



Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

5:00 p.m. – Executive Session, Newburgh Town Hall, 23 W. Jennings, Newburgh, Indiana. The purpose of the meeting was to discuss pending litigation and/or personnel issues. The proper notice is given in accordance with Indiana Code 5-14-1.5-6.1.

The Regular Session of Newburgh Town Council was called to order at 5:38 p.m. at Newburgh Town Hall, 23 W. Jennings St, Newburgh, IN by Mrs. Hughes.

The Pledge of Allegiance was led by the Town Council.

REMEMBERANCES

Mark Shiver - He graduated from Castle High School. Mark retired from Bristol Myers Squibb. He attended Gateway Baptist Church. He enjoyed spending time with his family, especially his grandchildren. Mark was a fan of IU Basketball and New York Yankees Baseball.

Myrtle June Lauderdale – Myrtle was the mother of Scott Lauderdale a business owner in Newburgh.

Marvin Smith – He was a member of Zion United Church of Christ in Newburgh. Marvin retired after 36 years of service with Northwestern Mutual as Managing Partner. He shared a love of auto racing with his sons and grandsons. During his retirement, he enjoyed classic car collecting and restoration. Marvin was a founding and active member of the USI Varsity Club. He and his wife, Joan, both believed in the value of higher education and a scholarship in their name will be established through the financial planning put in place years ago. As a member of the Warrick County Community Foundation Board, Marvin looked to the future of Warrick County and the community through the many worthwhile efforts the Foundation supports.

A moment of silence was shared and all were asked to remember our troops.

ROLL CALL.

District I – William F. Kavanaugh - present
District II – Leanna K. Hughes - present
District III – Stacie M Krieger - present
District IV – Anne Rust Aurand - present
Council-at-Large – Tonya R. McGuire – present
Clerk-Treasurer – Jon Lybarger - present
Town Manager – Christy Powell - present
Town Attorney – Christopher Wischer – present

APPROVAL OF MINUTES.

Approval of the October 12, 2016 minutes.

Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

Motion by Ms. Krieger to accept the minutes as electronically distributed prior to the meeting.

Second by Mrs. Hughes

Discussion: None

Vote: Ayes 5; Nays 0

SCHEDULED REQUESTS AND APPEARANCES

1. Amphitheater Update – Carol Schaefer

A potential layout for the amphitheater was presented. The goal of the new facility is to make it as maintenance free as possible. The proposed layout showed the positioning of the amphitheatre, the seating area which would be concrete benches erected on the hillside, and the old brick house being utilized as the ticket booth and concession stand.

A focus group needs to be developed to keep the project moving forward. There are ballpark figures for the costs involved in construction and not all construction needs to be completed at once. The projected cost of the amphitheatre is \$351,000, seating \$153,000 and bathroom facilities \$151,000. The moving of the Old Brick House is a separate project even though it will be part of the amphitheatre complex.

Motion by Mr. Kavanaugh to give approval of the design concept for the proposed amphitheater.

Second by Ms. Krieger.

Discussion: None

Vote: Ayes 5; Nays 0

NEW BUSINESS.

1. Cystic Fibrosis 5K Run.

New business item was moved prior to the meeting to the November 9th council meeting.

2. Brookstone Sec. 4 SS Extension.

This is a residential sub division located on Anderson Road that is being developed by Jagoe Homes, Inc. The sanitary sewer comes recommended by the town engineer.

Motion by Mr. Kavanaugh to approve the plans and IDEM permit as well as the contract with the developer for the Brookstone extension.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

3. Vectren Energy Delivery – Encroachment Agreement.

This is a standard agreement between the utility and Vectren regarding the Halston FM Replacement project and comes recommended by engineering.

Motion by Mr. Kavanaugh to approve the Encroachment Agreement that comes with engineering and counsel approval.

Second by Mrs. McGuire.

Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

Discussion: None
Vote: Ayes 5; Nays 0

4. Warrick County – Hold Harmless Agreement.
This is a standard hold harmless agreement that will be entered into with the county. This will be an agreement pertaining to drainage at the Sprinkle Ditch. This is recommended by engineering and counsel.

Motion by Mr. Kavanaugh to sign the hold harmless agreement with Warrick County at the recommendation of engineering and counsel.

Second by Mrs. McGuire

Discussion: None

Vote: Ayes 5; Nays 0

5. Lenn Road SS Relocation Project – Contract with CEI.
This was a priority 1 project and has been completed. Engineering and counsel is recommending the approval of this agreement between CEI and the Town of Newburgh.

Motion by Mr. Kavanaugh to approve the contract between CEI and the Town of Newburgh.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

6. 515 St. Catherine Ct SS Rehab – Contract amendment with CEI.
Forest Park Sub Division property

Motion by Mr. Kavanaugh to approve the contract with CEI for the 515 St Catherine ct SS Rehab project.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

7. SS Repair North of Savannah Drive – Contract Amendment with CEI.
This is a repair of an existing service and also an expansion of the service line for future use.

Motion by Mr. Kavanaugh to approve the contract with CEI for the North of Savannah Drive Project.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

8. Cyprus Street SS Relocation – Contract Amendment with CEI.
Sewer lines are running under homes and need to be repaired before damages could potentially be made to the house. Looking for approval of amendment No. 1.

Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

Motion by Mr. Kavanaugh to approve the contract with CEI for the Cyprus Street project.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

9. Acorn Drive SS Investigation – Contract Amendment with CEI.
This will allow for the completion of the final phases of the investigation.

Motion by Mr. Kavanaugh to approve the contract with CEI.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

10. Sleepy Hollow SS Relocation – Contract Amendment with CEI.
Located in Rustic Hills service was provided to these homes in the 1990's. The lines in some locations are exposed and need to be replaced. At issue is the lines being in close proximity to Vectren high pressure gas lines.

Motion by Mr. Kavanaugh to approve the contract with CEI Sleepy Hollow SS Relocation project.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

11. Plum and Jennings St. Manhole Replacement – Contract Amendment with CEI.
This is west of Simpson Chapel Funeral Home. The cost of the repairs will be piggy backed on prior contracts.

Motion by Mr. Kavanaugh to approve the contract with CEI.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

12. Kingston Lift Station Elimination – Bid Opening.

Motion by Mr. Kavanaugh to close the acceptance of bids for the Kingston Lift Station Elimination.

Second by Mrs. McGuire.

Vote: Ayes 5; Nays 0

There were eight (8) bids received with quotes for the project. All paperwork was in order with all required paperwork being provided. The eight bids may be reviewed in attachment 1 filed with these minutes.

Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

Once all bids were reviewed, there was a motion by Mr. Kavanaugh that the bids be taken under advisement and review by engineering and counsel with an award of the contract being made on November 22, 2016.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

Note: The bid tally sheet is attached at the end of the minutes.

13. Adoption Hearing for the Town of Newburgh 2017 Proposed Budget which is ordinance number 2016-18.

This was not a hearing, the hearing had previously been conducted. This would be the adoption of Ordinance 2016-18 the 2017 Budget for the Town of Newburgh.

Motion by Mr. Kavanaugh to have the first reading of Ordinance 2016-18 2017 Proposed Budget.

Second by Ms. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

The budget heading was read by Mr. Wischer, Town Attorney.

Motion by Mr. Kavanaugh to accept the first reading of Ordinance 2016-18 2017 Proposed Budget.

Second by Mrs. McGuire.

Discussion: It was noted that a tax increase is being put in place to help close the gap in the towns budget. Many cuts in the budget were made to the point of support for town services may be an issue. This will keep the town from cutting services and personnel.

Vote: Ayes 5; Nays 0

With the vote on the budget being unanimous, the council proceeded with the second reading of the budget.

Again ordinance 2016-18 2017 Proposed Budget was read by town attorney Mr. Wischer.

Motion by Mr. Kavanaugh to proceed with the second reading of ordinance 2016-18 2017 Proposed Budget.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

Motion by Mr. Kavanaugh to accept and adopt ordinance 2016-18 2017 Proposed Budget.

Second by Mrs. Hughes

Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

Discussion: None
Vote: Ayes 5; Nays 0

COMMENTS BY CITIZENS (three (3) minutes per speaker).

None

UNFINISHED BUSINESS.

None

COMMISSION/COMMITTEE REPORTS.

COMMISSION.

Air Authority ~ Ms. Aurand

No meeting.

Board of Zoning Appeals ~ Mrs. McGuire

No meeting.

Fire ~ Ms. Aurand

-Chief Campbell was present at the meeting and mentioned that the new radios have been ordered. Also the following fire department information was presented:

43 Total runs were made in September

12 runs were in the town

26 runs were in the township

1 run was a mutual aid run

4 runs were for public relations

384 person hours were expended during the month broken down as follows:

224 hours for fire runs.

136 hours for training purposes.

24 hours for station maintenance or non-emergencies.

The new fire truck is still on schedule and we are waiting to hear from Pierce regarding the date of the final vehicle inspection.

The new radio antenna should be installed at the fire station sometime during the next two weeks.

Historic Preservation ~ Ms. Krieger

-The public information meeting was held on 10/13/16 regarding the expansion of the historic district at Town Hall. The meeting was well attended and much good discussion and information was shared.

Park ~ Ms. Krieger

No Report.

Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

Next meeting November 3, 2017.

Plan ~ Mrs. McGuire

The October Planning commission was reported at the first Town Council meeting in October which was held on the 12th. The following motion was, at that time, not submitted for Town Council consideration. It is now being submitted.

Motion by Mrs. McGuire to have the President of the Planning Commission also sit as a voting member of the Site Review Committee in place of the Town Council member who is on the Planning Commission.

Second by Mr. Kavanaugh.

Discussion: Currently, the president of the Planning Commission is Mr. Thomas Bodkin. It is being suggested that this change become effective immediately. This would mean that there would be no representative from Town Council present on the Site Review Committee. It was suggested that this change take effect the first of the year instead of effective immediately. There was much discussion regarding issues that will be coming before the site review committee regarding rezoning of properties. It was suggested that this motion be tabled until the next meeting so more thought could be given the issue.

Vote: Ayes 3; Nays 2 to table this motion.

Police ~ Mrs. McGuire

-The November meeting will be moved from the 14th to the 7th.

-Thanks was given to the Acting Chief Mitchell for his and the departments assistance with the Ghostly Stroll on Saturday October 22nd.

Site Review Committee ~ Mrs. McGuire

No Report

Storm Water ~ Mr. Kavanaugh

-Next meeting is 11/21

-No Report

Street ~ Ms. Aurand

-Historic bridge repair.

-Cleaning ditches in prep for rainy season.

-New batteries in flashing barricades.

-Performing PM of town equipment preparing for fall and winter.

-Beginning work on the Forest Park project.

-East Jennings water leak by Josh Clayburn's home. Keeps sinking and sinking.

-Replacing bulbs in the downtown lights so that they are all the same wattage and color.

Utility ~ Mrs. Hughes

-No utility motions.

STANDING COMMITTEES

Finance ~ Mrs. Hughes, Mrs. McGuire

Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

Budget has been approved and will be submitted to state.

Personnel ~ Mrs. Hughes, Mrs. McGuire
Working on enhancements to the personnel policy manual

SPECIAL BOARDS/COMMITTEE REPORTS

Sidewalk ~ Mrs. Hughes
No report.

Arts Commission ~ Mrs. Hughes, Ms. Krieger
No report.

River Town Trail ~ Mrs. McGuire, Mrs. Hughes
-Maintenance and upkeep of the River Town Trail is ongoing.
-Bridge placement has been decided for the southern site by Mulzer's. The location of the crossing is outside the fence.

AD HOC COMMITTEES

Sign Committee – Mrs. Hughes, Ms. Aurand
-Still waiting on work from counsel regarding new regulations regarding signage.

Open Burning – Mr. Kavanaugh, Mrs. McGuire
No report.

Meditation Park – Mrs. Hughes, Ms. Krieger
An update was given on Meditation Park. There was discussion about the addition of a possible walk through water feature adjacent to the trail on this property but after deliberation it was decided that this was not an appropriate place for that amenity. There will be a fence constructed along the river, landscaping and a brick lined walkway with 3 benches. A traditional fountain may be installed at a later date pending funding.

Residential Improvement Recognition – Ms. Aurand, Ms. Krieger
-Five properties have been identified so far. Two on Filmore, 1 on Polk and 2 on Adams streets. No decision has been made regarding when the awards will be presented. More properties will be identified and may be considered.

Parking Committee – Mr. Kavanaugh, Mrs. McGuire
No Report

Growth and Progress Committee – Ms. Krieger, Mrs. McGuire
No Report.

ZONING ADMINISTRATOR

No Report.

CLERK-TREASURER.

No Report

Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016

TOWN ATTORNEY.

No Report.

TOWN ENGINEER.

No Report.

TOWN MANAGER.

-Presentation of the 2017 Holiday Schedule for approval
Motion by Mrs. Hughes to approve the 2017 Holiday Schedule.
Second by Ms. McGuire.

Discussion: There is an issue with the primary election years. Currently the schedule of holidays is driven by the personnel handbook. Since the personnel handbook is being and reviewed and updated it was suggested that this be delayed until the modifications to the handbook are complete.
It was decided to not vote on this motion but bring the subject up at the next council meeting under old business.

-MCF bid for repairs to Preservation Hall. There are a number of leaks that are causing damage to the building. MCF provided a bid for the repairs to seal the bricks and add step flashings to the structure to alleviate any further leaking into the structure. The amount of the bid was \$8,335.00.

Motion by Mr. Kavanaugh to accept the bid from MCF.

Second by Ms. Aurand.

Discussion: Have other bids been solicited? Yes. When the changes be started? No time has been established for the start of the repairs. There are other repairs that need to be made to the building.

Vote: Ayes 5; Nays 0

MISCELLANEOUS BUSINESS.

-Subordination agreement for Old Piper subdivision. This agreement still gives us the right to move lines if necessary

Motion by Mr. Kavanaugh to approve the agreement.

Second by Mrs. McGuire.

Discussion: None

Vote: Ayes 5; Nays 0

-A check was received from the Friends of Newburgh for \$750 for use at the Park Fund. This was a portion of the proceeds from the Fiddler Fest.

-Mrs. Hughes passed out the list of workshops she attended at the IACT Conference. These meetings allow members of council to make contacts and gain a better understanding of issues.

-Ms. Aurand – During fall break Jan Schwartz, who lives in Indianapolis, called Ms. Aurand early in the morning and wanted to know if she and some relatives when visiting Newburgh could have access to the museum and also visit their owl home at Maple Hill. Ms. Aurand after some phone calls was able to have the museum opened by Mrs. Melissa McGuire. Thank you to Melissa for going above and beyond. The also visited Maple Hill, also known at Bootz Hill, and they picked up maple leaves from the trees that were originally planted by their

**Town of Newburgh
Town Council Minutes for Wednesday, October 26, 2016**

great grandfather when he move to Newburgh many years ago. The maple tree saplings were brought by him from Vermont. Later they were entertained by Jackie Schen at the Edgewater Grill who was most gracious to the visitors.

APPROVAL OF CLAIMS.

The following amounts are presented to the council for their consideration and approval. Plus any sewer adjustments there may be.

Civil Town - \$150,841.97
Sewer - \$557,987.42
SRF - \$0

Motion by Ms. Krieger to approve the warrants as presented.
Second by Mrs. McGuire.
Discussion: None
Vote: Ayes 5; Nays 0

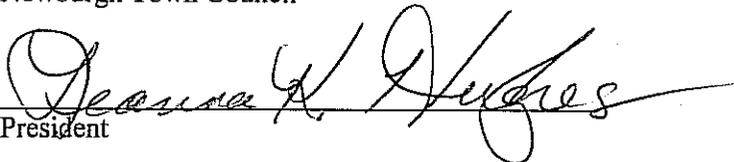
ADJOURNMENT.

Motion by Ms. Krieger to adjourn at 7:50 p.m.
Second by Mrs. McGuire.
Discussion: None
Vote: Ayes 5; Nays 0

10/26/2016	Town of Newburgh	
	Sign in Sheet	
Name	Address	Area of Concern

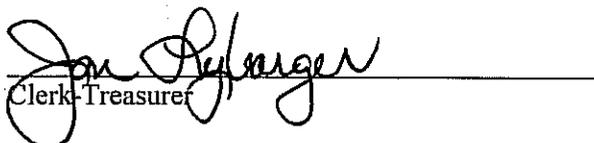
APPROVED this 9 day of November, 2016.

Newburgh Town Council



President

ATTEST:



Clerk-Treasurer

BID OPENING TABULATION
TOWN OF NEWBURGH
KINGSTON LIFT STATION ELIMINATION
BID OPENING DATE: OCTOBER 26, 2016



No.	Bidder's Name	Form 96 w/Non-Collusion Affidavit	Bid Bond	Financial Statement	E-Verify	Acknowledgement of Addenda Received (2)	Total Base Bid
1	Atlas Excavating	✓	✓	✓	✓	✓	\$ 745,392.00
2	Blankenberger Brothers, Inc.	✓	✓	✓	✓	✓	944,357.00
3	Bobby Luttrell & Sons						
4	Deig Brothers Lumber & Construction	✓	✓	✓	✓	✓	814,566.00
5	Infrastructure Systems, Inc.	✓	✓	✓	✓	✓	629,334.00
6	Kieffer Bros Construction	✓	✓	✓	✓	✓	789,720.00
7	Koberstein Contracting, Inc.	✓	✓	✓	✓	✓	833,000.00
8	Mitchell & Stark Construction Co., Inc	✓	✓	✓	✓	✓	685,529.00
9	PPMI Construction	✓	✓	✓	✓	✓	799,967.00
10	Ragle, Inc.						
11	Snyder Construction Co.						\$
12							\$
13							\$
14							\$
15							\$