

DECEMBER 19, 2017

The Town Council met in regular session at the Town Hall at 8:30 a.m.

The Pledge of Allegiance was led by President Blaylock.

Present were: BLAYLOCK, ALSOP, FLANDERS, WADE, and WATSON along with Clerk-Treasurer Karla Atkins and Attorney Erin Bauer.

The following visitors were present: Fred Frayser, Lynn & Rod Clark, Dan Barton, Amanda Bryden, Amanda & Marc Chevalier, Paula Schmitt, Tom Stahl, Loretta Gerard, Don Alsop, Garry Holstein, Lora Arneberg, Sue Krozel, Annette Buckland, Chris Laughbaum, Veronica DeKett, Hayden Crane, and Lois Gray.

Councilman Watson made and Flanders seconded a motion the minutes of the previous regular meeting be approved. All were in favor. Motion carried.

Councilman Wade made and Alsop seconded a motion the minutes of the December 4, 2017, Special Meeting be approved. All were in favor. Motion carried.

Councilman Watson announced Town Marshal Aaron Straub is currently completing his academy training.

Councilman Flanders reported several residents of Woodlawn have asked about their streets getting paved. Councilman Alsop reported those streets are scheduled to be paved in 2018 with funds from the Community Crossings Matching Grant.

Clerk-Treasurer Atkins requested permission to write off two uncollectable utility accounts totaling \$299.80. Councilman Wade made and Alsop seconded a motion the accounts be written off as requested. All were in favor. Motion carried.

President Blaylock read Resolution 2017-7 in full. This Resolution authorizes appropriation transfers within the General Fund. Councilman Watson made and Wade seconded a motion that Resolution 2017-7 be approved. All were in favor. Motion carried.

President Blaylock read Resolution 2017-8 in full. This Resolution authorizes appropriation transfers within the M.V.H. Fund. Councilman Wade made and Watson seconded a motion that Resolution 2017-8 be approved. All were in favor. Motion carried.

Jill Garcia was reappointed to the Park Board for a four-year term.

President Blaylock appointed Jo Briant to a four-year term on the Plan Commission to replace Charles Huck.

President Blaylock appointed David Flanders to another four-year term on the Board of Zoning Appeals.

Councilman Flanders made and Alsop seconded a motion that Jim Spann be reappointed to the Board of Zoning Appeals for a four-year term. All were in favor. Motion carried.

Lora Arneberg gave an update on the Bridge. Indiana Landmarks is currently working on transferring ownership of the Bridge to an unnamed port authority. She is looking for anyone interested to serve on the committee and also serve on the port authority once it is established. Ms. Arneberg plans to have a public meeting in January to reach out to anyone who might like to be involved.

Lynn Clark, President of the New Harmony Business Associates, spoke in favor of the proposed zoning ordinance amendment. This ordinance prohibits the use of the storefront portion of the first floor of a business as a residence. She pointed out some of the ways that residences mixed with businesses can hurt businesses.

Annette Buckland spoke in favor of the proposed zoning ordinance amendment. She pointed out the property taxes are higher for businesses than for residential. She also noted what the Business Associates do for the Town.

Dan Barton stated he is opposed to the proposed zoning ordinance amendment for various reasons. For one reason, he stated there is no proof the ordinance will work. Also, he does not feel there is a threat to the business district.

President Blaylock announced leaves will need to be bagged for pick-up beginning December 20. He also stated Council will be looking into adopting an ordinance prior to next leaf season to restrict where leaves may be raked for pick-up. There is a problem with them clogging drains, etc.

President Blaylock reported the chemical induction line that was installed as part of the phosphorus removal project has been plugging up. This has necessitated the installation of a temporary system so the Town can stay in compliance with their permit. The original contractor, PPMI, is no longer in business. Therefore, Attorney Bauer has been in negotiations with PPMI's bonding company. Also, tracer wire was not installed as required in the specifications for the job. Quotes have been obtained for both installing the new chemical feed line and installing the tracer wire. The lowest bid was \$28,850 for both jobs. For installing only the tracer wire, the quote was \$26,383. The bonding company, Hanover, has agreed to pay the full amount of \$26,383. for the tracer wire install, if the Town will pay the \$2,467. to have the new chemical feed line installed. President Blaylock stated that although he does not believe the Town should be liable for paying any of the cost, negotiations have been ongoing for some time, and the next step would be to file a lawsuit. If that happens, the Town would undoubtedly incur more than \$2,467. in attorney fees. Councilman Wade made and Watson seconded a motion that the Town accept Hanover's offer of \$26,383. in exchange for a full release. All were in favor. Motion carried.

Councilman Watson made and Alsop seconded a motion that the salary of the Clerk-Treasurer be increased by \$1,200. for 2018. All were in favor. Motion carried. Councilman Watson made and Wade seconded a motion that the Town Council salaries for 2018 remain the same. All were in favor. Motion carried. These changes will be incorporated as Ordinance 2017-9.

President Blaylock stated the Council was asked by Dr. George Rapp and the WMI to contribute \$150,000. for mold remediation and repairs to the HVAC at the former school property. Upon question from President Blaylock, Fred Frayser, with the WMI, stated that going forward they plan to ask the Town to deed the property to them. Per the State Board of Accounts, the Town can only legally pay for repairs, from the General Fund, if the Town owns the property. Councilman Wade suggested that a joint meeting be held between the Town Council and WMI. Councilman Wade made and Alsop seconded a motion the discussion be tabled until the Town can have further discussion with WMI. All were in favor except Councilman Alsop. Motion carried. It was noted that Jeremy Efroymson, a donor to the project who recently pulled his pledge, may return as a donor if the Town agrees to a financial commitment to the project.

President Blaylock read Ordinance 2017-8 in full. This ordinance amends the zoning ordinance to prohibit the use of the storefront portion of the first floor of a structure in the Business Historic District as a residence. Councilman Flanders made a motion that Ordinance 2017-8 be adopted. There was no second. Motion denied. Councilman Wade made and Alsop seconded a motion that Ordinance 2017-8 be tabled until the January meeting. President Blaylock asked Councilman Flanders for a definition of the term "storefront" as used in the proposed ordinance. Councilman Flanders stated it means the front of the store. He stated someone could make an application to the Board of Zoning Appeals if they would like to differentiate the store front from the back. He believes the ordinance contains a straightforward description of that part of the building. Councilman Flanders read a prepared statement explaining the Plan Commission's decision on the amendment and why it is needed. All were in favor except Councilman Flanders. Motion carried.

Councilman Watson made and Wade seconded a motion the claims be allowed and the Clerk pay the same. All were in favor. Motion carried.

Councilman Flanders brought up the proposal he had discussed at the last meeting regarding an agreement with USGS for two surveys of the Wabash River. The total cost of the surveys is \$22,400., with the Town's share estimated to be \$15,600. The USGS cannot guarantee funding for the project until the executed agreement is submitted and it is determined how many projects are ahead of the Town's on the pecking order. Councilman Flanders has contacted both the Posey Co. Commissioner's and DNR and both have stated they are unable to provide funds due to their own budget constraints. Councilman Flanders made a motion that the agreement with USGS for the surveys be approved. There was no second. Motion denied. Councilman Wade made and Alsop seconded a motion that a decision be tabled until further information is received. Councilman Wade stated he has been in contact with the Army Corps of Engineers and is waiting to hear back. All were in favor except Councilman Flanders. Motion carried.

There being no further business, the meeting was adjourned at 9:38 a.m.

Alvin Blaylock, President of Town Council

Attest:

Karla L. Atkins, Clerk-Treasurer