

**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 THURSDAY, OCTOBER 19,
2017 AT 7:00 P.M.**

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

ALSO PRESENT: Ms. Stein, Mr. Hall, Mr. Thompson, Mr. Warren Nash, Mrs. Moeller, Mr. Wood, Mr. Gibson, Police Officer Davidson and Mrs. Glotzbach

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

MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Regular Meeting Minutes for October 2, 2017, **Mr. Blair** second, all voted in favor with the exception of **Mr. Coffey** who abstained and **Dr. Knable** who was not present at the time of the vote.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

COMMUNICATIONS – COUNCIL:

Mr. Phipps stated that he was toying with the idea of tabling the ordinance on the PUDD since they did not receive the maps and exhibits until tonight if that is the wish of the council. He added that he is okay voting tonight if everyone is comfortable with it and asked the council what they would prefer.

Mr. Blair stated that he has questions as far as the plan and asked if anyone was present to answer questions.

Mr. Wood stated that the applicants are not present and typically the council will not proceed with the reading if the applicant is not present.

Mr. Coffey stated that has been their whole play on this whole situation. He explained that if they get the information at the last minute and they don't bother to show up, the council shouldn't extend the courtesy.

Mr. Wood stated that is not what happened and explained that his office has not done a PUDD since the end of last year and they neglected to send the exhibits on this one which he didn't learn until this morning. He apologized to the council for that and added that the applicants had nothing to do with that.

Mr. Coffey asked if the information was sent to the neighbors of that area as well.

Mr. Wood replied yes.

Mr. Blair asked why the applicants did not show tonight.

Mr. Wood stated that he does not know but he did make them aware of the meeting date.

Mr. Blair stated that if they have a big interest then they should be here.

Mr. Coffey agreed and stated that he thinks that more of the neighbors would be here as well if they knew what was being planned.

Mr. Phipps stated that he thinks the best thing would be to table it tonight and address these issues at the next meeting.

Mr. Blair explained that Ms. Stein helped him with research on restricting billboards and they contacted Mr. Wood and learned that for the council to put a moratorium in place it has to go through the Plan Commission. He stated that personally he would like to put one in place as foolproof so they don't take any chances on something happening, but given the timeframe and Mr. Wood's schedule, Mr. Wood is recommending that they wait until the zoning code is put in place because that will be part of code.

Mr. Wood stated that billboards are only permitted in the downtown area and because of the distance separation from each other required, no more can go in downtown so they have reached the highest number of billboards in the C-2 district. He explained that they are not permitted on the remainder of I-64W or on I-265 and he is not overly concerned with an incidence of a billboard application coming in anytime soon.

Mr. Nash stated that there was one taken down on Main Street and asked if they can replace that.

Mr. Wood stated that he believes there is an agreement that they will not replace that.

Mr. Nash asked if that means another one can go somewhere else.

Mr. Wood replied no.

Mr. Blair explained that about six years ago the big electronic billboard just sort of magically appeared and he doesn't think anyone wanted it there so if they put a moratorium in place, they can make sure that doesn't happen again. He stated that they may not get the zoning code implemented as quickly as they would like to so he asked what it takes to do a moratorium.

Mr. Wood stated that it is his understanding that because the moratorium is adopted by resolution, any member of the council can introduce that for a vote. He added that an ordinance amendment has to go back through the Plan Commission and they are required to set it up for public hearing and then after the hearing, they would make a recommendation to the council and then the council could take action.

Dr. Knable entered the meeting at 7:10 p.m.

Mr. Caesar asked if they are making a resolution to the Plan Commission.

Mr. Wood replied no and explained that they are making a resolution that compels the Plan Commission not to issue any improvement location permits for billboards until the zoning ordinance is adopted or a set timeframe.

Ms. Stein asked if this resolution would be binding.

Mr. Wood replied yes.

Mr. Blair stated that he would like to move forward on this for the next meeting.

Mr. Caesar suggested that Ms. Stein get with Mr. Wood for specific verbiage.

Mr. Wood stated that he would get a copy of the moratorium resolution that was used for the opioid clinics.

Mr. Coffey asked if he understands correctly, it would be binding on the Plan Commission so that they could not give a permit for a billboard.

Mr. Wood stated that is correct.

Mr. Blair explained that he received an email from Mr. Terry Herbert that addresses a lot of issues on McDonald Lane and wanted to discuss it with the council. He stated that one issue is that he thinks there is a lack of education on how to use a roundabout and the fact that you should use a turn signal. He explained that Mr. Herbert mentioned that there are signs encouraging drivers to use signals at roundabouts in other cities and asked Mr. Thompson if that is something that he or Mr. Ham could take care of. He stated that there were also concerns about a mailbox that was right into the mouth of the roundabout and the fact that the residents almost have to walk through the entrance of the roundabout to get to the mailbox.

Mr. McLaughlin said that house has been vacant for almost 30 years and if someone is living there they aren't supposed to be.

Mr. Blair stated that Mr. Herbert mentioned two separate incidents where a child crossed the street to go to the mailbox and almost got hit so something needs to be done either way.

Mr. Thompson stated that the contractor is aware of the signs and added that there was a mistake in the plans. He explained that they are going to install two radar speed limit signs that give alerts if you need to slow down. He added that there is also a problem with the height of the signs and they will correct that as well.

Dr. Knable asked how long the flashing radar speed signs stay up because at some point they become ineffective.

Mr. Thompson stated that he is not sure but he will let the police department know to increase enforcement.

Mr. Blair asked about the mailbox issue and if there is anything they can do.

Mr. Thompson stated that they went door to door telling the residents that the post office will not deliver to that side of the road and encouraged the installation of a community box.

Mr. Blair stated that this one particular mailbox looks to be something of a safety issue.

Mr. Thompson stated that he would have to go out and look at it but there is a crosswalk to walk through the roundabout.

Mr. Barksdale asked if there would be any way to get an educational piece about the roundabouts into the sewer bills. He added that he pulled up IN.GOV regarding “how to drive in a roundabout” that has bullet points for the proper procedure.

Mr. Phipps stated that he thinks that there needs to be signs on the locations like he has been asking for at the pedestrian crosswalks. He asked that if they can’t get cones out at the crosswalks, can they get a sign that is over the flasher saying “yield to pedestrians per state law”.

Mr. Thompson stated that he thinks the concern is sign clutter because if there are too many signs then people don’t pay attention to any of them.

Dr. Knable asked if there is any data on the roundabout at Daisy that compares accident rates.

Mr. Thompson stated that he knows that one of the selling points for the roundabout was that they are much safer than a signal but he doesn’t know if there is any data about the accident rates.

Mr. Caesar stated that the only sign you need in a roundabout is one that says slow down.

Mr. Thompson stated that there is a reduce speed limit and arrows already there.

Mr. Barksdale stated that he thinks education is key for this issue.

Mr. Nash stated that he doesn’t trust people with turn signals on anyway so he isn’t sure the signal in a roundabout would help.

Mr. Blair asked if the safety committee of the council should work with the administration on putting in speed tables on some of these streets.

Mr. Thompson stated that when they start installing speed tables that will increase the number of people that come in to ask for more, and they also need to keep in mind the effect on first responders.

Mr. Blair stated that he would recommend putting a committee together to work with the administration.

Dr. Knable stated that he promised the people on Coyle Drive that he would keep asking if the issue of speed tables came up at redevelopment.

Mr. Caesar explained that he brought it up at redevelopment and there was significant discussion on it. He stated that they talked about what Thornton’s is going to do but they didn’t get a solid answer and they talked about the possibility of smaller lanes. He explained that there is a worksheet being completed right now on how much it may cost to make a cul-de-sac there.

Dr. Knable asked who is doing the worksheet.

Mr. Caesar replied Mr. Gibson.

Mr. Barksdale stated that he believes Mr. Gibson was going to draft a letter as well to all the property owners asking for input.

Mr. Phipps asked if it is made into a cul-de-sac would you enter from Daisy Lane or State Street.

Mr. Caesar replied Daisy Lane.

Mr. McLaughlin stated that with all of the roadwork going on, he experienced an instance with a guy standing out in the street with a stop sign hanging down at his side which could cause confusion and safety issues. He explained that he called Mr. Thompson who alerted the contractors and a week later he was going down Elm Street and there were three people sitting in the street with a yellow cone only five feet off to warn drivers.

Mr. Thompson stated that he actually had to call them twice after he witnessed this himself so he called the inspector to let him know.

Mr. McLaughlin thanked Mr. Thompson for calling and suggested that if any members sees anything similar to give Mr. Thompson a call because this is a serious safety issue.

Mr. Aebersold stated that he saw a situation today at 15th Street and Spring Street with three workers surrounded by cones and a truck in the back of them.

Mr. Aebersold asked about the railroad on 15th Street.

Mr. Thompson stated that the railroad just came in last year and redid their crossings.

Mr. Aebersold stated that he doesn't think they did Spring Street.

Mr. Thompson stated that they did take a piece of the crosstie that was broken but he will try to contact them again. He added that they may have been waiting to see what the city was doing with 15th Street first before they did any work.

Mr. Caesar asked if the city is satisfied with the work that was done on Green Valley Road to seal it.

Mr. Thompson stated that it is not complete.

Mr. Phipps asked what the timeframe is on the other section of West Market that will eventually convert to two-way.

Mr. Thompson stated that right now they are looking at the end of the month.

Mr. Phipps stated that this will alleviate some of the congestion at State Street and Market Street.

Mr. Barksdale asked how far they are taking it.

Mr. Thompson replied down to 5th Street.

Mr. Coffey thanked Mr. Thompson for all of his hard work during Harvest Homecoming.

Mr. Blair thanked Mr. Thompson for jumping on McDonald Lane right away.

Mr. Barksdale stated that he has noticed Ecotech crews out in the alleys doing cleanup and he is very appreciative of what they are doing for the city.

Mr. Coffey stated that eventually they are going to have to help fund this because it is a never-ending job.

COMMUNICATIONS – MAYOR:

Mr. Hall stated that Mayor Gahan wanted to invite everyone to the Trunk or Treat events on October 28th at the amphitheater. He explained that the events has grown quite a bit over the years and hopes they are able to come out and participate.

Mr. Blair asked how businesses find out about participating in this event.

Mr. Hall stated that they put out an open call.

Mr. Blair asked how many children they expect.

Mr. Hall replied about 5,000.

Mr. Blair asked if it is first come first serve for parking for vendors.

Mr. Hall replied yes.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

Mrs. Moeller presented the financial report for September 2017 and asked that it be read into the minutes.

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

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

G-17-09 **An Ordinance Amending City Ordinance
Section 72.01**

Phipps 1&2

Mr. Phipps introduced G-17-09 and moved to approve the first and second readings, Mr. Caesar second, all voted in favor.

Mr. Phipps stated that prior to the street modernization they didn't have designated spaces marked but now that they are marked, there is no way to ticket if they park over the line or take up more than one space. He explained that they will also need to add that into the penalties section so this will need to be amended. He added that one thing he

noticed when looking at the fines is that they are pretty mild in most cases and they might want to eventually look at changing those to make them a little bit more of a deterrent.

Mr. Aebersold asked about pickup trucks with trailers.

Mr. Phipps stated that trailers shouldn't be parked on the street for more than 24 hours.

Mr. Aebersold asked if they were in two spaces would that be okay.

Mr. Nash asked about if they were two individual licensed vehicles.

Mr. Phipps stated that would be debatable if a trailer would be considered a vehicle.

Dr. Knable asked what about a delivery truck making stops.

Mr. Phipps stated that would be a different situation than someone parking a trailer on the street all the time.

Mr. Barksdale stated that if you read through the codes it mentions delivery trucks and blocking the street for a short period of time.

Dr. Knable asked Ms. Stein about passing first and second reading tonight and then amending it to add the penalty for third reading.

Ms. Stein stated that she thinks they would want to do a second ordinance to change all the penalties but add on the one that pertains to this particular violation.

Mr. Phipps asked the council what they would think is a fair fine for general parking offenses.

Dr. Knable recommended \$10-\$20 and he stated that he would hit it harder for the handicap violations.

Mr. Coffey stated that he would recommend towing for handicap violations as well.

Mrs. Glotzbach stated that the penalties for non-payment is \$50 which she thinks is excessive and suggested that is something else the council could look at.

Z-17-03 Ordinance Amending the Code of Ordinances Phipps 1&2
of New Albany, Indiana Title XV Chapter 156
(West Street Mews, Inc. requests a PUDD to permit
freehold townhouses in the R-2, Urban Residential
district at 1105-1109 West Street)

Mr. Phipps tabled this item.

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

Mr. Barksdale moved to appoint Mr. George Budd to the Historic Preservation Commission, Mr. Coffey second, all voted in favor.

Mr. Barksdale stated that Mr. Budd is relatively new to the city and has done a great job of preserving the home he moved into a year ago. He added that his professional experience as a lawyer along with his passion for preservation would be very good for the commission.

Mr. George Budd stated that he works for Schad & Schad so he lives and works downtown and is very motivated to keep the progress of the city going.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no further business before the board, the meeting adjourned at 7:50 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk