

UTILITY BOARD/COMMON COUNCIL

Tuesday, June 14, 2016

7:00 P.M.

The Common Council and Utility Board of the City of Huntingburg met in joint session at its regularly scheduled meeting time on Tuesday, June 14, 2016 at the hour of 7:00 P.M. in the Council Chambers of the Huntingburg City Hall at 508 E. Fourth Street, Huntingburg, Indiana. Members Bounds, McPherron and Kissling were present. Also present were Mayor Spinner, City Attorney Schneider and Clerk-Treasurer Dippel. Members Wehr and Blessinger were absent.

Mayor Spinner called the meeting to order.

A motion was made by Kissling, seconded by McPherron and carried to approve the minutes of the May 24, 2016 meeting.

A motion was made by McPherron, seconded by Bounds and carried to approve the claims as presented.

The Mayor indicated this is the date, time and place for a public hearing for the Market Street Park project. Lisa Gehlhausen, Executive Director of Indiana 15 Regional Planning Commission led the hearing. Gehlhausen indicated that the public meeting is necessary because the project is being federally funded through the Indiana Office of Community and Rural Affairs (OCRA) and they require a public hearing prior to the completion of the application for funding. She noted the City of Huntingburg has a population with 6.7% speaking a language other than English. She indicated that when that percentage is greater than 5%, a Language Access Plan is needed. She noted the City has such a plan. She indicated that a notice of the public hearing was published in both English and Spanish. Gehlhausen described the project and funding sources. She then asked for public comment. Citizen Primo Nino expressed support for the project noting it would be great for the City to provide an area for families to come and enjoy themselves. Citizen John Burgdorf asked if the previously posed question of how the person on the corner would get to their property (over City property) has been addressed. The Mayor noted that the design team is aware of the issue and it will be addressed when a final design is determined and that there are options being explored. The Mayor asked for further comments. No other comments were received from the public. The acquisition of the OFS property on 4th Street was discussed.

A motion was made by McPherron, seconded by Bounds and carried to close the public hearing.

The Mayor presented Appendix "D" (Compensation) of a proposed consulting contract between the City and VS Engineering, Inc. for the preliminary engineering of the 4th Street Heritage Trail Project. The agreement is not to exceed \$592,659.00. He noted the Huntingburg Redevelopment Commission is providing funding for the project so the Council could recommend the contract for approval to the Redevelopment Commission and that they would give final approval of the contract.

A motion was made by Bounds, seconded by Kissling and carried to recommend allowing the Huntingburg Redevelopment Commission to enter into the contract with VS Engineering, Inc. in the amount of \$592,659.00 as noted above.

Pete Schweigeraht of Miller Valentine was present to update the Council on the status of the Lofts of St. Joseph's project. He indicated the project is approximately 95% complete. He indicated that within the next couple of weeks to a month he should start locating folks into the property. He indicated that once complete, about half of the original hospital property will be rehabbed in addition to new construction. Income qualifications were discussed. He indicated that there will be an open house.

Planning Director Lake presented a "Compliance with Statement of Benefits, Real Estate Improvements" (form CF-1) completed by Huntingburg Senior Residence, LLC for property located at 1900 Medical Arts Boulevard, Huntingburg, Indiana, in connection with their tax abatement. He indicated that the taxpayer must annually file this statement with Dubois County Auditor and the Huntingburg Common Council for

their review regarding the compliance with the Statement of Benefits. The actual investment exceeds the estimated costs. The form CF-1 was reviewed.

A motion was made by McPherron, seconded by Bounds and carried finding that Huntingburg Senior Residence, LLC is in substantial compliance with the Statement of Benefits (form SB-1).

The Mayor indicated that as part of the incentive package to Miller Valentine, a \$50,000.00 grant agreement was put in place. The first \$25,000.00 was paid in accordance with the agreement when \$1,000,000.00 was initially spent to purchase the property. The second \$25,000.00 is to be paid when the project is 75% complete. It was noted that the project is more than 75% complete and the remainder of the grant may be paid out.

A motion was made by Bounds seconded by McPherron and carried to disburse the remaining \$25,000.00 as prescribed in the terms of the agreement.

There was a question about the steps to having the old St. Joseph's Hospital sign removed. Mr. Schweigeraht indicated that the sign is on the other owner's portion of the property and that he is hearing that they may be getting close on some plans. He indicated that they will start to exude a little pressure on them for that side of the property to be maintained at a little bit higher of a standard than it has been with residents being there soon.

Office Manager/Transit Director Sue Tooley presented an agreement between the Huntingburg Transit System and IU Health Occupational Services to provide required medical qualification and other related services. These services are required as part of the grant agreement to operate a transit system using federal funds. Tooley recommends entering into the agreement.

