

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA,
HELD A REGULAR COUNCIL MEETING IN THE COUNCIL CHAMBERS AT
NEW ALBANY CITY HALL ON THURSDAY, JANUARY 13, 2022 AT 7:00 P.M.**

MEMBERS PRESENT: Council Members: Mrs. Collier, Mr. Caesar, Mr. Phipps, Mr. McLaughlin, Mr. Turner, Mr. Blair, Mr. Aebersold, Mr. Applegate and Dr. Knable.

ALSO PRESENT: Ms. Stein, Mr. Mike Hall, Mr. Gibson and Ms. Milburn.

CALL TO ORDER:

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

MOMENT OF REFLECTION:

Mr. Phipps announced that Mr. Warren Nash passed away yesterday and asked that while we are observing a moment of silence that we keep the Nash family in our thoughts. He stated that Mr. Nash was Mayor of New Albany from 1971-75 and most recently was serving as the president of the Board of Works and Safety for eight years or so.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Mr. Phipps reminded everyone that after the vote for council president and vice-president takes place they will have to take a moment to reflect any changes.

ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT:

Mr. Caesar nominated **Mr. Applegate** for council president.

Dr. Knable nominated **Mr. Turner** for council president.

Mr. Caesar moved to close the nomination for president. By a show of hands **Mr. Applegate** was elected president with 5 votes from **Mrs. Collier, Mr. Caesar, Mr. Phipps, Mrs. McLaughlin and Mr. Applegate. Mr. Turner, Mr. Blair, Mr. Aebersold and Dr. Knable** voted for **Mr. Turner** for president.

Mr. Caesar nominated **Jennie Collier** for council vice-president.

Dr. Knable nominated **David Aebersold** for council vice-president.

President Applegate closed nominations for vice-president. By a show of hands **Mrs. Collier** was elected vice-president with 5 votes from **Mrs. Collier, Mr. Caesar, Mr. Phipps, Mrs. McLaughlin and Mr. Applegate. Mr. Turner, Mr. Blair, Mr. Aebersold and Dr. Knable** voted for **Mr. Aebersold** for vice-president.

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Caesar moved to approve the Regular Meeting Minutes for December 16, 2021, **Mr. Blair** second, all voted in favor.

COMMUNICATIONS – COUNCIL:

Mrs. Collier expressed condolences for the loss of Warren Nash and to the Nash family.

Mr. Caesar expressed his condolences to the Nash Family. He stated that Warren was a real asset to the city for many years and he will be missed. He reported that although he hasn't received any phone calls regarding the Sherman Minton bridge closings, every time he is out in the public one or more people ask him about it. He asked if anyone is getting regular updates about this and if not, should they do something. He added that he believes they should be regularly informed about these closings.

Mr. Turner stated that although he signed up for the newsletter, he doesn't receive them often and agreed that the communications aren't very good regarding the closings.

Dr. Knable stated that he doesn't know if the newsletter is accurate or timely but he would be happy to reach out to INDOT to see if they can establish something more.

Mr. Gibson informed the members that they can go to shermanmintonrenewal.com and choose whether they would like to get closing updates via email, text, and/or the newsletter.

Dr. Knable asked if he has found that to be timely and accurate.

Mr. Gibson replied yes. He stated that he has to drive that route often and has found that the updates are accurate and he does receive them in a timely manner. He added that the city has also shared this info via their social media and website several times.

Mr. Phipps expressed condolences to the Nash family and stated that we have lost a great giant in our community. He added that Mr. Nash was always very welcoming within the party and the city will really miss him. He stated that the Covid numbers are the highest they have ever been and emphasized the urgent need to get vaccinated and wear proper masks. He added that the only way we will get through this is if people do the right and responsible thing.

Mrs. McLaughlin wished everyone a Happy New Year and expressed condolences to the Nash family. She stated that Warren did a lot for our community and will be missed.

Mr. Tuner reported that this Saturday at noon they will be removing wreaths at the New Albany National Cemetery if anyone is able to volunteer. He stated that they always have people to put the wreaths up but lack in volunteers when it comes time to take them down. He stated that Mr. Nash was a member of his Masonic lodge for over 50 years and it is a huge loss to them. He added that he has always been respectful and nice to him and extended his condolences to the Nash family. He expressed concerns over the proposed kayak drop and stated that while the intentions are definitely good, there are some safety issues with the plan. He explained that he is concerned about the length of the creek and feeding into the river because when he thinks about the distance and who it will attract, they are not talking about seasoned-veteran kayakers, so he is worried about safety. He asked if the fire department is aware and capable of handling swift response times for any incident that happens in the water. He stated that when water gets into the creek it is technically Clark County and asked if Clarksville reviewed this project and signed off on it. He stated that he would like to see what the emergency plan is and/or to know if there is one.

