

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA,
HELD A REGULAR COUNCIL MEETING IN THE THIRD FLOOR ASSEMBLY
ROOM OF THE CITY/COUNTY BUILDING ON MONDAY, FEBRUARY 5, 2018
AT 7:00 P.M.**

MEMBERS PRESENT: Council Members Mr. Coffey, Mr. Caesar, Mr. Phipps, Mr. McLaughlin, Mr. Nash, Mr. Blair, Mr. Aebersold, Mr. Barksdale and President Knable.

ALSO PRESENT: Ms. Stein, Police Officer Hannon, Mr. Hall, Mr. Gibson, Mr. Thompson, Mrs. Moeller and Mrs. Glotzbach

President Knable called the meeting to order at 7:00 p.m.

INVOCATION:

PLEDGE OF ALLEGIANCE: Led by Mr. Lucas Kaiser

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Barksdale moved to approve the Regular Meeting Minutes for December 21, 2017, Page 4, Mr. Coffey second, all voted in favor.

Mr. Coffey moved to approve the Regular Meeting Minutes for January 18, 2018, Mr. Phipps second, all voted in favor.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Mr. John Smith requested that the council consider live streaming the council meetings either audibly or visually. He believes that we have the technology to do so and feels it would help with transparency and would make it easier for people who can't make it here.

COMMUNICATIONS – COUNCIL:

Dr. Knable stated that Ms. Stein called to his attention that Indiana Code Statute 36-4-13.1 established in 2008 allows the capability and authority for any municipal legislative body to name a youth advisor to their body. He also stated that we are all constantly reaching out to younger people to get them involved and get input so he introduced Mr. Ian Kimble of the class of 2020 at New Albany High School and said that he will be available to the council hopefully in some of the meetings. He also said that he has asked Mr. Kimble to address the council quarterly after he speaks with the New Albany High School Student Council. He stated that he is the junior class president and a very qualified young man so he has charged him specifically with trying to get a list of things that would make New Albany a much more attractive city to move back to after college, seeing other parts of the world, etc. He thanked Mr. Kimble and stated that he is the first person to hold this position so he can kind of make of it what he wants so he hopes that Mr. Kimble will take full advantage of that. He then stated that he has had lengthy conversations with the mayor trying to find some common ground on some items and with the mayor's permission he is reporting back on some of those tonight. He

explained that the mayor and he would like for the fire committee to look into setting up at least one of our stations with a baby box. He said that state legislation is pushing for expanding that program so that young women would have other choices or at least additional choices in a difficult situation. He said that they can make funds available so he is asking the members on the fire committee to discuss this with Fire Chief Juliot because the mayor and he are both on board with it as he is sure many other people would be as well. He added that if no one on the committee wants to do that, he would be happy to but he really would like for someone on the committee to take charge on it.

Mr. Phipps stated that as a member of that committee, he would not be opposed to do it but wonders if the hospital would be a better place to do that than a fire station.

Dr. Knable stated that most of them are at fire stations because they are manned 24/7 and he thinks that hospitals already have the capability of intake on that but they don't quite have the anonymity. He also stated that from what he understands it costs about \$2,000.00 for the box because you have to alter the facility for an alarm mechanism to let them know that there has been a deposit.

Mr. Phipps asked what if they are out on a run.

Dr. Knable stated that the entire house is never empty from what he understands.

Mr. Phipps stated again that he feels the hospital would be the place for it in case the baby has any immediate health issues.

Dr. Knable stated that he thinks it is more of an anonymity type of issue and he believes that hospitals already have intake for that. He added that he feels if it is used once a year or once a decade, it is a lifesaving mechanism.

Mr. Coffey asked if that will be per firehouse.

Dr. Knable stated that it will just be one which is centrally located to start with and then if it is not a burden financially or on the personnel then we could expand to other parts of town. He then stated that he has urged the mayor to name two individuals to the Human Rights Commission as prescribed in the ordinance by the end of March and if not, then they will convene with the numbers that they have. He then explained that he fully realizes that the city council does not have authority over the New Albany Housing Authority but is a sounding board and he had multiple phone calls regarding the issue with Mr. Duggins and the statement about tasing, etc. particularly after it hit the national wire. He stated that he is speaking for himself and not the council. He said he spoke with Mayor Gahan at length about this as well as Mr. Duggins and told them that type of language is unacceptable from a government official. He also stated that he understands that apologies were made and it is up to individuals to whom the apologies were extended to accept them or not. He said that his position on it is that he puts his foot in his mouth everyday so he is not calling for anyone's job in this but he acknowledges that it is unacceptable as an official of the city. He added that the council does not have investigative powers on that and believes that there are investigations going on with the New Albany Police Department and possibly Housing and Urban Development so those should all play out. He also added that the mayor and Mr. Duggins have both acknowledged that is unacceptable and Mr. Duggins has apologized so he thinks we all need to give them the chance to move forward from that. He said that there are a couple

of other measures with common ground between the mayor and he and he thinks there will be a public announcement forthcoming in the not too distant future.

Mr. Blair asked Dr. Knable if he was going to address the calendar because there are two reports that he would like to add.

Dr. Knable stated that he compiled a calendar, which was sent out in the packet, for council committee reports in an effort to get the committees more active. He said that he would like for the council to hear from each other with regards to these matters on at least an annual basis even if it is to just say that the committee convened and everything is 100% perfect. He also said that he has asked Mrs. Glotzbach to put those reports on the agendas as they come up.

Mr. Blair stated that he would like to see sewer and storm water departments added to the calendar because by statute they are required to report to us annually. He also stated that storm water is overdue so he feels they should report in the first quarter.

Dr. Knable agreed. He then stated that he also spoke with Mr. Duggins about giving the council a formal presentation with regards to the New Albany Housing Authority's plan and Mr. Duggins advised him that he would be happy to do that in late March or early April.

Mr. Coffey stated that when storm water does their presentation, he would hope that it will be someone from that department and not someone covering both sewer and storm water.

Dr. Knable stated that he thinks if they are separated, we will have a greater chance of that happening.

Mr. Aebersold stated that he hopes that it was conveyed to Mr. Duggins that this should not happen again not as an ultimatum, but because he sure doesn't want to get the emails and phone calls like he received on that. He added that in his three years on the council, he has never received anything like that on any other issues.

Dr. Knable stated that in his conversation with Mr. Duggins, he got the feeling that he was genuinely regretful that the incident had taken place so he agrees with Mr. Aebersold that you can put your foot in your mouth one time but if there is a second time, then perhaps other consequences need to take place.

Mr. McLaughlin stated that he feels that sometimes we become a little too familiar with the people we work with and/or are around and become comfortable so we sometimes say things that are off the wall. He said that he was not personally at the meeting but could probably ask anyone that was at the meeting what context it was in. He also said that it is very unfortunate and he is guilty of doing the same at one time or another.

Dr. Knable stated that he is too.

COMMUNICATIONS – MAYOR:

Mr. Hall stated that Mayor Gahan wanted to reiterate his support for the tourism projects that the council will discuss tonight and to thank them for their support.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

Mrs. Moeller presented the December 2017 financial report that closes out the financial year and asked that it be read into the minutes.

REPORTS – COMMITTEES, BOARDS OR OTHER OFFICIALS AS REQUESTED BY A MAJORITY VOTE OF THE COUNCIL:

Mr. Phipps stated that he spoke with the staff in zoning and they indicated that they plan to have the new zoning code to the council either late May or early June. He said that he was hoping for it before then but they still have some last minute revisions to do.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

G-18-01 An Ordinance Amending City Ordinance 37.02 Phipps 1&2

Mr. Phipps introduced G-18-01 and moved to approve the first and second readings, **Mr. Barksdale** second, all voted in favor with the exception of **Mr. Coffey** who abstained.

Mr. Caesar moved to amend G-18-01 and add towing to 72.06 parking in front of a fire hydrant, 72.03 parking within an intersection and 72.04 parking on a crosswalk; typo in parking from curb lines to property lines should be changed to 72.05; include 72.11 in the amount of \$20.00 for parking when loading and unloading passengers, **Mr. Blair** second, all voted in favor.

Mr. Phipps stated that they basically realized that a lot of our parking fines are extremely low and probably weren't serving much of a deterrent so they checked out the fines in similar communities such as Indianapolis and Bloomington and attempted to bring ours in line with their fee structure. He said that he felt very strongly to adding towing to two or three situations. He stated that the first situation is if a private driveway is blocked and a resident can't get out. He then stated that the second situation is parking on a sidewalk because it not only impedes pedestrians, but it breaks down our sidewalks. He said that the third situation is parking in a disabled space. He stated that all three situations would have fines in addition to the city towing them.

Mr. Barksdale stated that the number on the second page regarding parking from curb lines and property lines should probably be 72.05 instead of 72.06 and thinks that may have been a simple typo.

Mr. McLaughlin asked for clarification on 72.10 which says parking display cars on street is prohibited.

Mr. Phipps stated that he thinks that is cars for sale.

Mr. Barksdale stated that says that it is unlawful for any dealer to place cars for sale on any street, alley or sidewalk within the limits of the city.

Mr. Phipps stated that another change in the ordinance is that rather than having a first or second offense penalty on blocking the street sweeper, it now doubles the original fine amount if not paid within 30 days.

Dr. Knable asked Mr. Barksdale if he wanted to alter 72.10 to go beyond dealers because we do have people who kind of habitually park things around town.

Mr. Barksdale stated that he was just clarifying that section for Mr. McLaughlin.

Mr. McLaughlin stated that he has had a few questions at times about work vehicles that park on the street in front of their house with advertising on them and didn't know if that was referenced in that section.

Mr. Phipps stated that if it is already in the code in a different area then he doesn't think the fine can be changed on that one.

Mr. McLaughlin said that it is.

Mr. Aebersold asked if someone could park a car that they want to sell on the street for a week or two in front of their house.

Mr. Phipps said that this section is stated for dealers but it would violate 24 hour parking.

Mr. Caesar stated that this section is strictly regarding dealers.

Mr. Phipps stated that if they want to change that, he would be willing to do that.

Mr. Caesar said that he doesn't think that this is the ordinance that addresses abandoned cars in parking lots with for sale signs on them. He also said this is just for dealers parking cars for sale on streets but if a private citizen wants park a car for sale in front of their house, there is nothing that we can do about or want to do about it. He added that we just wouldn't want someone to make a habit of it.

Mr. Barksdale stated that there is a gas station that might have two or three autos for sale parked at the corner of their property.

Mr. Phipps stated that he thinks that is already prohibited in the code but that is not a parking violation if it is on private property.

Mr. Coffey asked if someone buys another car then they have to move it every 24 hours.

Mr. Phipps stated that is what the code now says.

Mr. Coffey stated that we don't give alternatives when we make laws like that.

Mr. Caesar stated that you can go down any street in New Albany any day of the week and find cars that have been parked over 24 hours.

Mr. Coffey said that it doesn't make it right though.

Mr. Caesar agreed but said that this is not really speaking to that and is speaking to dealers that are randomly putting cars out on the street.

Mr. Coffey asked if it specified dealers.

Mr. Barksdale replied yes.

Ms. Stein stated that this ordinance only deals with the fines for situations that are already illegal; it is not making new illegal situations and is not modifying what you can and cannot do. She said that it is just modifying the fines for those violations.

Dr. Knable asked why some fines were decreased.

Mr. Phipps stated that was to bring them in line with Indianapolis which he wasn't necessarily in favor of but the legal department recommended going across the board and standardize them.

Dr. Knable stated that there were a couple that he thought they could perhaps add towing to such as someone parked in front of a hydrant because he feels that the city has an obligation to tow in case the hydrant has to be used. He stated that he feels the same about something parked in an intersection.

Mr. Phipps agreed and said that he would be open to those.

Mr. Coffey pointed out that someone can have a handicapped parking spot in front of their home but any handicapped individual with a handicapped plate or placard can park in that spot as well. He then asked Mr. Barksdale about parking overnight and parking when loading materials.

Mr. Barksdale said that it states that it is unlawful to leave any motor vehicle parked on the public streets for a period in excess of 24 hours or to park any motor vehicle which is held for sale or one which is not in running condition on the street for a period in excess of 24 hours.

Mr. Coffey stated that it does mention for sale. He said that we are trying to micromanage people's lives. He stated that it also means when his family comes in to visit for Christmas, they all have to run out and move their cars.

Dr. Knable stated that he wanted to remind everyone that we are not creating new ordinances but merely amending fines to the ones that are already on record. He said that if anyone wants to revoke a particular one then that can be addressed at a future meeting.

Mr. McLaughlin stated that \$100.00 seems a bit hefty for overnight parking.

There was a lengthy discussion regarding overnight parking.

