

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA,
HELD A COUNCIL WORK SESSION IN THE THIRD FLOOR ASSEMBLY
ROOM OF THE CITY/COUNTY BUILDING ON THURSDAY, FEBRUARY 5,
2015 AT 6:30 P.M.**

The meeting of the **New Albany City Council** was called to order by Mr. McLaughlin at 6:30 p.m.

PRESENT: Council Members, Mr. Coffey, Mr. Caesar, Mr. Phipps, Mrs. Benedetti, Mr. Blair, Mrs. Baird, Mr. Gonder, Mr. Zurschmiede, and President McLaughlin.

OTHERS PRESENT: Mr. Lorch, Mrs. Eurton, Mrs. Moeller, Mr. Gibson, Mr. Schellenberger and Mrs. Glotzbach

Mr. Gibson stated that voting was a concern during the last elections and the city elections are coming up so this is something they want to address. He explained that the primary deadline is tomorrow so it will be here pretty quickly and there are a lot of questions and concerns with whether they can handle it. He asked Mrs. Eurton to pass out a resolution to increase the number of voting machines that was passed by the Floyd County Election Board. He explained that the County Council and the Election Board came together and started working on this issue after so many complaints with the last election and they have delegated a subcommittee to investigate it further and this resolution is an estimate of what they need to have to run the next election. He stated that they aren't asking for any real action tonight but the County Council has another meeting coming up next week so they will know more then.

Mr. Gonder asked if the resolution became forceful would cost how much money.

Mrs. Eurton replied \$418,000.00.

Mr. Gibson stated that the election board runs the elections and the county under statute pays for equipment and in municipal elections the city is responsible for their part of the cost. He explained that this year they budgeted \$100,000.00 for the city election but the difficulty is the additional equipment and what else is needed to run the election properly.

Mrs. Benedetti asked if there wasn't referendum on this ballot could they use the county election machines and if the school board is willing to pick up any of the cost for this election.

Mrs. Eurton stated that it is still yet to be determined and it is a matter of who they feel is responsible for conducting the election but the discussion is ongoing.

Mr. Caesar stated that he doesn't think the wait and see attitude is going to work and they need to take action immediately.

Mrs. Benedetti stated that at the last meeting Mr. Gibson explained that they would need 30 additional machines and this resolution says 86.

Mr. Gibson explained that he and Mrs. Eurton have discussed what she would need to run the city elections the way the Election Board would like to run them and that would be 30 on top of the 76 that the county already owns.

Mrs. Eurton stated that the Election Board says that they need 86 county wide.

Mrs. Benedetti asked if they are saying that additional 30 just for the city election would help.

Mrs. Eurton stated that is correct.

Mr. Gibson stated that because there is a referendum on the ballot they will have to have some voting centers out in the county.

Mrs. Baird stated that if they helped out with the 30 then the county would be responsible for the additional 56.

Mrs. Benedetti stated that she really thinks the school administration needs to play a role in this.

Mr. Coffey stated that he agrees with Mr. Caesar and this isn't something that can wait. He explained that he doesn't think the county has the funds at this time for any additional machines and the city is going to have to step up and pay for the machines if they have to. He asked if they could bill the school corporation later for what their portion would be because they need to pay their share.

Mrs. Eurton stated that she met with a school administrator on a conference call with their attorney and the state statute is very gray on who is responsible. She explained that the county is responsible for conducting the election.

Mr. Coffey stated that the key word is conducting.

Mrs. Eurton stated that conducting the election includes all the hardware.

Mr. Coffey stated that if he were the county council he would write a new ordinance to force them to pay and get rid of the gray area. He explained that he understands that time is of the essence and the city needs to step up.

Mrs. Benedetti stated that she thinks that all parties need to come to the table and it shouldn't be on one entity to take on the full responsibility of the \$418,000.00

Mrs. Baird stated that especially since the county decided that they wanted to wait until the next election to address this.

Mr. Gibson stated that the reason that 30 has been discussed is because the main focus for the city is the city elections but the full wide county elections will be next year.

Mr. Blair asked if there were any other mechanism to force the county to appropriate the money to run correct elections. He stated that he agrees with Mr. Coffey that if this happens again there are going to be lawsuits. He asked if they had contacted the state board at all regarding this.

Mrs. Eurton stated that the only time she has been in contact with them is on Election Day and the day after but she thinks everything falls down to the local level.

Mr. Blair stated that if they see a pending disaster they should look to them for guidance and see if they have any suggestions.

Mr. Gibson stated that they can but they will just say refer to state statute.

Mr. Blair asked if they are just supposed to let it happen and pick up the pieces after.

Mr. Gibson stated that the county is usually the funding entity for the machines but when they have a city election the city is responsible for their portion.

Mr. Gonder stated that they have a city election coming up and asked if they could have the voting centers in the places where the elections will take place and have the people that just want to come to vote for one question come to those places. He asked if they had to have those voting centers in the county for the one referendum question if they could do it by paper ballot.

Mrs. Eurton stated that they can't because they would have to hand count them and she doesn't want her office to be here until midnight counting ballots.

Mr. Gonder stated that he understand that but is inconveniencing her schedule really worth the expenditure of \$418,000.00

Mrs. Eurton stated that it would mean that every person in the city is going to have to have a special paper ballot for that one question.

Mr. Coffey asked if the machines wouldn't count paper ballots how they do the absentee ballots.

Mrs. Eurton stated that it does count those.

Mr. Coffey stated that if it will do that he doesn't understand how they couldn't make a paper ballot with one question for it to read.

Mr. Phipps asked if there is any discussions about adding polling places because a lot of people in the inner city don't have transportation.

Mrs. Eurton stated that she is asking for 12 to 14 voting sites in the city alone but she will need more machines at those sites and people to work them.

Mrs. Benedetti asked if they are looking at purchasing or leasing.

Mrs. Eurton stated that the cost is about the same.

Mr. McLaughlin stated that a lot of people are saying that they are going to vote early and if that is something they can count on.

Mrs. Eurton stated that is no guarantee and not a chance she is willing to take.

John Schellenberger stated that they received a presentation from Mrs. Eurton at a work session on Tuesday talking about what happened at the election last year and it ended up being what he would call a perfect storm. He explained that she is taking steps to correct those issues this year and the proposal is to purchase these 86 machines for \$418,000.00. He stated that during the work session Mr. Fox gave a presentation on how he arrived at the 86 and this coming year is just a primary with a referendum which they don't have any history on that so they want to make sure they have enough.

Mrs. Eurton stated that in 1993 there was a special election for the casino and there were 20,000 people that voted on that alone.

Mr. Schellenberger stated that the advice from the election board is 86 machines and they are here because of what the school system decided to do without input from the county and he wished they had all had the opportunity to discuss it.

Mr. Gonder stated that the assumption seems to be that the county can't pay the \$418,000.00 but Mr. Schellenberger is saying that the right to vote is essential and if so that means they are going to cough up the funds.

Mr. Schellenberger stated that it is based upon a recommendation from the election board and they are looking at all alternatives and are having discussion with the school about paying their portion.

Mr. Caesar asked if this matter would be discussed at their next meeting.

Mr. Schellenberger stated that it will.

Mr. McLaughlin asked if they have a timeline of how the machines have to be set up.

Mrs. Eurton stated that they are at the 90 day mark and the vendor knows she is trying to get additional machines but based on how many they purchase they will have to build some.

Mr. Coffey stated that he hopes they don't lease because he doesn't want to be stuck with these machines for five years.

Mrs. Benedetti stated that she thinks these machines are going to be around for a while.

Mr. Schellenberger explained that the only thing that is going to change is the firmware.

Mrs. Eurton stated that of the 70 machines they had one touch screen **go out this last election but it is under warranty.**

Mr. Coffey stated that he knows the machines will do the paper ballots but they keep getting steered away from that to be cost effective but they number one thing they should be protecting is the right to vote and making it easy for people and these machines don't do that. He explained that maybe if the county doesn't have the money for these machines the city can foot the bill and they could pay the city back over time.

Mrs. Benedetti stated that this body is willing to listen and come to the table to help out.

Mr. McLaughlin asked if there were any under votes on these machines.

Mrs. Eurton stated that it does have the capability and they did have over votes but they were absentee ballots.

Mr. McLaughlin stated that at least with the new machines people are getting their votes in because with the screen it will tell you if something wasn't read.

Mrs. Moeller stated that Clark County had a recount and they had the old machines and they had a lot of problems.

Mr. Coffey stated that no one is going to convince him that this system is friendly towards the voters because he watched too many people walk away confused.

Mrs. Moeller stated that the old machines were breaking down and the problem was finding parts to replace them. She explained that the last election she worked on had four machines that broke down and could not be used during the election and most likely couldn't be fixed and the state does not certify these machines any longer. She stated that they got a lot of feedback when getting the new machines and the ones they purchased were the ones that everyone had the best feedback about. She explained that they old machines got the same negative feedback when they first started being used and it is just the period of change and everyone getting used to the new system.

Mr. Gibson stated that whether they like the machines or not it isn't their call and they need to move forward for the coming elections if help is needed and they need to start the discussions about that.

Mrs. Benedetti stated that they will probably have to wait until they have their meeting next week because until they come up with their proposal there is no way to know where they stand.

Mr. Gibson stated that Mrs. Eurton believes that 30 machines are necessary pretty soon for the city election.

Mrs. Baird stated that the council is willing to help out however they can.

Mr. Schellenberger stated that Tuesday night they will have to make a decision and they will know what the number is.

Mrs. Benedetti asked if there is any way they can scan the barcode on the back of license and id's so that people don't have to get into two separate lines.

Mrs. Eurton stated that scanning was supposed to be faster and the issues were state wide. She explained that until they know the problem has been fixed they will have to be entered by date of birth and the setup is definitely something they are working on and it is a trial and error situation because it is so new.

Mrs. Baird stated that she thinks a lot of the issues was just the newness of it.

Mr. Blair asked if she could hand a physical copy of the instructions to people while they stand in line.

Mrs. Eurton stated that they could laminate something and have them pass it around.

Mr. Caesar asked how much power the state election board has and should they formulate some type of letter to them to force the issue if the county doesn't take any action.

Mr. Gibson stated that he does not know the answer to that but at the end of the day they are the chief election officers for the state of Indiana.

Mr. McLaughlin asked for a rough estimate for the cost of the thirty machines.

Mrs. Eurton replied approximately \$162,000.00

Mr. Coffey asked if the machines are purchased are they guaranteed to be used for the city election, not spread around the county.

Mrs. Eurton stated that she doesn't know how to answer that.

Mr. Coffey stated that they need an answer for that before they move forward.

Mr. Zurschmiede asked why they suddenly need so many more machines.

Mrs. Eurton stated because they had lines.

Mr. Zurschmiede stated that he doesn't understand because they can't need more machines than they had before unless the population has increased.

Mrs. Eurton stated that was a paper ballot.

Mr. McLaughlin stated that it would be nice if the school would come forward but it doesn't sound like they have to.

Mrs. Benedetti asked if they wanted to set a meeting for next week following the county's decision.

The council set a Special Meeting for 6:30 p.m. Wednesday.

ADJOURN:

There being no further business before the board, the meeting adjourned at 7:25 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk