

**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, MARCH 16, 2017
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, Mr. Nash, Mr. Blair, Mr. Aebersold, Mr. Barksdale, Dr. Knable and President McLaughlin.

OTHERS PRESENT: Mr. Lorch, Police Officer Peake, Mrs. Moeller and Mrs. Glotzbach

Ms. Christi Fox stated that she has been practicing law in New Albany for about four years. She said that she graduated from Floyd Central High School and then went to undergrad in Dayton, Ohio at Wright State University. She said that she then went to San Francisco to go to law school and came back to New Albany and took the bar exam in February 2013 for Indiana and in February 2014 for Kentucky and passed both so she now practices in Indiana and Kentucky. She said she does a lot of governmental work, family law, elder law and some work comp and injury law. She does represent the Georgetown Town Council as well as Georgetown Planning and Zoning and is in her third year with both of them. She also represents the New Albany Township Fire Board and is in her fifth year with them. She has represented the Elizabeth Township Fire Department since 2016 as well as the Posey Township Trustee and both are on an as needed basis. She is a resident of the city and has a law practice in the city and her husband has a business in the city with almost 100 employees so she has an interest in the city and seeing that it continues down a great path. She said she has an interest in representing the council in a profession capacity by providing the members with the legalities needed to make decisions on behalf of the city and its residents. She believes that an attorney for a government entity requires that the attorney has the ability to research, be familiar with statutes as well as the ability to talk with board members and the public at large because all of that comes into play with government work. She explained that in her four years as an attorney, she has represented numerous government bodies and her father has too, so between the two of them they have represented nearly every government body in the county with the exception of the city council. She feels that provides her with a unique outlook on numerous areas of the law as well as all of the different bodies and how they interplay with each other. She also feels that what she has learned from things that have happened in those government bodies will help her put ordinances in play that will stay in place and will not have any sort of actions or concerns raised against them. She then stated that in Georgetown, the body she represents is not only legislative but also has the executive role so she is doing both. She knows that the city council is a legislative body and on the legislative side in Georgetown, she has been involved in drafting numerous ordinances and resolutions so getting all of the facts and having all of the key information for potential ordinances is very important to reaching the goal and getting the end result that the body desires. She also thinks that researching case law is important because many times a nearby government entity has done something that we can learn from. She has argued before the court of appeals and the Supreme Court and in January 2016, she was named partner in her law firm and is a member of the Floyd County Bar Association, Indiana Bar Association and numerous other Kentucky Bar Association affiliates. She currently represents LifeSpan Resources and through a grant is able to provide free legal services to elderly individuals that need things such as guardianships, wills, etc. She is also a Certified Indiana Family Law Mediator and does many mediations out of Clark County and they have hired her to mediate a lot CHINS cases so that is great experience in helping parties mediate and

come to resolutions. She thinks that transfers over into helping a governmental body work with other governmental bodies to find common ground and resolutions. She said she would appreciate consideration for the position and asked if anyone had any questions for her.

Dr. Knable asked if she would continue to represent the Georgetown Council.

Ms. Fox replied yes and stated that she doesn't feel that would be a conflict. She also stated that some kind of interlocal may come up but they are mostly executives anyway.

Dr. Knable asked that with her father representing several interests within the county and her representing city, how she would perceive that playing out.

Ms. Fox stated that we live in a small city and there could always be some sort of conflict come up but conflicts are waivable by either body. She explained that if something comes up that either body believes warrants bringing in a third party then we can most certainly bring in another attorney to review a document or we could reach out to the city attorney to see if he could be available to help with that. She also explained that if it was some sort of interlocal that is being looked at, it is usually something that both parties want to do so where it would potentially come up as litigation, the executive branch would deal with that.

Mr. Nash asked if she would continue to represent the New Albany Township Fire Board.

Ms. Fox replied yes.

Mr. Nash stated that the reason he asked is that we have talked about annexing further and if we take a huge chunk to County Line Road then that would be a large impact on their tax base.

Ms. Fox stated that there would be some inner workings there and she would have to work with them to see what percentage the city would pay for the debts in the annexation and she has worked with Mr. Gibson on that very thing in the past. She again said that would be something that Mr. Gibson would work on in the executive branch and would not be a council legislative decision.

Mr. Barksdale asked how many times a month Georgetown Township Council and Georgetown Plan Commission meets per month.

Ms. Fox stated that the council meets once per month but sometimes has special meetings. She said they have had some recently due to the waterworks sale. She then stated that planning and zoning meets once per month and New Albany Township Fire Board meets once every three months. She then thanked the council for allowing her to speak.

Ms. Amy Stein stated that she has lived in New Albany pretty much her whole life. She went to college in Richmond, Indiana at Earlham College, which is a small Quaker school and said it was interesting learning about the Quakers and how they resolved their problems by method of consensus. She then came back to New Albany but did not immediately go to law school. She worked for the Epilepsy Foundation providing services for people affected by epilepsy such as doing presentations and training teachers for five years. She eventually decided to go to law school at U of L and graduated and she then briefly worked for her father's firm. She then went to the Harrison County Prosecutor's Office for two and a half years where she was the assigned prosecutor to

handle child support cases and prosecuted criminal matters. She went back to her father's law office after that and has been doing criminal defense, family law and personal injury law. She said that she speaks Spanish and is the only one in private practice that she knows of in the area that speaks Spanish so she represents many, many Spanish speakers that need legal services in the community. She has been practicing since May 2010 and has her licenses in Indiana and Kentucky although her Kentucky practice is limited. She added that she is always looking for ways to expand her skill set and practice. She briefly clerked for Mr. Gibson while in law school one summer and looked at some of the annexation issues but does not represent any other municipal agencies at this point, so this would be new for her but is confident in her ability to read the statutes, read the rules and help the council do their job. She sat in on the last council meeting and feels that the council has a very important job and she wants to help them do what they do. She said that she serves on the board of Head Start guiding their decisions and providing them with legal advice when issues arise and is the only lawyer on that board. She has no other commitments that would pose conflicts. She said that on a personal level she is married to a computer geek and has a four-year-old son that likes to shoot her with his nerf gun. She then asked if anyone had any questions.

Mr. Barksdale asked how the internship with the city went.

Ms. Stein stated that she worked one summer and Mr. Gibson gave her a research project then she wrote a report for him and felt it was interesting to see that aspect of law. She thanked the council for their consideration.

Mr. Steve Lohmeyer stated that he brings many things to the table that the council needs. He has excelled at the high school level, college level and law school level. He said he was a triple threat in the arts, academics and athletics and has remained the kind of person that has had a broad set of interests and abilities all through his life, which he prides himself on. He has served as county attorney, as township attorney and as the Director of the Floyd County Prosecutor's Child Support Division in the public sphere while at the same time maintaining a full-time private practice of law where he does auto accidents, bankruptcies, custody, child support, divorces and estates. He used to do a lot of family law such as custody and child support and he is now doing a lot more estates. He said in his time in the Floyd County's Prosecutor's office, he was fearless in taking on difficult cases such as when a city council member had a son that was way behind in his child support and he didn't flinch and did what he felt was right even though it was not politically popular. He said in his time as township attorney he was there when there was a dispute within the corporation known as the New Albany Township Fire Department, Inc. over who the chief was and who the assistant chief was and who owned what equipment. He said that they hired an outside company called New Chapel Fire Department to come in and it was not easy but he got through it professionally and the end result was a whole lot better than what it had been before. He also said that the outcome was not nearly as important as the way the people were involved in that decision because he maintained professionalism and decorum all the way up to and during the court case. He stated that in his time as county attorney, he worked on revising the animal control ordinance and everyone said that he conducted himself professionally, coolly, calmly and politely with all of the contentious parties who were involved. He also said that he has been involved in all manner of social activities and charitable organizations. He stated that his resume can't capture his enthusiasm for the job and wanted to explain what he means by that. He explained that his father is a lawyer but hasn't always been one and did not go to law school until he was 30 years old because he married young and had kids quickly. He stated that he was ten when his father graduated from U of L Law School by attending night school for four years. He said that he never saw his father because he was working all day, going to law school at night and working in the library after that but it was okay because he knew what he was doing was