Mr. Phipps stated that he thinks that overnight parking is only reported when it becomes a problem. He then stated that the only thing he agrees with amending tonight is adding towing to hydrants and intersections. He asked the council if they had any other amendments because he is open to hearing them.

Mr. Caesar stated that he thinks towing should be added to hydrants, intersections and crosswalks. He then said that he would be in favor of the ordinance that includes overnight parking being looked at in the future.

Mr. Barksdale pointed out that on page two it goes from 72.10 to 72.12 and asked if there was any reason that 72.11, which is parking when loading or unloading passengers, was left out.

Mr. Phipps stated that the only reason he can think of is that we probably don't even need to police that. He then asked Mr. Barksdale if he thinks it needs to go back in.

Mr. Barksdale stated that it is in the ordinance just not in the change of fees.

Mr. Phipps stated that the legal department handled this and they have omitted it for a reason.

Mr. Aebersold asked about parking when loading materials and if it came about years ago in the downtown area on Pearl Street.

Mr. Blair stated that is an example of why ordinances need to be reviewed because back then Pearl Street was one way so it wasn't as big of a deal to block one lane as it is now since it is two way.

Mr. Phipps stated that there are a lot of things in our ordinances that need to be cleaned up.

Mr. McLaughlin stated that there is a violation for parking within an intersection but the problem is that there is a 20 foot area up to the circular part of the curb of these intersections that is not painted yellow so we have to get those things painted hopefully this year. He also stated that it is hard to enforce something that is not painted.

Mr. Phipps asked Mr. Gibson if 72.11 was purposely omitted or if it was an oversight.

Mr. Gibson stated that it was probably an oversight.

Mr. Phipps then asked what the fine should be on 72.11.

Mr. Barksdale suggested \$20.00.

Mr. Coffey stated that it was said earlier that we want people to come into our city but this makes it look like we are pick pocketing them.

Dr. Knable agreed and stated that these can be revisited if they become a huge burden on people but he doesn't feel that enforcement will allow to become that at this point.

Mr. McLaughlin stated that he doesn't know if anyone has noticed but there seems to be a few more parking enforcement vehicles out now.

G-18-02 An Ordinance Removing City Ordinance 72.99 Phipps 1&2

Mr. Phipps introduced G-18-02 and moved to approve the first and second readings, Mr. Barksdale second, all voted in favor.

Mr. Phipps stated this is just bringing the ordinance in code with the new fee structures.

**G-18-03 An Ordinance of the City of New Albany, Indiana, Caesar 1&2
Authorizing the Issuance of its Capital Development
Tourism Fund Revenue Bond, Series 2018;
Authorizing the Solicitation of Competitive Bids for the
Purchase of the Bond; Authorizing the Execution and
Delivery on Behalf of the City of a Pledge Agreement
Between the City and the Clark-Floyd Counties
Convention and Tourism Bureau, in Order to Provide
Security and a Source of Payment for the Bond; and
Taking Other Related Action**

Mr. Caesar introduced G-18-03 and moved to approve the first and second readings, Mr. Phipps second, all voted in favor.

Mr. Caesar stated that this came before the council earlier in resolution form and is for the monies that were given to us for the fence at the Culbertson Mansion and improvements to the greenway project. He explained that the rate is in there at not over 5% but thinks we are in agreement that it will be 3% because we want the rate to be as low as possible which will benefit everyone.

Mr. Vissing stated that this is an ordinance that they kind of came about on our statute by accident. He explained that Representative Dick Wathen introduced a bill to give us a 1% tax to be used to pay for bonds issued for tourism and development and they have used it for a lot of good things such as a couple of tents down at the riverfront, restrooms at the riverfront as well as seating at the riverfront. He said that the first bond in New Albany that they paid for was for the 6th Street access road to the riverfront and they have been very successful with these bonds. He said that they have added some technical stuff to this new bond and want to make sure that when the bonds are given that they will be followed up to make sure that everything gets done that is supposed to be done. He explained that it goes into the controller's account and a check will be cut for each expenditure that is approved and checked off by Mr. Epperson. He stated that there is \$825,000.00 and it is paid for by people who are visiting and sleep overnight in Clark County and Floyd County and has nothing to do with any property taxes. He said that they will pledge to take care of these bonds out of that 1% money and will issue a bond for Jeffersonville, Clarksville and New Albany as well. He also said that they have bond counsel in Indianapolis and they will make these to be tax sheltered and desirable bonds to have.

Mr. Blair stated that in the ordinance there is built in a bond anticipation which he was surprised to see and asked what would be the necessity for the city to issue a temporary one year note.

Mr. Vissing stated that Indiana doesn't really have a distinction for this particular bond and to be tax sheltered that was inserted. He also stated that there has never been a cause for that to happen in New Albany, Jeffersonville or Clarksville.

Mr. Blair stated that he has not seen the financials for the tourism bureau and asked if the revenue is in place right now to pay this bond debt.

Mr. Epperson stated that they had Umbaugh & Associates do an analysis of their historical revenue and they suggested that their maximum commitment at this time should be kept at \$3.2M. He said that they have \$1M committed that was closed in 2017 with Jeffersonville, this one is \$825,000.00 and they have one for about \$400,000.00 pending with Clarksville. He added that the board decided to keep these down in the \$2M range and not approach our cap. He also added that they paid off their last bond in 2016 so the 1% has continued to accrue into that dedicated fund and the balance fund right now is about \$700,000.00.

Mr. Aebersold asked how many of these they have done with the City of New Albany.

Mr. Vissing stated that they opened up 6th Street over the flood wall for access to the riverfront, bought two tents for the riverfront, put in restrooms at the riverfront and put in wayfinding signage.

Mr. Phipps asked if it all goes into one pot.

Mr. Vissing replied yes.

Dr. Knable stated that we are the only dual-county in the state and asked Mr. Vissing if that is correct.

Mr. Vissing replied yes and stated that it is unique and there is a statute that created this in 1976. He also stated that there is not a lot of bi-county work in Indiana but this has been very successful.

Mr. Caesar thanked Mr. Vissing for all of his time and expertise.

Mr. Vissing stated that they really appreciate all that New Albany has done because it is really an attractive place.

Mr. Caesar also thanked Mr. Epperson and the board for the funds and creating these possibilities in the community. He said that he feels that they will be really proud as they see the fence go up and the greenway project move forward.

| | | |
|----------------|---|-----------------------------|
| A-18-01 | Appropriation to Provide Funding to Haven House for the Provision of Homeless Services | Caesar/ Phipps 3 |
|----------------|---|-----------------------------|

Mr. Caesar introduced A-18-01 and moved to approve the third reading, Mr. Phipps second, all voted in favor. Bill A-18-01 becomes Ordinance A-18-02.

Mr. Caesar stated that this has been discussed in full at the last meeting and they have a list of expenses that Ms. Anderson has provided as well as their compliance letter from the IRS. He also stated that they all know the services that Haven House provides and this will go a long way in making life a whole lot better for the residents.

Dr. Knable thanked Mr. Coffey for increasing the amount on the appropriation because he thinks it is a reflection of our generosity as a community and acknowledgement of a need that needs to be met.

INTRODUCTION OF RESOLUTIONS:

**R-18-01 Resolution Concerning Statement of Benefits
for L&D Mail Masters, Inc., by the Common
Council of the City of New Albany**

Caesar

Mr. Caesar introduced R-18-01 and moved to approve, Mr. Phipps second, all voted in favor.

Mr. Caesar stated that this is for five years and will cover \$1M. He explained that there is only a net job gain of three but there is a whole different way of doing business today than what there used to be. He said that L&D Mail Masters has been in our community since 1986 and they currently have just under 100 employees and have been a very good member of our community for these long years. He stated that the equipment that is being purchased is for sorting but he doesn't know any of the specifics.

Mr. Aebersold asked what the breakdown of the percentage for five years.

Mr. Blair stated that it is 4/5, 3/5, 2/5 and 1/5, whatever percentage that is.

Dr. Knable stated that under the new tax codes that were recently passed federally, you can really accelerate depreciation on new equipment and asked Mr. Gibson if that is correct. He also asked if we need to juggle our abatement schedule as a reflection of that and maybe not make it quite as lengthy if that is true.

Mr. Gibson stated that he doesn't have an answer for that but he can research it.

Dr. Knable stated he doesn't know that he wants to hold this one up but he would like to hear Mr. Caesar expound upon their net job gain because if our main reason in the past for doing this is to encourage employment and there is a different way of doing things, then do we need to look differently at the way we do things. He also stated that he is pretty sure that you can depreciate equipment now within one or two years and if that is the case, he feels that we really need to look at how we are doing business on our end to keep up with that.

Mr. Gibson stated that we can but he normally gets updates when things change and he hasn't seen any updates so far but that doesn't mean that one hasn't gone out.

Mr. Blair stated that the problem is that specific pieces of equipment are not taxed. He explained that it is a package of equipment that gets taxed and one specific piece of equipment may have accelerated depreciation so it is not necessarily a one to one match with depreciation and how much they are taxed on that piece of equipment.

Dr. Knable said the he is saying that those changes have taken place at the top and he would like for us to be nimble enough to match it at some point. He added that doesn't necessarily mean tonight, but sometime in fiscal 2018 so we are not giving people a break with these that they don't necessarily need.

Mr. Aebersold stated that it also depends on what kind of equipment it is because some of it may be good for 20 years but some of it may good for only 10 years. He added that this one may be good for three years but we are going to give them an abatement for five years.

Mr. Gibson stated that he thinks he understands what is being said but there is nothing that has come across to him regarding it.

Dr. Knable stated that he would just like to review that at some point in the not too distant future and kind of tailor these packages as to the individual companies. He added that he knows this one is a nice, well-established company who is providing really good employment but if the idea is that we are trading tax revenue for employment and getting revenue off of the workers then we are not necessarily getting what we want.

Mr. Caesar stated that there has definitely been some change and thinks that it needs to be looked into. He then asked Mr. Gibson if it is something that he can look into or should the council have their attorney look into it.

Mr. Gibson stated that he doesn't know enough to say "let's not get this done for them right now" but if we want to come back and revisit it, that's fine.

Dr. Knable stated that we are basically grandfathering them in and he doesn't want to slow this down but he just thinks that it would be nice to review it.

Mr. Aebersold asked if we are getting tax dollars from this piece of equipment when it is all over and done with at the end of the five years.

Mr. Blair stated that we get 20%.

Mr. Gibson stated that Mr. Blair is correct that we get that after the second year and then it just phases back in.

Mr. Aebersold stated that he thinks that they need to come up with some kind of an idea that equipment may be good for 20 to 30 years.

Mr. Caesar pointed out that there was expensive equipment that was purchased in his business that was obsolete three years later because technology is advancing.

Mr. Gibson stated that he will make a call to Indianapolis to find out how and if the new tax law affects abatements and will pass that information on to the council.

Dr. Knable asked if anyone from the company was able to be here tonight.

Mr. Gibson stated there is no one but it was his fault because he is not used to doing these that often so he probably didn't tell his office to tell someone to come.

Dr. Knable stated that is okay because Mr. Caesar is familiar with the company and he also knows some of the players there but in the future, he thinks it would be nice to have a representative for the company present.

Mr. Barksdale stated that he thinks One Southern Indiana has come for these before also to show their support.

Mr. Coffey stated that just for the council's information, tax abatements used be 10 years on property and 10 years on equipment. He also stated that a lot of these companies need an abatement to get the equipment they need to be able to compete and if we can get them down to a year, he thinks that would be great.

BOARD APPOINTMENTS:

Dr. Knable stated that last meeting the sewer board appointments were forgotten so he contacted Mr. Grimes and Mr. Wilkinson of the sewer board and they are going to continue in that capacity.

Mr. Blair asked about the storm water appointments.

Dr. Knable stated that he wasn't sure those were due yet but asked Mrs. Glotzbach to check into it. He then stated that the last item in the packet was Council Attorney Stein's contract and he wanted to make sure that no one had any issues with it and if not, he will execute it on the council's behalf when it is up for renewal in April.

Mr. Blair asked if her 10 hours a week include board meetings.

Ms. Stein stated that it does include the meetings but is averaged over the month.

Mr. Blair stated that for some reason he remembers 20 hours with the previous attorney.

Dr. Knable stated that as of this point and time, she hasn't used any overtime hours and there is a clause in the contract that says she can. He added that she has been very liberal on how she adjusts and averages things.

Ms. Stein stated that overtime is really in there in case she gets drug into a trial for some reason but doing just regular council stuff isn't going to necessitate any overtime.

Mr. Coffey moved to accept Ms. Stein's contract and give the council president authorization to execute it on the council's behalf, Mr. Barksdale second, all voted in favor.

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:15 p.m.

Al Knable, President

Vicki Glotzbach, City Clerk