

JUNE 16, 2020

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, WADE, WATSON, AND WILLIAMS along with Clerk-Treasurer Karla Atkins and Attorney Erin Bauer.

The following visitors were present: Randy Pease, Dan Barton, Connie Weinzapfel, Brenda Sawyer, Alex Gale, Jeff Smotherman, Jamie Liebhart, David Flanders, Patty Beagle and Zach Weinzapfel.

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

Councilman Watson made and Alsop seconded a motion the minutes of the May 26, 2020, special meeting be approved. All were in favor. Motion carried.

Councilman Alsop announced Murphy Park is now open. The river trail is still closed due to repairs that need to be made.

Councilman Alsop reported a golf cart parade will be held on July 4.

President Blaylock opened and read aloud bids for the 2020-1 community crossings matching grant. The following bids were received: E & B Paving Inc. - \$82,205; David Enterprises, Inc. - \$72,479. The bids will be reviewed for completeness and an award will be made at the July meeting.

Councilman Watson made and Wade seconded a motion the festival application for Kunstfest be approved. All were in favor. Motion carried. Jeff Smotherman commented there are currently 100 vendors paid. He agreed to contact the downtown merchants so they are aware of the situation. This approval is pending the containment of the coronavirus.

Councilman Wade asked that Attorney Bauer send a letter to the two golf cart rental companies requesting a copy of their contracts. There have been numerous complaints about the golf carts being driven on Church St., and also unlicensed drivers operating them. President Blaylock reported he spoke to Andrew Wilson, owner of New Harmony Golf Car Company, and he stated he will be moving his carts back to the Atheneum once it reopens.

Patty Beagle, with the New Harmony Farmer's Market, informed Council that she would like to formally withdraw the request made in a letter dated May 20, 2020, and signed by Stephen Cochran. This letter asked that the New Harmony Farmer's Market become a part of the Town's Park and Recreation Dept. However, the Farmer's Market is interested in holding the market at Maclure Park. Ms. Beagle continued that she was given a liability release that was prepared by Attorney Bauer. She stated that all the market masters agree that they cannot sign the release. She feels the release requires the four market masters to take personal responsibility. It is also very broad, and does not specify a time period. The Farmer's Market has added the Town as an additional insured on their insurance. Ms. Beagle noted the Farmer's Market was told by their insurance agent that their insurance would be voided if they signed the release. Attorney Bauer stated she is only looking out for the Town's best interest, and does not intend to stand in the way of the Farmer's Market relocating to Maclure Park. She noted insurance does not cover everything. Attorney Bauer stated she has no problem with amending the release if the Town would like to do so. She does feel the Town needs some sort of release. Another option would be for the Farmer's Market to form a non-profit, which would provide additional protections. Jeff Smotherman inquired as to whether or not putting the Farmer's Market under the New Harmony Business Associates would simplify things. Attorney Bauer agreed to talk to Andy Weintraut, with Schultheis Insurance, who is the agent for both the Town and Farmer's Market, to see if a compromise can be reached.

David Flanders commented on the recent paving done on Brewery St. He stated the height of the road bed has been increased. He noted there is a large height difference between the road and the shoulder in front of his property, which he feels is a hazard. He continued that a buffer was put down that was made of road grindings, which he feels is unattractive. He asked that it be replaced with white chat. President Blaylock agreed to look into this.

President Blaylock reported the Ribeyre Gym Restoration Group is close to ready to open the restrooms. The fee will be \$300 per month, on a month to month basis. RGRG will be taking care of and paying for the cleaning. President Blaylock asked that Council come to an agreement as to what percentage of the contract they would like to pay. Jeff Smotherman, president of the New Harmony Business Associates, reported the group has agreed to pay a portion of the fee to have the restrooms

open. President Blaylock suggested that the Town pay 50%. Zach Weinzapfel asked what has changed with the Town, as in past years, they have paid 100% of the cost for the restrooms for six months. President Blaylock stated he doesn't feel the Town should be responsible for 100% of the cost. Zach Weinzapfel pointed out that the Town's comprehensive plan calls for public restrooms. He asked what the Town is doing to help the businesses in Town. He asked if the Town has an economic development plan. Councilman Alsop made and Wade seconded a motion that the Town pay 50% of the monthly fee for the Ribeyre restrooms. Councilman Williams feels the Town should and can pay more, and that it is their obligation to do so. All were in favor except Councilman Williams. Motion carried.

Councilman Wade presented an estimate from Chris Koester to replace the door at Town Hall for \$1,268. President Blaylock had previously presented an estimate from B & S Home Improvement for \$1,525. Councilman Wade made and Watson seconded a motion the bid from Chris Koester be accepted. All were in favor. Motion carried.

Councilman Wade made and Watson seconded a motion the bid from Chris Koester to replace the door at the Town garage for \$989. be accepted. All were in favor. Motion carried.

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

Councilman Watson stated he heard that fireworks are planned for July 4. It was noted the Town has an ordinance regulating this. Attorney Bauer noted if this is done on private property, the Town could not require a certificate of insurance.

There being no further business, Councilman Wade made and Watson seconded a motion the meeting be adjourned. All were in favor. Motion carried and the meeting was adjourned at 9:38 a.m.

Alvin Blaylock, President of Town Council

Attest:

Karla L. Atkins, Clerk-Treasurer