Mr. Blair stated that as far as he knows they did not coordinate efforts with Origin Park, which could have saved the city money if they combined efforts, because they plan to

install a kayak launch as well. He added that the end result could have been something of greater quality and it would be nice to have the city cooperate with that development.

Mr. Aebersold expressed condolences to the Nash family, sending thoughts and prayers to them during this time. He stated that while he didn't interact with Mr. Nash a lot throughout the years, when he did, he was always a great guy. He congratulated Mr. Applegate and Mrs. Collier on being elected president and vice-president respectively and added that he looks forward to having a great year with this council.

Dr. Knable congratulated Mr. Applegate and Mrs. Collier. He stated that he sees that the Building Authority is still listed under appointments and asked if they still needed to be listed, or if they even still had a representative at this time.

Mr. Applegate stated that Mr. Bonifer's term is through 2024 but he will be looking into the protocols for this as well.

Dr. Knable stated that is for whoever is appointed to Board of Public Works and explained that it was brought to his attention that there is still some overhanging lights for the fire station at the old station on Green Valley, and they never had any new ones installed across from Holy Family on Daisy. He added that these are ones that would be activated during a run.

Mr. Applegate thanked the council for giving him the opportunity and honor to serve as president and agreed with Mr. Aebersold that they are going to have a great year. He stated that they have a lot of work do deal with regarding the Sherman Minton Bridge Project, working with redevelopment and the administration to utilize the ARP Funds, and tackling the issue of redistricting. He stated that the city is in a good spot with how they have handled the pandemic to this point, but the numbers are on the rise, so they need to be cautious as well as make an effort to support local businesses during this time. He added that he is looking forward to the opportunity to be able to use the committees more effectively as it states in their ordinances to get a lot done as a body. He thanked Mr. Nash for his time and history with the city adding that he was a true gentleman and wonderful person.

COMMUNICATIONS – MAYOR:

Mike Hall made the following statement on behalf of Mayor Gahan regarding the passing of Warren Nash.

“Warren Nash, a long-time friend of mine and an ally of the City of New Albany for over half a century, passed away yesterday, January 12, 2022.

Warren Nash was Mayor of the City of New Albany from 1971-1975. He served as President of the New Albany Board of Public Works and Safety, meeting every Tuesday morning with department directors and city officials for the past decade.

Standing at nearly 6 foot 3 inches, Warren was a giant of a public servant, and he spent a lifetime working to improve local government. He worked tirelessly to make our city safe, more clean, and more friendly to everyone.

I have never met a man more even-tempered. As an official, he used this gift to battle poverty and other complex social issues for decades. He was the first to come to the aid of those in need, and you could count on him to bring compassion to every conflict.

We are all going to miss Warren Nash.”

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

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

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

Mr. Applegate stated that as he was going through these appointments and committees, he thought that it would be beneficial to be able to use them as a more efficient tool to work between the council and the administration. He added that he would like to work with the rules committee to set forth a solid ending to meetings as well as create a set of rules for the public so that they will know what to expect at the meetings. He stated that he tried to group committees together with similar interests by appointing the same council members to those committees so that they can be more effective as well as to streamline communication.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

BOARD APPOINTMENTS:

STANDING COUNCIL COMMITTEES

- BUDGET & FINANCE: Council as a whole
- DEVELOPMENT & ANNEXATION: Council as a whole
- RULES: Caesar, Phipps, Knable
- PUBLIC UTILITIES & TRANSPORTATION: Caesar, McLaughlin, Blair
- POLICE DEPARTMENT: Applegate, Phipps, Aebersold
- SCHOOL & LIBRARY: Collier, Applegate, Turner
- PUBLIC WORKS: Caesar, McLaughlin, Blair
- PUBLIC SAFETY & TRAFFIC: Applegate, Phipps, Aebersold
- FIRE DEPARTMENT: Applegate, Phipps, Aebersold
- PUBLIC HEALTH & WELFARE: Collier, Applegate, Turner
- Ad Hock ARP: Applegate, Caesar, Aebersold.

COMMISSION & BOARD APPOINTMENTS

- CAESARS BOARD: Aebersold, Caesar
- PLAN COMMISSION: Phipps
- BUILDING AUTHORITY: Steve Bonifer (Exp. 12/31/24)
- ZONING APPEAL BOARD: Max Gosman (Exp. 12/31/24)
- DEVELOP NEW ALBANY: Collier
- SOLID WASTE: Caesar

PARKS & RECREATION: McLaughlin
URBAN ENTERPRISE Mara Schmidt, Morgan Sprigler, Phipps
REDEVELOPMENT: Collier, Applegate
ECONOMIC DEVELOPMENT: Blair
BUILDING COMMISSION: Caesar
ANIMAL CONTROL: Aebersold
HEAD START: Beth Hardin (Exp. 12/31/22)
HUMAN RIGHTS Cannon
HISTORIC PRESERVATION Colt Sanders (Exp. 12/31/22), George Budd (Exp. 10/31/23)
TREE BOARD: Barksdale
SEWER BOARD: Ed Wilkinson (Exp. 12/18/23), Nathan Grimes (Exp. 04/06/23)
STORM WATER BOARD: Terry Pennington (Exp. 04/06/23), Nathan Grimes (Exp. 04/06/23)

Mr. Applegate stated that he received an email from Bernetta White who is interested in serving on the Human Rights Commission. Her email is on file with the clerk's office.

Dr. Knable suggested doing a brief interview if no one knows Ms. White before making this appointment as a matter of due diligence.

Mrs. McLaughlin stated that she is in her district and she will give her a call.

Mr. Phipps asked the council to consider making this appointment tonight because this board has a meeting next week and with the passing of Mr. Nash they will not have a quorum.

Dr. Knable asked Mrs. McLaughlin if she had talked with Ms. White.

Mrs. McLaughlin stated that she did speak with her briefly.

Dr. Knable stated that he would have no issues moving forward knowing that Mrs. McLaughlin had already spoke with her.

Dr. Knable moved to approve the appointment of Ms. Bernetta White to the Human Rights Commission, Mr. Phipps second, all voted in favor.

Mr. Applegate further expanded on how he would like committees to work and asked the rules committee to review the rules regarding resolutions/ordinances going into committee before they are brought before the council as a whole. He added that if the committee hasn't been involved in the process before an ordinance has been introduced, he would like to be able to refer it to the committee after the second reading, which our ordinance allows for. He stated that the same with a resolution, if it is introduced and has not been reviewed by a committee, he can refer it to them prior to being read. He added that the person putting forth the resolution would also have the option to bypass this step with a majority vote. He stated that all of this is currently in the ordinance, but he would like to get back to following this process. He added that he hopes this will streamline the process and have those committee members that are the experts in their area to offer their knowledge before an item makes it to the council for a vote.

Mr. Turner stated that the committees are fairly lopsided so anything he brings forward could potentially be referred to a committee where it sits and never comes forward.

Mr. Applegate stated that all he is asking is to follow what is currently in the ordinance which allows for the committee to look at the ordinance and resolutions before they are being voted on. He added that if there are some things that need to be tweaked in the ordinance regarding this process that is something that the rules committee needs to address.

Dr. Knable stated that how he read it, there is a time limit with regards to when it goes into committee after which it has to come out with a recommendation, but it still has to come before the body for a discussion and vote.

Mr. Applegate stated that the only difference is that if it has not been reviewed or discussed with a committee, it can be referred to the committee before it gets read. He reiterated that if the member bringing forth the legislation wants to have the item heard that night, they can do so with a majority vote.

Mr. Turner asked if he can email something to the committee members or if they have to meet.

Mr. Applegate stated that this is a question for the rules committee. He added that he would assume it to mean any conversations.

Dr. Knable stated that from his understanding it is meant to be brought to the council and then referred to a committee for a final reading but the rules committee will get together and discuss this further. He added that they aren't the final arbitrators of this but they will try to make sense of the wording.

Mr. Turner stated that his concern is that if he has something he would like to bring forward for his constituents that it could basically go to committee to die.

Mr. Applegate stated that it has to come out of committee regardless.

Mr. Applegate asked if they could go over the rules with the rules committee and have clarification for the first meeting in February.

Mr. Caesar asked for the list of committees to be in the next packet.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Dale Bagshaw congratulated Mr. Applegate and Mrs. Collier on their election and expressed condolences to Mr. Nash's family. He stated that even though they may have differed politically, Warren always treated him with respect and dignity. He offered his services as a county councilman so that maybe this body and that body could work together for the betterment of the community as a whole.

Steve Burks offered his congratulations to Mr. Applegate and Mrs. Collier and asked if he could close the meeting with a prayer in honor of Mr. Nash.

ADJOURN:

There being no further business before the board, the meeting adjourned at 7:44 p.m.

Jason Applegate, President

Mindy Milburn, Deputy City Clerk