A motion was made by Kissling, seconded by Bounds and carried to approve the agreement between the Huntingburg Transit System and IU Health Occupational Services as presented.

A proposed resolution was presented to the Council authorizing the filing of an application for grant under Section 5311 of the Federal Transit Act as amended. This resolution is required annually to receive funds for the Huntingburg Transit System. Tooley noted that last year the Transit System received a \$52,294.00 Federal grant and a \$23,212 State grant.

A motion was made by McPherron, seconded by Kissling and carried to adopt Resolution No. 2016-18 entitled:

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
FOR A GRANT UNDER SECTION 5311 OF THE FEDERAL TRANSIT ACT AS
AMENDED**

Tooley informed the Council that as the recipient of Federal funds, the City of Huntingburg is in need of a Title VI Plan for compliance requirements established under Title VI of the Civil Rights Act of 1964, 49 CFR 26 and related anti-discrimination statutes, regulations and directives. She indicated that a Title VI plan was previously adopted for the Huntingburg Transportation Department only.

A proposed resolution containing a Title VI Plan was presented. There was discussion. There were questions about the wording in the resolution. The Mayor indicated the wording is in the recommended form from the Federal government. Member McPherron indicated that he could not in good conscience recognize President Obama's definition of the term "sex" to include "sexual orientation and gender identity" as he does not agree with it. Member Bounds indicated that the Council has an obligation as a City government to not discriminate and that the City would be put at an extreme disadvantage if this resolution is not approved and costs the City Federal funding and in light of that will make a motion to approve the resolution. Member Kissling agreed with Member Bounds and did not want to cost the City money and seconded the motion.

Therefore, a motion was made by Bounds and seconded by Kissling to adopt Resolution No. 2016-19 entitled:

A RESOLUTION ADOPTING TITLE VI PLAN AND NON-DISCRIMINATION AGREEMENT FOR THE CITY OF HUNTINGBURG

The vote for passage and adoption of Resolution No. 2016-19 was two (2) ayes (Bounds and Kissling) and one (1) nay (McPherron). (Passage to be determined.)

Water Crew Chief Meyerholtz was present and requested approval of truck specifications for the water Department. He indicated the truck would be a 1 ton crew cab with a utility bed. He noted that this truck would replace a current 1996 model he currently drives. A copy of the specifications was presented.

A motion was made by McPherron, seconded by Bounds and carried to approve the truck specifications as presented.

The quotes for the new truck are to be received by June 24, 2016 so they can be considered by the Board at the June 28, 2016 meeting.

Meyerholtz reported the slip-lining project has gone very well. He noted that during construction, eight (8), 6 inch insertion valves were eliminated that were in the original cost of the project by reconfiguring, saving \$47,500.00 on the project. He indicated that these valves can be used elsewhere in the system. He also indicated that if these valves are not used and are sent back, there will be a 25% restock fee. Van Hoy and Sons Contracting, Inc. has offered to install and purchase the valves for \$40,000.00 still saving \$7,500.00. He presented a map indicating where in the system the valves would be used.

A motion was made by McPherron, seconded by Bounds and carried to authorize the Water Crew Chief to use the water valves purchased as part of the slip-line project as noted above.

Attorney Schneider presented a proposed ordinance that would adopt a supplement to the City of Huntingburg's Municipal Code which was updated by American Legal Publishing.

A motion was made by Kissling, seconded by Bounds and carried to introduce Ordinance No. 2016-20 entitled:

AN ORDINANCE ENACTING AND ADOPTING SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF HUNTINGBURG, INDIANA

Clerk-Treasurer Dippel reported that he received for the Council from the Huntingburg Redevelopment Commission six resolutions and reports indicating that the following TIF Allocation Areas have no excess assessed value that can be allocated to other taxing units for the year 2017:

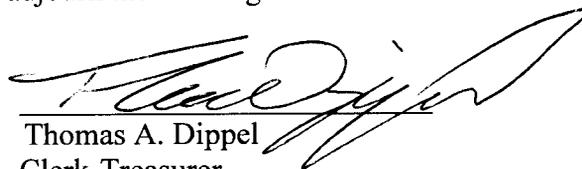
OFS
Northwest Industrial
Industrial Park West
East Styline
400 West Township
400 West City

Clerk-Treasurer Dippel presented the schedule for the upcoming budget cycle for the year 2017.

There being no further business before the Council, a motion was made by Kissling, seconded by Bounds and carried to adjourn the meeting at 8:16 o'clock P.M.



Dennis W. Spinner
Mayor



Thomas A. Dippel
Clerk-Treasurer