

MINUTES OF A WORK SESSION OF THE CLARKSVILLE TOWN COUNCIL HELD ON JUNE 20, 2011

An advertised work session of the Clarksville Town Council was called to order on June 20th, 2011, at 7:40 P.M. in the executive conference room of the Clarksville Municipal Center Administration Building by Council President Greg Isgrigg

Council members present: Greg Isgrigg, Paul Kraft, Vicki Appleby, Donald Tetley, Bob Popp, Raymond Richert and David Fisher. Council members absent: None. Also present at the meeting: Town Attorney Chris Sturgeon, Fire Chief Tom Upton, Town Attorney Rebecca Lockard and Chris Sturgeon, Planning Consultant Sharon Wilson, and Deputy Clerk-Treasurer Anita Elliott-Neeld.

Gary McCartin, former developer of several properties in the Veterans Parkway Corridor Zone came before the council in reference to a letter that he previously submitted to Town Council President Greg Isgrigg setting out what he believed was inconsistent treatment of developers.

Mr. McCartin explained that he had donated \$80,000 to the Town for improvements to public improvements in support of the development of Broadway Heights subdivision off of Broadway. Mr. McCartin stated he believed that all developers were required to contribute funds for these improvements. Mr. McCartin continued by saying he had spoken with other developers in the area and they related to him that they had not provided the Town with any funds for public improvements, further they were paid for property to be dedicated for Bas Pro Drive. Mr. McCartin continued by saying he had donated some of the right-of-way for Bass Pro Drive that was part of his property. Mr. McCartin said the \$80,000 was to be placed in an interest bearing escrow account and to be returned to him if the funds were not used.

Additionally, Mr. McCartin discussed previous conversations with Town staff concerning access points to his property on Bales Lane. Mr. McCartin stated that his "plan A" was the installation of a ramp off I-65 to connect with Bales Lane where his property was located. Additionally, he said he was working on a "plan B" to connect to Veterans Parkway. Plan A Mr. McCartin said was being negotiated by his consultant, Heritage Engineers and he, himself was working on "plan B." Mr. McCartin related that he had misled by the Town regarding the possibility of the ramp from I-65 and that "plan B" had fallen through because part of the easement from Veterans Parkway to Bales Lane had been extinguished by a property owner between the two town streets.

Attorney Rebecca Lockard addressed the Town Council to explain and document the situation as represented in Plan Commission docket files and public records. Ms. Lockard provided the Town Council with the Statement of Commitments executed by Mr. McCartin and the Plan Commission, copy of the Town Council meeting of November 13, 2007 establishing a non-reverting fund for contributions from developers to be used in the Broadway Corridor for public improvements. Ms. Lockard also provided a copy of a report from the Clarksville Clerk-Treasurer documenting the expenditures from the fund. The expenditures were for public utility installation costs for Broadway, all of which were associated with the Broadway Corridor and particularly Mr. McCartin's property on Bales Lanes.

Ms. Lockard discussed the Commitments, particularly item #13 that states that the developer would "donate" \$80,000 towards the improvements to Broadway that were needed due to the road classifications being changed to carry traffic to be generated by Mr. McCartin's development.

Mr. Popp made comments regarding the history of the I-65 ramp as he knew it from 1996. At that time the Town tried to persuade INDOT to install the ramp from I-65 to Bales Lane instead of Lewis & Clark Parkway [then Highway 131]. At that time INDOT considered the distance between interchanges to be insufficient and could not be located at Bales Lane.

Planning Director Sharon Wilson related that “a in planners viewpoint” the carrying capacity of Broadway at the time of the development was a “local road” being two lanes and having only ditches and Broadway is not planned for future improvements. The proposed development of three motels and associated uses are beyond adequate carry capacity and such increase in trip generations the level of service would decline.

Discussion was held on the matter of fire hydrants in the Town being taken out of the Fire Departments Budget and possible being transferred to residents in Clarksville through their Indiana American Water billing. Following discussion, it was determined that more information was needed to discuss this matter further.

Mr. Paul Fetter invited the council to a public meeting scheduled tomorrow night 6/21/2011 at 4:30 to discuss the no toll on I-65 to the bridge.

Adjournment... There being no further business to come before the Council at this work session, the meeting was adjourned at 8:50 P.M.

Minutes prepared by the Clerk-Treasurer of
The Town of Clarksville, Indiana

Minutes approved by the Clarksville Town Council
on the _____ day of _____,
20____.

Gary P. Hall, Clerk-Treasurer
of the Town of Clarksville, IN

Gregory Isgrigg, President,
Clarksville Town Council