding the drop-offs created by the street paving, that there is no transition from their property to the street. Rock has been placed in some areas to rectify the situation but the rock has washed into the drainage ditches with the last rain. Mr. Hynes addressed the concerns, explained the process and stated he will discuss the issues with the contractor. Preservation Hall outside lighting needs improvement both in front and in back of the building. Ms. Aurand stated anyone using the Preservation Hall facility should know where the fire extinguishers are located; a luminary bag caught fire during the Ghost Walks event.

UTILITY – Mrs. Hughes
No report.

STANDING COMMITTEES
FINANCE – Mrs. Hughes
No report.

PERSONNEL – Mr. Kavanaugh

Ms. Buehlman updated the council on the new health insurance plan rates. The rates represent an increase of 10.7% and were not as steep as first thought.

MOTION by Mr. Kavanaugh to approve the 2015 insurance rates, the employee monthly contribution costs, the annual contribution of \$1,250.00 into the Health Savings Accounts (HSA) for employees with a High Deductible Health Plan (HDHP) and an additional contribution of \$250.00 into the HSA for tobacco-free employees.

SECOND by Ms. Aurand.

DISCUSSION: The \$250.00 stipend for tobacco-free employees is for the entire year. Ms. Buehlman stated during the first year, employees will be on the honor system and must sign a tobacco-free statement affirming their tobacco-free status to receive the incentive. A copy of the 2015 Health Insurance Premium Changes is included with the minutes.

MOTION carried: ayes 4, nays 0.

SPECIAL BOARDS/COMMITTEE REPORTS

RIVERTOWN TRAIL – Mr. Kavanaugh

Mike Feltz, CHA consulting, requested an amendment to the design contract for Rivertown Trail Phase III A Supplemental Agreement I, which includes an additional INDOT required environmental information document to supplement the categorical exclusion document, a location control route survey to define the right-of-way needs along the alignment, and a modification to the right-of-way engineering for ten (10) parcels requiring additional appraisals and review appraisals and some included an abandoned railroad that led to an in-depth investigation. The total amount of the increase is \$56,780.00. INDOT has reviewed and approved the supplemental agreement. INDOT is participating at an 80% level with their share at \$54,424.00 and the Town's share at \$11,356.00. The Metropolitan Planning Organization (MPO) has verified the funds awarded are sufficient to cover this amendment.

MOTION by Mr. Kavanaugh to approve the Rivertown Trail Phase III A Supplemental Agreement I.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

Mr. Wischer hopes to have the appraisals within a month and negotiating will begin.

SIDEWALK – Mrs. Hughes

Ms. Buehlman stated sidewalk construction has begun on Jennings with State Street to follow.
ARTS COMMISSION – Mrs. Hughes
Mrs. Hughes stated the commission did not meet in October and may not meet in November.

ZONING ADMINISTRATOR – Commissioner Ms. Aurand
Ms. Buehlman has a few items on the agenda for the next meeting.

CLERK-TREASURER – Mr. Lybarger
Mr. Lybarger stated the Williams annexation has been recorded and will be sent to the appropriate state agencies. The 2015 budget will be sent to the state next week. Mr. Lybarger will prepare documentation to increase appropriations.

TOWN ATTORNEY – Mr. Wischer
Mr. Wischer presented a proposal for a new home at 6266 Magnolia Drive, Newburgh. The owners have requested the ability to utilize a private pump and allow their service line to lay on the County right-of-way. The Utility Board has recommended approval by email consent subject to an agreement that makes it clear that the Greif's are responsible for maintenance of the line and will not hold the Town liable for anything relating to the line and also subject to County approval.
MOTION by Ms. Aurand to approve, on the attorney's recommendation, the agreement as drafted as it relates to the Town of Newburgh and the property owner.
SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

MOTION by Mr. Kavanaugh to approve the engineering agreement for Halston Gravity Sewer Main Extension near Rabbit Run.
SECOND by Ms. Aurand.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

MOTION by Ms. Aurand to approve the Task Order 2014-26, Water Street Alley Gravity Sewer Replacement project for Commonwealth Engineering to replace an existing 4-inch gravity sewer with a new 8-inch gravity sewer in the alley between Water and Jennings Street, between Washington and Jefferson.
SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried: ayes 4, nays 0.

Mr. Wischer explained that storage pods fall under the temporary use category and are allowed for a 48 hour period and not more than four (4) times per year on a residential lot.

TOWN ENGINEER – Mr. Hynes
Mr. Hynes stated he provided Carol Schaeffer with two (2) architects who are familiar with amphitheaters.
Regarding the bids opened for the Jennings and State Street Sidewalk Improvement Project, Mr. Hynes felt they were within the 10% projected cost and would like to meet with Ms. Buehlman and Mr. Lybarger to determine the breakout of funds designated to the EDIT bond vs. sewer department.

Mr. Hynes requested permission from the Council to advertise for bids for the Epworth Road Sanitary Sewer Expansion.

MOTION by Mr. Kavanaugh to allow Commonwealth Engineering Inc. (CEI) to accept bids for the Epworth Road Sanitary Sewer Expansion Project.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

Mr. Hynes informed the Council that Warrick County Right-of-Way encroachment permits are necessary prior to the start of construction on the project. He requested the Council allow the encroachment permit be sent to Warrick County's engineer for processing.

MOTION by Mr. Kavanaugh to allow CEI to pursue a Right-of-Way utility encroachment permit for the Epworth Road Sanitary Sewer Expansion Project.

SECOND by Mr. Moore.

DISCUSSION: There are six (6) easements. The remainder of the proposed utilities are in Warrick County road Right-of-Way.

MOTION carried: ayes 4, nays 0.

Mr. Hynes updated the council on projects in process: the Paving Project Phase I is near completion and Phase II should begin in March 2015; Forest Park depatching is underway with overlay to follow; the Phase I manhole adjustments have been made with the exception of Water Street; and, striping on Frame and Bell Road is in process.

TOWN ADMINISTRATIVE MANAGER – Ms. Buehlman

Ms. Buehlman stated she hosted 50+ Newburgh Elementary students in council chambers and fielded entertaining questions. Ms. Buehlman met with the senior staff of AEP over the weekend; AEP provided the Legacy towboat during the Barge Right In weekend. An INDOT Americans with Disabilities Act (ADA) workshop was held in Terre Haute on October 21, 2014; the Town will receive credit for attending. Ms. Buehlman thanked the Evansville MPO for assisting Newburgh with Safe Routes to School and federal transportation project funding.

MOTION by Ms. Aurand to reschedule the November 26, 2014 Town Council meeting to November 24, 2014 and to reschedule the December 24, 2014 Town Council meeting to December 22, 2014.

SECOND by Mr. Kavanaugh.

DISCUSSION: The BZA meeting will be in conflict with the council meeting.

MOTION amended by Ms. Aurand to reschedule the November 26, 2014 Town Council meeting to Tuesday, November 25, 2014 and to reschedule the December 24, 2014 Town Council meeting to Monday, December 22, 2014.

SECOND by Mr. Kavanaugh.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

MISCELLANEOUS BUSINESS

MOTION by Ms. Aurand to allow "employee" to advance up to 80 hours of 2015 Paid Time Off (PTO) to be used by December 31, 2014; if "employee" should terminate employment prior to the time the PTO is earned in 2015, "employee" shall pay back to the Town the unearned portion of PTO.

SECOND by Mr. Kavanaugh.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

Ms. Aurand encouraged everyone to vote on Election Day; Town Hall will be closed that day. Town resident Jim Herrell requested the Town remove a tree located in an alley behind his property off Main between Sycamore and Locust. Mrs. Hughes will visit the location.

APPROVAL OF CLAIMS

MOTION by Mr. Moore moved that all claims be paid in the following amounts including any sewer adjustments:

Civil Town – \$194,987.56

Sewer – \$415,446.12

SECOND by Mr. Kavanaugh.

DISCUSSION: None

MOTION carried: ayes 4, nays 0.

ADJOURNMENT

MOTION by Mr. Moore to adjourn.

SECOND by Mrs. Hughes.

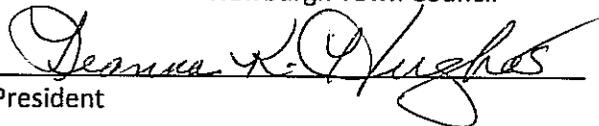
DISCUSSION: None

MOTION carried: ayes 4, nays 0.

Mrs. Hughes adjourned the meeting at 8:18 p.m.

APPROVED this 12 day of November, 2014.

Newburgh Town Council



President

ATTEST:



Clerk-Treasurer



Lori S. Buehlman
Town Manager

October 29, 2014
Re: Health Insurance Premium Changes

The Town of Newburgh's Health Insurance Premiums were set to increase by 18.5% for 2015; however, the Town was able to secure rates which reflect a lesser increase of only 10.7%. These rates will be effective as of January 1, 2015 and will appear on the January 9, 2015 payroll. The Town of Newburgh will continue to cover 100% of the cost of Vision Insurance for 2015.

There are no changes to the terms of the Health Insurance coverages, only to the premiums. Newburgh Town Council has approved the following Health Insurance rates for the 2015 year:

Monthly Insurance Premiums				Monthly Cost Breakdown	
HDHP with HSA	2014 Monthly	2015 Increase	2015 Monthly	2015	
				Employee Cost	Town Cost
Employee Only	\$402.72	\$39.69	\$442.41	\$10.00	\$432.41
Employee/Spouse	\$844.58	\$84.49	\$929.07	\$62.07	\$867.00
Employee/Kids	\$725.23	\$71.12	\$796.35	\$47.87	\$748.48
Family	\$1,167.90	\$115.10	\$1,283.00	\$99.94	\$1,183.06
PPO	2014 Monthly	2015 Increase	2015 Monthly	2015	
				Employee Cost	Town Cost
Employee Only	\$488.29	\$48.38	\$536.67	\$119.26	\$435.66
Employee/Spouse	\$1,024.27	\$102.75	\$1,127.02	\$254.33	\$872.69
Employee/Kids	\$879.88	\$86.13	\$966.01	\$211.35	\$754.66
Family	\$1,416.04	\$140.31	\$1,556.35	\$363.86	\$1,192.49

HDHP – High Deductible Health Plan HSA – Health Savings Account PPO – Preferred Provider Organization

Employer contributions to employee HSA accounts shall remain \$1250.00 for 2015. Employees that choose the HDHP with HSA, and do not use tobacco in any form, will receive an additional incentive of \$250.00 which will be contributed with the initial HSA employer contribution directly to the employee HSA accounts at Peoples Trust & Savings Bank. Employees that choose the HDHP with HSA and do not use tobacco are required to sign a Tobacco-Free Statement affirming their tobacco-free status in order to receive the incentive.

Open enrollment begins on November 1, 2014. Please contact myself at 853-3578 or Marilyn Doyle at 853-1721 should you have any questions or if you wish to make any changes to your Health Insurance coverage. All changes must be made no later than November 26, 2014.

Sincerely,

Lori S. Buehlman
Town Manager

#3

NEWBURGH FIRE DEPARTMENT SEPTEMBER/ HALF YEAR REPORT

	<u>SEPTEMBER</u>	<u>TO DATE</u>
<u>TOTAL RUNS MADE:</u>	28	278
<u>TOWN RUNS:</u>	6	65
<u>TOWNSHIP RUNS:</u>	21	191
<u>MUTAL AID:</u>	1	7
<u>PUBLIC RELATIONS EVENTS:</u>	4	20
<u>TOTAL MAN HOURS (RUNS):</u>	106.13	1933.04
<u>TOTAL MAN HOURS (TRAINING):</u>	89.75	1998.05
<u>TOTAL STATION HOURS (NON EMERGENCY):</u>	178.17	1697.80
<u>TOTAL MAN HOURS FOR MONTH:</u>	374.05	5628.89

NON EMERGENCY HOURS IS TIME SPENT ON STATION SUCH AS WORKING OUT,CLEANING,PAPER WORK,RUN REPORTS ETC.

OPEN HOUSE WENT OFF WITHOUT ANY PROBLEMS. WE HAD APPROX. 30 PEOPLE ATTEND

PR EVENTS IN SEPTEMBER: ZION CHURCH CAR SHOW, FIRST CHRISTIAN CHURCH, FUNERAL
DETAIL FOR VIRGIL SIMPSON AND TURONI'S PIZZA BIRTHDAY PARTY

STILL WAITING FOR LOOSE EQUIPMENT PRICES TO BE RETURNED FROM A VENDOR. IF THEY
ARE NOT RETURNED BY NEXT WEEK I WILL CALL THEM.

NEW TRUCK UPDATE: THE TRUCK COMMITTEE SPENT 3 DAYS LAST WEEK IN APPLETON TO
FINALIZE THE SPECS FOR THE NEW TRUCK. ON WEDNESDAY, WE SPENT APPROX. 3 HOURS AT
THE FEDERAL SIGNAL PLANT LOOKING AT THEIR LATEST LIGHTS AVAILABLE. THEY ARE
INTERESTED IN PUTTING THEIR EQUIPMENT ON THE TRUCK. ON THURSDAY, WE SPENT
APPROX. 18 HOURS GOING THROUGH THE SPECS LINE BY LINE MAKING CORRECTIONS OR
CHANGES THAT NEEDED TO BE DONE. WE WERE ABLE TO GO ONTO THE FACTORY FLOOR AND
LOOK AT THE ITEMS ON OTHER TRUCKS SO WE COULD MAKE RIGHT CHANGES. ON FRIDAY,
WE SPENT APPROX. 2 HOURS AT THE AMKUS PLANT LOOKING AT THE EXTRICATION
EQUIPMENT. AFTER LOOKING AT THE EQUIPMENT IT WAS DETERMINED THAT THE
EQUIPMENT SPECED WOULD NOT WORK ON THE TRUCK AND WE DEVELOPED A
COUNTERMEASURE RIGHT THERE IN THE PLANT SAVING US A MAJOR PROBLEM COME
INSTALLATION TIME. OUR COUNTERMEASURE WAS CONFIRMED BY THE VENDOR DURING A
PHONE CALL ON THE WAY HOME FRIDAY EVENING.

THE LAST OF THE 60 SCBA BOTTLES ARE BEING HYDRO TESTED. THEY SHOULD BE COMPLETED
THIS WEEK. THEY HAVE TO BE TESTED EVERY 5 YEARS. AT THE 15 YEAR MARK THEY ARE
CONSIDERED OUTDATED BY NFPA AND ARE SUPPOSED TO BE REPLACED.