

SEPTEMBER 16, 2025

The Town Council met in a regular session at the Town Hall at 5:30 p.m.

President Smotherman led the Pledge of Allegiance.

Present in person were: SMOTHERMAN, ARNEBERG, CLARK, and WEINZAPFEL along with Attorney, Nathan Maudlin and Clerk-Treasurer, Ann Huelsmann. WILLIAMS was not in attendance.

Visitors in attendance: Andy Batt, Jan Kahle, Jeanne Maudlin, Lois Gray, Pat Wilson, Shaun & Dawn Worman, Martha Raske, Charles & Margaret Bandy, Audra Lambert, Rick Johnson, Erin Griffin, Bill Meyer, Joshua Janik, David Vonderscher, Benjamin Angel, and David Angel.

Councilperson Clark made and Arneberg seconded a motion to approve the minutes of the August 19, 2025, Regular Meeting. All were in favor. Motion carried.

Councilperson Clark made and Arneberg seconded a motion to approve the minutes of the August 25, 2025, Special Meeting. All were in favor. Motion carried.

REPORT OF DEPARTMENTS

Councilperson Clark spoke on the OCRA grant for the study of our sewer plant. The town did not get the grant. The town did not get it because the person writing it for us did not submit a couple of forms. We will apply again when available. Clark mentioned getting some information from the State of Indiana regarding what our cybersecurity plan is. Councilperson Arneberg will follow up.

Councilperson Arneberg said that she had a date for the new website to go live for internal training at the beginning of December. It will be available to citizens after the first of the year. There will be training on how to use the site.

Councilperson Arneberg, in the absence of Councilperson Williams, asked if they would be talking about the cemetery culvert repair. Smotherman stated that it was not on the agenda. The council has a bid and will address it when Councilperson Williams is in attendance.

OPEN FORUM

Jeanne Maudlin, President of the Parks and Trails Board, reporting for Tom Williams. The Day of Sharing crew will be working on the shelving in the bandstand at Maclure Park, installation of new grills/fire rings and pickets at Murphy Park on September 26, 2026. Repair work was completed in the bathrooms at Murphy Park. Maudlin stated that we have campers scheduled through November 14, 2025, and it would be nice to still have the bathrooms open. There is a frost-free spicket that could be left on and look at the use of another porta-potty, like we did last winter. The Posey County Community Foundation grant committee reviewed New Harmony's proposal and will decide on September 26, 2025. Arbor Day will be November 1, 2025, 10:00 AM in Murphy Park. Maudlin will bring a proclamation to the next meeting for Arbor Day. Maudlin also asked if the children's artwork depicting Arbor Day could be displayed in Town Hall, to which Clerk-Treasurer Huelsmann responded positively. The park has received \$2,711 from camping fees. Jim Reis met with CenterPoint to evaluate the electrical panel on the bathroom building at Murphy Park. The Parks and Trails Board has received an estimate from Bur Oak for some tree removal at a cost of \$5,700. The Parks and Trails Board has submitted their budget.

OLD BUSINESS

Councilperson Weinzapfel reported on the Waste Management contract received. 2019 was the last time we had a contract and a rate increase. The new contract offers our rate for trash at \$12.75. The second trash can will be \$6.25. If residents want a second trash can, they can call Waste Management and contract separately from the town. Weinzapfel recommends that we hold at that rate for our residents. After the 1st of the year some of our services will change. We will move from a Friday pick up to Wednesday pick up. Waste Management will help us notify residents of this change. Big trash day will change too. We have an issue with people outside of town dropping off in New Harmony and some residents exceeding a reasonable amount of garbage to put out. In the future, residents will be able to put out two large pieces of trash. We also asked Waste Management to replace all damaged trash cans. Weinzapfel contacted Marshall Waste and got a quote for \$18.00 a pickup. Councilperson Weinzapfel made a motion to approve the Waste Management contract and raise the cost of trash pickup to \$12.75 effective October 1, 2025. Arneberg seconded. All were in favor. Motion carried.

Review of abandoned vehicle ordinance – President Smotherman reviewed the main points of the ordinance and reminded residents that they are still in process administering.

Councilperson Clark did a second reading of the Wild Animal Ordinance. Clark has not received any negative feedback regarding this ordinance. He suggested a fine of \$50. Clark made a motion to pass the Wild Animal Ordinance. Weinzapfel seconded it. All were in favor. Motion carried.

Councilperson Clark discussed the Church Street Water Project. This project consists of replacing water lines on Church Street this fall/early winter, before the state resurfaces Church Street next spring. The town council received quotes from Blankenberger and Deig Bros. Blankenberger presented a quote of \$251,000. Deig Bros presented two quotes 1. Open Cut \$167,000 and 2. Directional Bore \$129,617 Labor + cost of materials \$20,000 for a total of around \$150,000. Clark suggests that we use money from a CD that is coming around in December (Electric Depreciation). Any overage would come out of the water depreciation fund. Councilperson Clark made a motion to approve Deig as the contractor for this project within a price not to exceed \$160,000. Weinzapfel seconded. The bore process results in no cuts in our streets prior to our repaving project by the State. Deig will take care of all street closings. All were in favor. Motion carried.

Councilperson Weinzapfel announced a Special Town Council Meeting to hear plans for the school property development. Through the New Harmony Plan & Historic Preservation Commission, Weinzapfel has been talking to Nicholas George from Harmony Village, LLC (who bought the school property) to get some ideas of what their plans are. George sent a formal letter to the town council asking for assistance with the infrastructure plans. There will be a combined Town Council and Plan Commission meeting at the WMI on September 30, 2025, at 5:30 to learn of their plans. The meeting is a public meeting and will be streamed.

NEW BUSINESS

Rick Johnson presented an application for RGRG Fundraiser 5K October 18, 2025. They are requesting a couple of roadblocks. Will be over by 9:30. This fundraiser is focused on the clock repair. Councilperson Clark made the motion to approve the permit for the RGRG fundraiser. Arneberg seconded. All were in favor. Motion carried.

President Smotherman read the yearly street vendor permit for an Early Elves Tent Sale from Mary Beth Guard. As the owner of Capers, Guard is requested to have a tent sale of excess inventory Nov. 14.-16, 2025. They are requesting to use the three parking spaces next to Capers Emporium on Tavern Street. Councilperson Arneberg made the motion to approve the Early Elves Tent Sale permit. Weinzapfel seconded. All were in favor. Motion carried.

President Smotherman announced big trash day is Friday, October 3, 2025. The two item rule in the new contract will not be effective until 2026.

President Smotherman stated that New Harmony needs to appoint someone to the Posey County Tourism Commission. Mt. Vernon will have two representatives, Poseyville one, New Harmony two, plus two more for a total of seven. This is a Commission that has become inactive. Councilperson Clark made the motion to appoint Kelley Morgan and Lora Arneberg to the Posey County Tourism Commission. Weinzapfel seconded. All were in favor. Motion carried. The County Auditor will be notified of our appointees by the Clerk-Treasurer.

Councilperson Arneberg presented information regarding a sidewalk repair quote. Arneberg met with an Evansville company in Weinzapfel's absence that repairs sidewalks with a hydraulic process. They lift the sidewalks up and level them. This is a lot cheaper than replacing sidewalks. They cannot fix broken slabs. Arneberg asked the company to use a test area close to Main and Church. They would be fixing approximately 30 issue spots at a cost of \$8,200. Some of the spots identified have been reported as an area where someone has tripped and fallen. Councilperson Clark asked if we should plan on sharing the costs of repairs with the homeowners, who are responsible for their sidewalk maintenance. Councilperson Clark recommended that the sidewalks we test repair should be town sidewalks. In the case of someone injured on a sidewalk that is uneven, it must be repaired. The Streetscapes Dept. would notify the homeowner with a formal letter requesting them to fix the sidewalk. The town has an ordinance that states that homeowners are responsible for their sidewalk repair. Weinzapfel will review the proposal. Arneberg will contact the company to come back and review the park sidewalks for testing.

President Smotherman opened the Public Hearing for the 2026 Budget for the Town of New Harmony. Smotherman read the numbers being submitted. The Notice to Taxpayers Form is attached to these notes. Smotherman asked if there were any questions. Andy Batt asked for more information on what was submitted for Parks. Smotherman responded that the amount in the current budget proposal is based on expenditures so far this year. It does not include what the Parks and Trails Board submitted for a budget. The park revenues do not cover the funds requested so it is better to keep expenditures not covered by tax funds in the general accounts. These numbers are posted on the town hall window. It

will be entered on Gateway. Councilperson Weinzapfel clarified that we don't budget for big projects because they are one offs. President Smotherman closed the Public Meeting.

Councilperson Clark reported that we have already addressed a lot of our ordinances. We go through the process of 1st and 2nd readings and then vote on the. This will be the 1st reading for the following ordinances.

ORD	CURRENT	PROPOSED
Title 1, Chapter 11.01	Corporate boundaries defined . . .	The legal boundaries of the Town of New Harmony are recorded in the official Plat Book of the town of New Harmony at the Posey County Auditor's Office and shall be deemed official and definitive.
33.03	Town Depository Bank Information	United Fidelity Bank is designated as the depository for the town and shall remain so until such selection is revoked, changed, or additional depositories are added.
34.17 (C)	Activities conducted on public streets and sidewalks by Historic New Harmony, or the University of Sothern IN as part of its historic interpretive programs;	Tours conducted on public streets or sidewalks by Historic New Harmony, Indiana State Museums, or the University of Southern Indiana as part of historic interpretive programs.
34.17 (D)	Tour groups utilizing the streets	REPEAL
34.18 (A)	An application for any permit required by this subchapter shall be made to the Zoning Adm or C/T. The application shall be submitted at least 60 days, but no more than six months, prior to the proposed date of the activity. The application shall contain the following information utilizing a form provided by the Town C/T:	An application for any permit required by this subchapter may be obtained and submitted to the C/T. Applications must be completed in full and be submitted at least five days prior to the next regularly scheduled Town Council meeting that falls prior to the event. The application shall contain the following information utilizing a form provided by the C/T:
Add 34.18 (A)(12)		If the applicant intends to provide and sell alcohol as a part of their event, the application should a) indicate a specific area where it will be served, b) provide the name, address, and contact information for the licensed caterer serving and copies of their alcohol and caterer's license.
Note	Adjust numbering after new (A)(12)	
34.23(A)	The Zoning Adm shall be authorized to revoke or suspend any permit previously granted for the following reasons:	The Zoning Administrator shall be authorized to revoke or suspend any building permit, and the Town Marshal shall have the authority to revoke or suspend any other permit for the following reasons:
34.24	The Zoning Admin and the Town Marshal are authorized and empowered	The Town Marshal is authorized . . .
70.01	Traffic Control Devices	REPEAL
70.15	Vehicle Size and Weight Limits Designated (A) The streets and alleys in the town should be used primarily for passenger vehicles.	Vehicle Size and Weight Limits Designated (A) Streets and alleys in the town should be used primarily for passenger vehicles. (B) Heavy Vehicles (defined as a gross weight more than five tons of being more than 20 feet in length) shall be confined to Church Street with the following exceptions:

	<p>(B) No person shall drive, operate, or cause to be operated any heavy vehicles in the town.</p> <p>(C) The meaning of HEAVY VEHICLES shall include but not be limited to buses, delivery trucks, sanitation trucks, or any other vehicle having a gross weight more than five tons or being more than 20 feet in length.</p>	<p>a. Heavy Vehicles may make deliveries to addresses within the town providing that the Heavy Vehicle use the most direct route to and from the delivery address from Church St.</p> <p>b. Sanitation trucks, school buses, RVs, and trailers, are exempt.</p>
70.16	Sign Posting of Limits	REPEAL
70.30(I)	# of Riders	REPEAL
70.30(J)	Golf Carts	<p>Fees collected will be used to maintain the town's trails.</p> <p>Remove Wabash River greenway trails.</p>
70.99(B)	Whoever violates any provision of 70.15 and 70.16 shall be fined not more than an amount as set by the Town Council from time to time and costs.	Whoever violates any provision of 70.15 shall be subject to the general penalties provided in 10.99 of this code.
71 Schedule II – (A)	No bus shall be parked within the corporate . . .	No commercial passenger bus shall be parked within the corporate . . .
71(B)		Location West of Arthur St. at Atheneum
91.01 (A)	Overgrown Weeds or Noxious Plants	No owner or occupier of any lot or parcel of real estate within the town limits shall allow such real estate or lots to become overgrown with vegetation of any plants exceeding eight inches in height. Trees, shrubbery, flowers, ornamental grasses, or garden plants are exempt from this regulation.
91.01 (B)	Noxious plants	REPEAL
91.01 (C)	This section shall not apply to wooded areas, wetlands, or wildlife projects conducted . . .	This section shall not apply to commercially farmed agricultural lands, wooded areas, wetlands, or wildlife projects conducted . . .
91.03	No person shall make or cause to be made any noise that unreasonably annoys, . . .	No owner or occupant of property within the town limits shall make, allow, or cause to be made any noise that consistently and unreasonably annoys, . . .
91.04	It shall be the duty of the Town Council to investigate any complaint of violation of 90.04, 91.01, or 91.02 to determine whether one or more of such provisions is being violated.	It shall be the duty of the Town Marshal to investigate any complaint of or instance of a violation of 91.02 or 91.03. Violators of either 91.02 or 91.03 have the right to appeal fines resulting from citations by notifying the C/T of their request for a hearing. The C/T will place the issue on the agenda of the next regularly scheduled town council meeting. At that meeting, the residing Board shall determine whether the violation violates 91.02 and 91.03, and affirm, change, or eliminate fines at their discretion.
91.08(G)	<i>Note: Amend adding this as 1. and renumber the rest.</i>	In the event the Town Marshall finds or is notified of a vehicle or parts believed to be abandoned as defined by this ordinance, he/she shall notify the owner of the property on which the vehicle or parts reside that they are in violation of this ordinance. Said notification shall be in one of the following manner:

		<p>1. Personal notification in person, or by</p> <p>2. Certified mail.</p> <p>This notification shall specify a period of ten (10) days from the date of the notification for them to remove or otherwise bring the vehicle or parts into compliance. Failure to do so after ten (10) days will result in the following actions:</p>
92.15	Open Burning	REPEAL
92.16	No person or persons, firm, partnership or corporation may engage in open burning within the corporate limits of the town except as allowed by this subchapter.	No person or persons, firm, partnership, or corporation may engage in open burning (meaning outside of a building) of leaves, limbs, or other wood, lumber products, paper or trash, plastics, household products, chemicals, or any other refuse within the corporate limits of the town.
92.17(A)(4)	Open Burning	Campfires at Murphy Park
92.17(A)(5)		Residential firepits on residential lots that are small and appropriately contained
92.18 (D)	Requirements on open burning.	REPEAL
92.99	Penalty	<i>Refer all penalties to schedule 10.99</i>
92.99(A)	Penalty	Any person violating any provision of the chapter shall be subject to section 10.99 of this code of ordinances.
92.99(B)(C)(D)	Penalty	REPEAL
93.01	Streets, Sidewalks, and Public Ways	<p>Change Title of the Section to Recreational Trails.</p> <p>Change that throughout the section and change Parks board to Parks and Trails Board.</p>
93.01(A)	Trail Rules	The Parks and Trails Board shall establish rules regarding the use and safety of the town's recreational trails and shall post such rules in conspicuous places to include prohibitions on automobiles, trucks, motorcycles, go-carts, off road vehicles as defined in 70.31(A) and any other rules promulgated by the Parks and Trails Board. Golf carts as defined in 70.30(A) and motorized wheelchairs shall be specifically allowed.
93.15	Abutting Property Owners	The owners of property abutting any sidewalk within the incorporated limits of the town are required to construct or repair their own sidewalks at their own expense. However, upon proper application to the Town Council by the owner of such property, the town may demolish and remove existing sidewalks at the town's expense and, pursuant to 93.16(A), may order the owner to construct new sidewalks at the owner's expense.
Reorder		Amend the numbering of 93.45 and 93.46 to place the existing 93.46 (Tree Board) prior to the existing 93.45 (Prohibited Acts).
93.45 (A)	Prohibited Acts	. . . without first having obtained written permission to do so from the Streets and Streetscapes Department of Town Council.
93.45 (B)	Prohibited Acts	. . . without first having obtained written permission to do so from the Streets and Streetscapes Department of Town Council.
93.45(C)	Prohibited Acts	. . . without first having obtained written permission to do so from the Streets and Streetscapes Department of Town Council.
93.45 (E) (2)	Prohibited Acts	. . . at the determination of the Streets and Streetscapes Department of Town Council.

93.46 (A)	Tree Board	. . . consist of members of the Parks and Trails Board of the town.
93.46(B)	Tree Board	. . . in the parks and along the town's recreational trails.
93.47 (A)	Rights, Responsibilities, and Powers	. . . in the parks and along the town's recreational trails.
110.03 (A) (1)	License; application; insurance; fees	Proof of liability insurance in an amount of \$1,000,000 (one million) naming the town as an additional insured; and <i>Councilperson Clark made the motion to revise ordinance 10.99 to revise this fee from \$100 to \$50. Weinzapfel seconded it. All were in favor. Motion carried.</i>
110.04	Keeping horse overnight within town limits	REPEAL
130.01	Curfew	The town of New Harmony adopts I.C.31-37-3-2 and I.C.31-37-3-3 and its governing law concerning curfew of those less than 18 years old within its town limits.
130.03	Weapons	Remove "with the permission of the Mayor" . . .members of the armed forces of the United States or this State, or with prior notification to the Town C/T when it will be an integral part of a public commemoration . . .

Councilperson Clark made a motion to move these ordinances on to a 2nd reading in October. Weinzapfel seconded. All were in favor. Motion carried.

Councilperson Clark did a first reading of Unsafe Building Ordinances which included:

- ORDINANCE ADOPTING A POLICY CONCERNING VACANT STRUCTURES AND ADOPTING STANDARDS FOR THE MAINTENANCE OF BUILDINGS
- AN ORDINANCE ESTABLISHING THE EXECUTIVE DEPARTMENT OF THE TOWN OF NEW HARMONY RESPONSIBLE FOR THE ADMINISTRATION OF ITS UNSAFE BUILDING ADMINISTRATION
- AN ORDINANCE TO ADOPT MIMINUM MAINTENANCE STANDARDS FOR EXTERIOR MAINTENANCE OF RESIDENTIAL AND COMMERCIAL BUILDINGS.

Councilperson Clark mentioned that he based these ordinances on the ones in Mt. Vernon, IN.

Councilperson Clark made a motion to move these ordinances on to a second reading in October. Arneberg seconded. All were in favor. Motion carried.

Councilperson Clark gave an update on the Sewer Plant upgrade. There are some repairs that need to be done. He presented a bid for everything but labor. Clark will have the full bid proposal at next meeting.

Councilperson Clark gave an update on the Water Tower Inspection. He recommends getting more than one quote. The company that did the inspection presented a quote. The Water Tower must be inspected every five (5) years. It was found that the inside needs to be painted. Clark suggested that this be tabled until the October 21, 2025, meeting.

Councilperson Weinzapfel reported that the requests for alley paving bids were sent out. President Smotherman opened one bid from E&B paving in the amount of \$71,938 for nine alleys and intersections. Weinzapfel wants to continue to review the bids that have come in and present findings in the next town council meeting.

Clerk-Treasurer Huelsmann presented the purchase of the Laredo subscription from Mt. Vernon to help support identification of property owners in processing liens. This subscription is \$60 a month with training included. Councilperson Weinzapfel made a motion to subscribe to Laredo. Clark seconded. All were in favor. Motion carried.

Councilperson Clark made a motion to approve the claims. Arneberg seconded it. All were in favor. Motion carried.

There being no further business, Councilperson Clark made, and Arneberg seconded a motion to adjourn the meeting. All were in favor. Motion carried and the meeting was adjourned.

Jeff Smotherman, President

Attest:
Ann Huelsmann, Clerk Treasurer