

**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, JANUARY 4, 2016
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: Mr. Lorch, Mr. Duggins, Police Officer Davidson, Mr. Warren Nash, Mr. Thompson, Mrs. Moeller, Mr. Wood, Mr. Hall, Mr. Wilkinson, Mr. Ham and Mrs. Glotzbach

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

INVOCATION: To be given by ministers of different faiths, if present. If none are present, then a moment of reflection.

PLEDGE OF ALLEGIANCE:

ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT:

Mr. Blair nominated **Mr. McLaughlin** for President of the council, **Mr. Coffey** second, **Mr. Caesar** asked that nominations be closed for voting, all voted in favor.

Mr. Caesar nominated **Mr. Phipps** for Vice-President, **Mr. Blair** second and asked that nominations be closed for voting, all voted in favor.

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Special Meeting Minutes for December 14, 2015, **Mr. Coffey** second, all voted in favor.

Mr. Caesar moved to approve the Public Hearing Meeting Minutes for December 17, 2015, **Mr. Phipps** second, all voted in favor. **Blair** abstained

Mr. Phipps moved to approve the Regular Meeting Minutes for December 17, 2015, **Mr. Blair** second, all voted in favor.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

COMMUNICATIONS – COUNCIL:

Mr. Phipps explained that he tabled the ordinance on rental registration at the last meeting in December and stated that he plans to bring it back for the first meeting in

February. He explained that he wants to tweak the ordinance a bit, have a work session and maybe put together a committee, but he wanted to see if there was enough support within the council to move forward.

Mr. Caesar stated that he believes that it needs to move forward he just not as it was originally written but it is an important topic.

Mr. Blair stated that he would like to see it move forward but would like to see a couple of the committee members be chosen from the homeowners and realtors associations.

Mr. Phipps asked how they should go about selecting the committee.

Dr. Knable stated that they had some very eloquent speakers at the last meeting representing the property owners and recommended that they find committee members among that group.

Mr. Barksdale stated that he knows a landlord that may be interested in serving and he will get their information for the council.

Mr. McLaughlin asked if there were any volunteers to serve on this committee.

Mr. Nash volunteered.

Mr. Phipps stated that he would of course be on the committee.

Mr. Coffey stated that for years people in certain areas have been talking about issues they have had with drainage. He explained that Mr. Ham told the Board of Works that there were no problems during their meeting but two days after the flooding people had dumpsters in their yards emptying out their garages and homes. He stated that this has been going on for the last 8-9 years and he was told that the issues were with a pipe belonging to the state but that isn't true. He explained that it is a pipe that they have asked to be fixed by the city and now it is becoming a quality of life issue. He stated he knows board appointments are sometimes made regarding party affiliation and he wanted to make the council aware that he has contacted the party chair and he is no longer affiliated with the Democrats.

Mr. Caesar asked if the clerk has contact information for all of the new council members.

Mrs. Glotzbach stated that she does.

Mr. Blair explained that they get financial information from the sewer department and he looks at it regulating. He stated that he has some questions about that information so he would like to set up a meeting with the board members and Mr. Sartell and asked if any of the other members would like to be involved.

Mr. Coffey stated that he thinks it would be good for the council as a whole to meet with them especially with the new members.

Mr. Blair asked Mr. McLaughlin if he would like for him to set up a meeting.

Mr. McLaughlin stated that would be fine.

Mr. Blair stated that he would like to get a better understanding of what they are doing and how they are spending money and he will set it up before one of the upcoming meetings.

Dr. Knable explained that he would like to follow up on what Mr. Coffey was talking about earlier regarding flooding, and to make good on a promise he made one of the home owners affected by the flooding. He stated that as they put together an agenda for 2016 he would like for them to emphasis the issues with flooding as every district has had problems and he would like to bring it to the forefront and if there are any committees dealing with this he would gladly volunteer.

Mr. Barksdale explained that one of the residents affected was Mrs. Roach and she is going to try to get together some of the other residents to meet with a few council members to talk about their needs. He state that he was there and saw what was going on and it was pretty dramatic so he wanted to make the board aware that there will be a meeting coming up soon regarding this issue.

Mr. Coffey stated that he is going to see if they can get the room at the library for a public meeting. He explained that this is not the first time it has happened in this area and they have been told there isn't a problem there but they saw it firsthand.

Mr. McLaughlin stated that Mr. Mike McDaniel passed away and wanted to make sure the council was aware. He welcomed the new members and said that he looks forward to working together.

COMMUNICATIONS – MAYOR:

Mike Hall stated that Mayor Gahan wanted to congratulate and welcome the new council members and they look forward to working with them as well as those that were re-elected.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

Mr. Thompson stated that he and Mr. Ham were out the night the flooding occurred on West Street. He explained that they called the state that night and a resident had already called the state as well. He stated that they got a contractor to come in and the pressure was relieved so that it would drain out of the alley and then they did further research into who was responsible for the pipe that was holding the water back. He explained that they have operated under the assumption that it was the state because of where it is located and they were saying that they didn't think it was theirs. He stated that Mr. Ham has had a few more conversations with them as late as earlier today and he can fill the council in on what resulted from those conversations.

Mr. Ham stated that they have had multiple conversations with the stated including the local sub-district manager, Mr. McGuffey. He explained that they had a hydraulics engineer come down today from Seymour to inspect the pipe and they also did some research into the right-of-way and easements for that pipe, and the preliminary results indicated that it sits on their property and is a state maintained pipe. He stated that at his point they have not heard what their plan is but their engineer did come down today to review it, but the work they did on Sunday evening helped to relieve the backwater that was evident at Cherry and West. He explained that there is about 50-150 feet of pipe that has dropped 6-8 feet and apparently a local homeowner noticed it about a month ago, but they didn't receive any word that this had happened. He stated that the pipe still remains somewhat constricted even though they were able to relieve the flooding, but the pipe is 50 years old which is the average age of a corrugated metal pipe. He explained that they are waiting to hear back from INDOT and according to their communications it will be sometime tomorrow or Wednesday before they have any idea regarding what approach they are going to take. It was a pipe that was put in when I64 was installed. He stated that their concern is not only the condition of the pipe and how much they have to replace, but also the proximately to I64.

Mr. Coffey stated that one of the problems with the flooding is the line that sets in the alley.

Mr. Ham stated that they made sure that line was clear and the installed an additional catch basin. He explained that they rebuilt a junction box in the rear of one of the homes and piped it from there to take it to the ditch along West Street, and the trenched the ditch to make sure it would stay in the ditch line when it was draining. He stated that there is a lot of water movement in that area and being at the bottom of the hill makes it even more difficult.

Mr. Thompson stated that while the sub-district supervisor out there Mr. Ham made them aware of some other problems they were having on the other side of the expressway by the golf course which is another area they haven't acted on in awhile

Dr. Knable stated that the residents did comment on their appreciation for the rapidity of the response from Mr. Thompson and Mr. Ham and he thanked them for that. He explained that maybe they can bill the state for the hours and equipment since it is their property.

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

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

Z-16-01	Ordinance Amending the Code of Ordinances of New Albany, Indiana Title XV Chapter 156 (Docket P-03-15: Town Center North, LLC)	Phipps 1&2
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Mr. Phipps introduced Z-16-01 and moved to approve the first and second readings, Mr. Caesar second, all voted in favor with the exception of Mr. Coffey who abstained.

Mr. Phipps stated that this is the PUDD that was approved on Grantline Road and they are basically changing it to allow the addition of storage units in the back and explained that Mr. Wood is here to answer any questions.

Mr. Wood stated this is the fifth time that this has come before the council since 2005 and gave a brief history of the property. He explained that a PUDD is only good for 18th months and the last time this one was before them was in 2013 so it has since expired. He stated that he doesn't see the applicants in the audience but they were made aware of the meeting date and time.

Mr. Caesar stated that this is a recommended plan that comes from the Plan Commission to them and they are to review it and either approve or deny the request. He explained that if the council votes to approve the request it has to go back to the Plan Commission for final review and approval. He stated that the only issue he has is the amount of added

traffic and the way the entrances are configured, and he thinks there needs to be a traffic light at St. Joe Road.

Mr. Wood stated that they can't just compel a traffic light, they have to do a warrant analysis. He explained that it will be a condition of the PUDD secondary review and if that comes back favorable for the light they will look at realigning the intersection at St. Joseph Road and moving the entrance.

Mr. Caesar stated that is what his wish would be and asked if they should amend the ordinance or vote on it as is.

Mr. Wood stated that warrant analysis will absolutely be required.

Mr. Blair agreed with Mr. Caesar's comments. He explained that at one time the state had plans to make Grantline Road 4 lanes and asked about those plans.

Mr. Wood stated that INDOT has relinquished that and it isn't a state highway any longer. He explained that the developer will be required to make an entrance that satisfies the city engineer.

Mr. Blair asked if there is adequate retention.

Mr. Wood stated that the calculations are there but they are still required to go to the county storm water board for approval as well as a third party engineer for approval.

Mr. Coffey stated that there is one strip from Grant Line Road to Mt. Tabor Road that has been a disaster and expressed concerns over the increase in dangerous conditions in this area.

Mr. Wood stated that he hasn't seen any plans for the improvements of Granline Road.

Mr. Coffey stated that is something that they should have been looking at because they knew that development was going out that way.

Mr. Wood stated that he isn't concerned about the proposed access location on this property.

Dr. Knable asked if the storage units are for the apartments only.

Mr. Wood replied no.

Dr. Knable asked what the closest point of proximately is between the apartments and the elementary school.

Mr. Wood stated that would be the creek.

Mr. Nash stated there is a tree line there as well.

Dr. Knable stated that there is talk about voluntary annexation and asked if there is a customary time line for that to play out.

Mr. Wood stated that there isn't a customary time line but he will say that they will most likely do it very quickly.

Mr. Aebersold asked if the warrant analysis suggest that they might need a traffic signal would the developer be responsible for that.

Mr. Wood stated that all the improvements in the right-of-way would be the responsibility of the developer.

Mr. Nash asked if the developer has a demographic for the apartments or what their target audience is.

Mr. Wood stated that he doesn't not.

Mr. Nash asked about #10 regarding pedestrian access and asked if that means that a child living in the apartments could walk to school.

Mr. Wood replied yes.

Mr. Nash asked if the school board has had any input on this.

Mr. Wood explained that he has spoken with Mr. Weishart about it but they generally don't comment on development. He stated that they aren't just looking at a sidewalk out front but also an internal crossing.

Mr. Nash asked if the guardrail was a barrier to the sidewalk.

Mr. Wood stated that they will make sure there is a sidewalk going the full length.

Mr. Blair asked if they have information as far as demographics of the tenants.

Mr. Wood stated that they don't require that.

Mr. Blair asked how many storage units there are and stated that he would really like the developers here to answer questions.

Mr. Wood explained that there is about 30,000 square feet of storage and stated that he will make sure they are here for the third reading.

Mr. McLaughlin asked about the railroad spur.

Mr. Wood stated that CSX has not abandoned that line but it has been deactivated. He explained that they are still responsible for maintain it but it is active to Hausfeldt

Mr. McLaughlin asked if we have any say regarding it not being maintained.

Mr. Wood stated that as he understands it the federal railroad is supposed to maintain it but he can't say for sure.

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

Mr. McLaughlin stated that since there are so many new council members he would like for them to look at the list of standing committees and maybe talk with older members that have set on these boards to see what they are about and then decide which ones they want to sit on.

STANDING COUNCIL COMMITTEES

BUDGET-Council as whole

DEVELOPMENT & ANNEXATION-Mr. Blair, Mr. Barksdale

RULES & FINANCE-Mr. McLaughlin, Mr. Blair, Mr. Caesar

PUBLIC UTILITIES & TRANSPORTATION-Mr. Coffey, Mr. Phipps, Mr. McLaughlin

POLICE DEPARTMENT- Mr. Blair, Dr. Knable, Mr. Aebersold

SCHOOL & LIBRARY-Mr. Barksdale, Dr. Knable

PUBLIC WORKS-Mr. McLaughlin, Mr. Nash

PUBLIC SAFETY & TRAFFIC-Mr. Nash, Mr. Aebersold, Mr. Phipps

FIRE DEPARTMENT-Dr. Knable, Mr. Caesar, Mr. Phipps

COMMISSION & BOARD APPOINTMENTS

HORSESHOE BOARD-Mr. Caesar, Dr. Knable

PLAN COMMISSION-Mr. Phipps

BUILDING AUTHORITY-Mr. Schmidt

ZONING APPEAL BOARD-Mr. Pacciano

DEVELOP NEW ALBANY-Mr. Barksdale

SOLID WASTE-Mr. Coffey

PARKS & RECREATION-Mr. Nash

URBAN ENTERPRISE-Mr. Barksdale

REDEVELOPMENT-Mr. Barksdale, Mr. Caesar

ECONOMIC DEVELOPMENT-Mr. Blair

BUILDING COMMISSION-Mr. Nash

ANIMAL CONTROL-Mr. Aebersold

HEAD START-Ms. Hardin

HUMAN RIGHTS-Mr. Phipps

HISTORIC PRESERVATION-Mr. Barksdale

TREE BOARD-Mr. Barksdale

Mr. Lorch explained that according the bylaws they have to ratify this. He stated that someone can move to make the appointments as described and as long as the body votes on it, it should be okay.

Mr. Coffey asked what happens if three people want the appointment but only two are available. He asked if it would default to the top two vote getters.

Mr. Lorch explained they can make a motion on who they want the nomination to be and then vote it up or down. He stated that the Horseshoe bylaws say that the nomination is stipulated by the president but the body as a whole has to ratify the appointments.

Mr. McLaughlin stated that they have Mr. Caesar, Dr. Knable and Mr. Blair who want the appointment.

Mr. Blair asked if they can keep the comments from the public at a minimum because they are getting distracting.

Mr. Lorch stated that as long as they have the majority vote they have met the requirement. He explained that he thinks the best way to proceed is to have the appointment made of two individuals and then have the body to accept it or reject it.

Mr. Nash moved to accept Mr. Caesar and Dr. Knable as the Horseshoe Board appointments, Mr. Phipps second, all voted in favor with the exception of Mr. Blair.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Mark Cassidy welcomed the new members. He stated that he did find it interesting on the rental committee that they talked about adding a realtor and landlord but not a tenant.

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:05 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk