

**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,
SEPTEMBER 5, 2019 AT 7:00 P.M.**

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

ALSO PRESENT: Amy Stein, Mike Hall, Mickey Thompson, Police Chief Bailey Linda Moeller, Shane Gibson and Vicki Glotzbach

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

MOMENT OF REFLECTION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Caesar moved to approve the Regular Meeting Minutes for August 15, 2019 with corrections, **Mr. Coffey** second, all voted in favor.

Mr. Phipps moved to approve the Work Session Minutes for August 05, 2019, **Mr. McLaughlin** second, all voted in favor.

Mr. Barksdale moved to approve the Work Session Minutes for August 15, 2019 with corrections, **Mr. Coffey** second, all voted in favor.

COMMUNICATIONS – COUNCIL:

Dr. Knable gave Mr. Blair some Economic Development Reports from 1 Southern Indiana. He said that they could have a broader discussion on them on another night because he feels that it is money well spent.

Mr. Blair stated that they are already scheduled to come in to address the council and asked Mrs. Glotzbach what that date is.

Mrs. Glotzbach stated that they are scheduled for November 21st.

Dr. Knable stated that the mayor vetoed the fireworks ordinance and that Ms. Stein has some procedural information on that.

Ms. Stein stated that it takes a two-thirds vote to override the veto and that would have to happen at this meeting.

Dr. Knable stated that he respects everyone's position on the ordinance including the mayor's and he doubts that anyone's position has changed so he has no intentions of asking for such a vote at this point.

Mr. Coffey stated that there has been some remedy to the situation at Cherry Valley Golf Course. He said that we cannot give them money because we did that before and were wrote up by State Board of Accounts for it. He said it isn't our property because it belongs to the state. He said that they do need help so it has been worked out that a couple of people are going to go down there for 20 hours per week to help them accomplish what they need to do. He added that the bridges can be discussed later on.

Mr. McLaughlin stated that he went there to check it out and he knows in particular where two of the bridges need the most help. He said he feels that for the interim, the

point in question on one hole is the 140 yards so if you move the tee up across the creek then you are looking at a 90 yard hole and take the bridges out of it completely right now.

COMMUNICATIONS – MAYOR:

Mr. Hall stated that the mayor wanted to reiterate his thanks to the council for all of their hard work on the budgets.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

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

PLAN COMMISSION – Mr. Phipps

Mr. Phipps reported that they approved a variance on a preliminary plat approval for a subdivision on Payne Koehler Road. He said they also approved a daycare on Lynn Court as well as well as a medical building on Technology Avenue which is out in the Purdue property.

Mr. Blair asked if the subdivision was the same lot that was approved six or seven years ago.

Mr. Phipps stated that he doesn't recall because he was not on the plan commission at that time.

Mr. Blair stated at that time is was a PUDD.

Mr. Phipps stated that this is not a PUDD and it is located at Chapel Lane and Payne Koehler Road.

REDEVELOPMENT COMMISSION – Mr. Barksdale

Mr. Barksdale reported that they only had one meeting this time and highlighted the following:

- Approved a RFP with conditions for five properties in the 800 block of Vincennes Street.
- Tabled a RFP for two properties on Cherry Street because they needed more information.
- Awarded the contract for the green space at East 15th & Main streets.
- Purchased the property at 2724-2730 Charlestown Road. (Corner of Slate Run and Charlestown Road)
- Approved a change order for the Grant Line Road South project.
- Approved a change order for the Market Street median project.
- Discussed commercial blight on East Spring Street from Silver Street to Silver Creek.

Mr. Coffey asked if they have any plans for the use of the purchase at Slate Run Road and Charlestown Road.

Mr. Barksdale stated that he believes it will be a staging area for construction equipment for a while.

Mr. Phipps asked if it includes the old car wash property.

Mr. Barksdale said he thinks that it includes that also.

Dr. Knable recommended a green space or pocket park for that area rather than a permanent staging area.

Mr. Barksdale stated that it is probably not really buildable so he will take that back to the commission.

Mr. Blair stated that there is an insurance agency right next door to it so it may be worthwhile to approach them to see if they can use part of it or something.

Mr. Nash stated that he attended the ribbon cutting at Chicago City Pizza which is located at the old Wendy's on Charlestown Road. He said they were very nice people and they are officially open now.

Mr. Barksdale asked if it is locally owned.

Mr. Nash replied yes.

Mr. Blair then took a vote to move R-19-08 up on the agenda, all voted in favor.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF RESOLUTIONS:

COMMUNICATIONS – PUBLIC: R-19-08 (Sherman Minton)

Mr. Randy Smith stated that the council has every right and really should express their opinion with a resolution to send to the department of transportation but you have no reason to send 1 Southern Indiana's resolution with your name on the bottom because you are members. He said that he wants the council to defer this and deliberate then write up a resolution that represents the city and the city's interest. He explained that he does not want the bridge closed for 15-23 months and feels that as a body, they will only get one bite and probably can't do another resolution. He stated that New Albany has a more resilient street grid with five two-way streets downtown getting onto the interstate and we don't want to back traffic up to the Clark County line which he has seen happen now at times with all lanes open. He suggested providing exclusive morning ramp access to New Albany residents which can all be done with cones and signals. He said that he would like to add a strong demand to the resolution that New Albany will need money for signs, barriers, traffic officers, etc.

Ms. Wendy Chesser, 1 Southern Indiana, stated that they have been watching the Sherman Minton renewal conversation and some members were very concerned so they brought it to 1 Southern Indiana's advocacy council. She said they invited the gentleman from INDOT who is the project lead to speak to the council in early spring of this year. She explained that the bridge needs to be done because it is a 56 year old bridge and the renewal will add another 35 years to the life of the bridge and they feel that is vital to commerce in this area. She stated that they also realize that public safety is the first priority they should have so they are supportive of any options that prioritize public safety. She said that he explained to them that if you maximize access to the bridge it will take more time but if you want to minimize the time that the bridge is closed, you will have to minimize access during construction. She said that they submitted a letter to the Sherman Minton Bridge Renewal Website of some examples of access issues that this will create for some of the businesses. She stated that they have also participated in the community advisory council that they have put together and have shared with their members the surveys that are going out on social media as well as when the public hearings have been taking place. She explained that on July 16th, they submitted their letter to the website that basically says once they ensure public safety, they would like to see minimum restrictions on the bridge. She said that they want to make certain that the voices of businesses are heard in this debate.

Mr. Rob Dunn, Develop New Albany, stated that they are 100% in support of what the council is lobbying to INDOT to mitigate the situation into New Albany. He explained that business owners unanimously want the minimum amount of interruption but feel that the economic and business impact is not being taken into account. He said that there is an environmental impact study being done but that is really the only survey being done so

they don't have any hardcore analysis of how it will affect the downtown businesses. He also said that they want to partner with who they can partner with to be stronger because we have gained a lot of ground in the last 10-15 years in New Albany and they would hate to see a routine bridge repair shut some of our store fronts and lose a lot of economic prosperity. He asked that this council take small businesses into account and get as much help for them as they can because they count on the council, city government and state government to take care of them.

COMMUNICATIONS – PETITIONER: A-19-08 (Sherman Minton)

**R-19-08 Resolution in Support of Maintaining Knable/Barksdale
 Access during Sherman Minton Bridge
 Renewal Project**

Dr. Knable introduced R-19-08 and moved to approve, Mr. Barksdale second.

Mr. Barksdale removed his second.

Dr. Knable to moved to add the following paragraph: WHEREAS, this is an enormous enterprise the specifics of which shall continue to evolve, you may expect further communication from us as the project develops, Mr. Caesar second, all voted in favor.

Dr. Knable introduced R-19-08 as amended and moved to approve, Mr. Barksdale second, all voted in favor.

Dr. Knable explained that he was asked today if the small business owners are afraid of what may happen during the closure and he said no because these are some of the bravest people in the world but they really need to know what is coming to plan accordingly. He said that he disagrees that we only have one bite at this and feels that the council can petition it every other week if we want. He recommended proceeding with the resolution and adding more documentation down the road if need be.

Mr. Barksdale stated that he looks upon this as showing that the city council is all on board with this document and feels that it is something that should be done and should be unanimous. He also stated that he knows that the resolution is non-binding but feels it is important to do just as they did with the school referendum a few years back. He also feels that it is important for INDOT to see that the council is very concerned about their city.

Mr. Coffey asked Ms. Stein if the council can do more on this.

Ms. Stein stated that she agrees with Dr. Knable and doesn't feel that there is anything that would prohibit subsequent resolutions especially since this is a work-in-progress. She also stated that they haven't finalized their plans yet and as they move through the process, if the council wants to respond to a step that would not be prohibited.

Mr. Coffey said that he feels it weakens it though.

Dr. Knable stated that he is not recommending that and feels that their collective silence would say more about what they feel for their community than their collective voice for this.

Mr. Coffey stated this talks about businesses only and there is nothing in it that talks about the people that will have to use the tolled bridges as a result of this. He said that it will really hurt some people in the pocket book.

Dr. Knable pointed out that it talks about employees, customers, faculty and students.

Mr. Coffey stated that the bulk of it does not. He explained that he is for sending something but feels it needs to be as direct as possible. He said that it is not going to hurt

just downtown but it will hurt the whole community. He stated that he understands that Dr. Knable is trying to get ahead of the game but sometimes it's better to make sure you are covering all bases. He also stated that we are going to lose revenue from the riverboat and revenue from downtown so he would like to see something definitive to follow this.

Mr. McLaughlin stated that he likes it but agrees with Mr. Coffey that maybe we need to put some statistics or past history of what happened the last time the bridge was closed. He said that he sponsored the first resolution against tolls on the Kennedy Bridge. He said that he did not make the last meeting that they held and asked if anything was said about a possible tax break for people that have to get transponders. He said that he will support this but would like to have a little more evidence in it on what we are backing up and a little punch to it.

Mr. Caesar stated that he will support this tonight and thanked Dr. Knable for putting it together. He would like to follow up with more documents and suggested a free transponder to citizens that make less than X amount of dollars. He said that when the bridge went down, it expanded eatery business downtown but his business did suffer. He said that he is for this and suggested digging down a little deeper and getting a little more specific. He added that they don't have much time.

Mr. Phipps stated that he is in support of this if it is the best we can do but Mr. Smith did bring up some good points that maybe we need to be a little more specific about certain issues. He said that it wouldn't prevent them from coming forth later on but we don't want to wait until they implement something because it will be too late. He suggested putting in the resolution that additional recommendations will be forthcoming. He stated that on social media someone suggested converting the two-way streets back to one-way during that period to allow for greater flow to the bridge. He said that he fought hard for the third district to get that changed so he would definitely fight that.

Dr. Knable said he would be behind him 100%.

Mr. Phipps said that something needs to go in there about not disrupting the businesses and the homes adjoining the downtown area. He added that he liked the idea of giving people who meet a certain income threshold a break on tolls. He said he just thinks they need to add another paragraph saying that they are going to hear more from the council.

Mr. Nash stated that the bottom line is that there is too much we don't know about what they are going to do. He said he looked at each of the options and there is too much variation in each of the steps they want to take so until we know those, we can't get more specific. He then suggested that the new council have a standing committee to address how it should be handled. He stated that there is too much gap in the length of time between the short-term and long-term so it is hard to pick an option. He also said that he will support this tonight and feels that the council should keep hounding them and stay involved as the process moves forward.

Mr. Aebersold stated that when he first read it, he didn't feel that it has much meat to it to show how much trouble this will cause for New Albany. He said that he has emailed and talked to the department of transportation and they won't do anything with tolls and we need to do something to reduce the pain that it will impose on the people. He said that we have no idea what these contractors are going to come up with and we have to relieve the pain on the people and he doesn't feel that this resolution addresses that.

Mr. McLaughlin suggested putting some history of the last closure in it.

Mr. Aebersold stated that at the last meeting he went to, he told them that they need to make sure that they work on Saturdays and Sundays because there is very little traffic on the weekends. He also stated that they need to put three shifts on it and get it done as soon as possible.

Mr. Blair stated that he does agree that we need to send something to them immediately but he thinks it should be a continuation of communication. He said he does like the idea of forming a committee and asked if they should have an economic financial study to see what the impact is to certain businesses. He also said that they could then measure any financial assistance that may be needed. He stated that they should also get to a point where they endorse a specific option. He then stated that they should have to assist with some sort of marketing campaign to help Develop New Albany.

Mr. Phipps stated that the estimates that they provided on the timetable did not consider things such as how bad weather could slow it down or if they run into issues. He agrees that all six plans are bad and they have to figure out which one is the lesser of the six evils.

Mr. Caesar stated that whatever they say is going to happen, he can see those options changing as the projects goes on. He then said that he thought he remembered that in September there were going to be some final decisions made or guiding decisions made.

Dr. Knable stated that they had no specifics as to when that was going to happen.

Mr. Caesar said he is still in favor of sending this and if the council wants to put a new paragraph in it saying that more information is coming, he is fine with that.

Mr. Coffey stated that he wants to ask the governor to come down and listen to the problems of the people, not just businesses, who are going to be impacted by this.

Mr. Barksdale stated that he is good if they want to add a last line in it about more to come.

Mr. Blair stated that traffic is going to back up on 265 which is going to cause additional sound and there are some neighborhoods that back up right to the interstate there which will decrease their quality of life. He said when he asked about that they said it is a temporary project so they wouldn't consider sound barriers. He felt two years was a long time to be temporary so he feels that is something else that needs to be considered. He said that he did ask our state representative to ask INDOT to do a sound measurement.

Mr. McLaughlin stated that if it goes down to one lane, routing truck traffic around 265 needs to be a requirement rather than taking Spring Street or Market Street to get into Clarksville.

Mr. Coffey asked what this is going to do to Padgett because he employs a lot of people with a lot of good wages.

Mr. Phipps stated that Mr. Coffey made a good point about getting the governor involved because the governor will carry more weight than this council will. He also stated that our representatives in congress and the senate should be involved as well because there will be federal and state money involved.

Dr. Knable stated that he already discussed it with the congressman and he has a line open to the governor and certainly looks forward to Mr. Coffey's resolution inviting him at the next meeting and he will support that. He said that if we wait for studies, that bridge will have closed and reopened three times. He also said that this is intentionally vague because it is a potentially nebulous project so he recommended that they adopt Mr. Phipps idea to add an additional paragraph.

Mr. Coffey asked for his open mailing/email address for the governor so that his request doesn't have to go through a whole bunch of people.

Dr. Knable stated that he is not at privilege to give that away but he would be happy to get something to the governor for him.

INTRODUCTION OF ORDINANCES:

READING

COMMUNICATIONS – PUBLIC: A-19-02 (Salaries/Elected Officials)

COMMUNICATIONS – PETITIONER: A-19-02 (Salaries/Elected Officials)

**A-19-02 An Ordinance Setting Salaries for the Caesar 1&2
Year 2020 for Elected Officials**

Mr. Caesar introduced A-19-02 for first and second readings, Mr. Coffey second, all voted in favor.

Mr. Caesar stated that this has been discussed and they have the final budget numbers that have been given tonight and we are within budget.

Mr. Phipps stated that he was not present for that portion of the work session and he is never in favor of giving himself a raise but if you don't adjust them every four years then you run into what is called salary compression. He said this would be the year to make an adjustment because we don't know if any of us will be back for the next term. He said he just wanted to point out that it is an issue where the salaries are going to get way behind if we don't adjust those in the same way that we adjust other city workers.

Mr. Blair said that right now 2% is built in just like for all other city workers.

Mr. Phipps stated that other years it was proposed and they took it out.

Mr. Blair stated that the past three years they have.

Mr. Phipps stated that it would still be 6% percent behind but he doesn't do it for the money anyway so he doesn't care but it is just called salary compression over time.

Mr. Blair stated that he agrees and the way he views it is as being here for the good of the community and it's more of a volunteer position so he would just as well not get paid and that's why he has always been adamant about not getting increases.

COMMUNICATIONS – PUBLIC: A-19-03 (Salaries/Non-Bargaining)

COMMUNICATIONS – PETITIONER: A-19-03 (Salaries/Non-Bargaining)

**A-19-03 An Ordinance Setting Salaries for the Caesar 1&2
Year 2020 for Non-Bargaining Unit
Employees**

Mr. Caesar introduced A-19-03 and moved to approve the first and second readings, Mr. Coffey second, all voted in favor.

Mr. Caesar stated that it is all pretty standard and straight forward as in previous years.

COMMUNICATIONS – PUBLIC: A-19-04 (Non-Reverting Budgets)

COMMUNICATIONS – PETITIONER: A-19-04 (Non-Reverting Budgets)

**A-19-04 An Ordinance to Fix the Non-Reverting McLaughlin 1&2
Budgets for the Year 2020**

Mr. McLaughlin introduced A-19-04 and moved to approve the first and second readings, Mr. Phipps second, all voted in favor.

Mr. Barksdale stated that the numbers that were given on the Non-Reverting Parking Fund at the work session look to be about \$1,000.00 off for some reason. He said that he thought at one point the 2% raise was not added in.

Mr. Gibson stated that is correct and added that social security and PERF were not factored in on the spread sheet for some reason so that's where the difference is made up.

Mr. Barksdale then stated that the Parks Accumulative Non-Reverting Fund was \$250,000.00 and in the ordinance it is now \$200,000.00.

Mr. Gibson stated that it is based upon a set rate anyway and is non-reverting so we have to keep track of the money that is already in there. He said that it is all based on assessed value and is .0091% of assessed value. He also said that he doesn't have next year's numbers yet but it runs about \$120,000.00 every year so he sets it about \$200,000.00 because of the current balance in it that will be used. He stated that he adjusted it down because that is more than likely what it will be.

Mr. Caesar asked if the overall tax rate is changing.

Mr. Gibson stated that it will fluctuate each year based upon assessed value but it's not an automatic rate increase or decrease.

Mr. Blair explained that they take the budget for the city and the school corporation and then calculate the assessed value and divide it to get the rate so the rate is derived from the other two factors and not the other way around.

COMMUNICATIONS – PUBLIC: A-19-05 (General Fund/Other Budgets)

COMMUNICATIONS – PETITIONER: A-19-05 (General Fund/Other Budgets)

**A-19-05 An Ordinance to Fix the General Fund McLaughlin 1&2
 and Other Budgets for the Year 2020
 As Amended**

Mr. McLaughlin introduced A-19-05 and moved to approve first and second readings, Mr. Phipps second.

Mr. Phipps withdrew his second.

Mr. Barksdale moved to amend EDIT line item 4439 in paving to be \$2M and amend Riverboat line item 4490 to be \$1M, Dr. Knable second, all voted in favor with the exception of Mr. Caesar.

Mr. McLaughlin introduced A-19-05 as amended and moved to approve the first and second readings, Mr. Phipps second, all voted in favor.

Mr. Gibson stated that he passed out more information on paving because there have been discussions about maybe looking for an additional \$1M so what he passed out are updated projections of LIT, Riverboat, LRS and Rainy Day funds. He said that the top sheet shows the calculation of the amount of money being spent on paving, sidewalks, etc. for next year. He said that if the amendment is accepted then we would have a total of \$3.65M. He also said that there are approximately \$2.4M of TIF road projects next year so we would have just a little over \$6M for roads if this amendment is passed. He stated that the final column is \$1.7M and is the expected balance of EDIT, Riverboat and Rainy Day that can be used for other things such as projects, activities, etc.

Mr. Nash asked if he knew what we spent in paving for this year.

Mr. Gibson replied approximately \$4M.

Mr. Barksdale stated that he noticed that police cars were put into LIT.

Mr. Gibson stated that is obviously not in the budget right now so if that is approved by the council, he wanted to make sure you could see where that is. He also stated that if

that is approved, it will be 15 new police cars for this year. He said that he just wanted the council to see what it would do to the balance if he puts police cars in.

Mr. Coffey stated that he has been worried about putting a number in the budget for police cars for every year because at that rate, it is not sustainably.

Mr. Gibson stated that it is budgeted in for next year for about \$390,000.00 which is about 12 police cars.

Mr. Coffey said that 12 is reasonable but 15 is really stretching it.

Mr. Blair stated that he sees it as there will be a maximum of \$450,000.00 budgeted for the cars and if they don't use it all then it will just leave more money in EDIT.

Mr. Coffey stated that if that is budgeted then they will use it so it needs to be on a basis of what is needed and not a projected basis. He then asked Mr. Caesar if the casino has given any idea of how much money they will lose once the bridge closes.

Mr. Caesar replied no but said he thinks it is safe to say that in 2021 and 2022 there will be less money coming around.

Mr. Gibson explained that the other item he passed out shows where the budget numbers fall and miscellaneous. He said that they have seen it before and it was actually a little bigger when they started the budget talks because they updated the numbers on the LIT that goes into the general fund so they are saying that it will be almost \$200,000.00 more. He explained that when you look at the board of works budget and where he has talked about 911 Communications, that number is higher because the additional money from LIT was put in there.

Mr. Barksdale asked about the salaries in line item in the amount of \$169,924.00.

Mr. Gibson stated that covers Mike Hall, Mickey Thompson and Brad Walker.

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:40 p.m.

Scott Blair, President

Vicki Glotzbach, City Clerk