important. He also said that there were many lawyers on his mother's side of the family and now her husband was trying to become one, which was important to her as well as him. He stated that as soon as he finished law school he got into politics and he ran for city judge, served as county attorney and served as city attorney. He said that his father was not at his school events but wanted to point that his father's work was important and he knew that. He said that he would treat the work that the council does as important and they will have his full attention and enthusiasm because he knows from childhood that what the council does is important. He then asked if anyone has any questions.

Dr. Knable asked if he would help a member of the council if they brought before him a piece of legislation that they want debated but is not supported by a majority of the council nor the administration but is ethical.

Mr. Lohmeyer stated that he would be happy with helping anyone with drafting anything but he represents the council as a whole in dealings with the public or if necessary defending in court. He said he feels sure that he should not pick and choose helping one council member against another.

Dr. Knable asked if that is a yes or no.

Mr. Lohmeyer stated that he would be happy to help with drafting if there is a consensus.

Dr. Knable asked if he would if there was a minority of two people that want to bring something forward for a debate.

Mr. Lohmeyer stated that he has to equally defend all so if there is a difference of opinion between just two council members then he would have to reply no. He said he can't because that would be a breach of his duty to the others. He gave the example of one member coming to him to do an ordinance saying that all dogs in Floyd County have to be spayed or neutered or they will be put down and another council member said that he wants a different ordinance; he could not help both members at that same time.

Dr. Knable stated that he could write the legislation so that it could be debated.

Mr. Lohmeyer stated that he would be happy to do that.

Dr. Knable stated that he could write both pieces of legislation for both members so that they could be debated and asked if he would do that.

Mr. Lohmeyer replied yes but stated that whatever the majority decides, that is what he defends in court.

Dr. Knable stated that he understands that but they have to have something on the table to debate.

Mr. Lohmeyer agreed. He then stated that his undergraduate degree was in religious studies so he would be happy to volunteer his services to do the invocation at the beginning of the meetings when no one else is present to do it. He thanked the council for their time.

Mr. Phipps stated that he would like to hear responses from the other two candidates on that last question.

Ms. Stein stated that her job is to serve the council so she would look to the council to decide what her job would be. She said that if the council wants her to assist individual members or assist only if there is consensus that would be up to them. She also said that if the council wants her services in that capacity even when there is not agreement then she would do that.

Ms. Fox stated that the role is to represent the entire city council so she would be happy to assist in drafting any ordinances and feels that it should be something structured and should go into the contract. She said that in her other governmental contracts it says whether or not she can draft something for just one member or if it has to be a majority so she feels that it should be discussed and put into the contract.

Mr. Coffey asked if he and Mr. Caesar had an ordinance and he and Mr. Barksdale had an ordinance, would she help write both ordinances because discussion is the key.

Dr. Knable stated that Mr. Lorch's contract states that he will assist any single or subgroup of the council and he was just trying to get a feel of where the three candidates were coming from.

Mr. Coffey stated that he agrees with that.

Ms. Fox stated that it just depends on what is put in the contract.

Dr. Knable stated that he knows the contract will stipulate it but he was just probing to see how the candidates felt about the issue.

Ms. Fox stated that she has no problem doing that because her job is to give the council the law and make sure everything is covered. She also stated that however the council decides as a group, her job is to make sure the ordinance does not have any problems.

Mr. Blair stated that he has always appreciated Mr. Lorch representing them individually to at least get an item on the table to have a discussion and for him that is important going forward.

Mr. Coffey stated that it is important because he has seen in the past where that did not happen and that is not right. He added that whether he agrees with it or not, the individual has the right to bring it forward.

ADJOURN:

There being no further business before the board, the meeting adjourned at 7:05 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk