

**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, APRIL 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. Gibson, Mrs. Moeller, Police Chief Bailey, Mr. Hall and Mrs. Glotzbach

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

INVOCATION:

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Caesar moved to approve the Work Session Meeting Minutes for March 7, 2016, **Mr. Barksdale** second, all voted in favor.

Mr. Phipps moved to approve the Regular Meeting Minutes for March 7, 2016 with corrections, **Mr. Coffey** second, all voted in favor.

Mr. Phipps moved to approve the Regular Meeting Minutes for March 17, 2016, **Mr. Caesar** second, all voted in favor.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

COMMUNICATIONS – COUNCIL:

Dr. Knable stated that Dr. Eichenberger is here to answer any questions that the council may have.

Mr. Barksdale moved to amend the agenda order of business to act on R-16-04 first, **Mr. Coffey** second, all voted in favor.

Mr. Barksdale updated the council on the Cherry Street flooding and explained that the pumping system has kept the area dry. He stated that he spoke with Mr. Thompson and they are continuing to install the pilings and they have opened up the pipe but they aren't finished with the project yet.

Mr. Coffey stated that they will be having a meeting to discuss restitution to those that suffered property damage during the flooding. He explained that the meeting would be next week and he will let them know more details when he has them.

Mr. Blair stated that he would like to schedule a work session for the Stormwater Board and the Sewer Board to come in and do an annual report.

Mr. McLaughlin stated that they can request that they come in.

Mr. Blair stated that when he spoke with Mr. Wilkinson he was not ready at the time but he would like to go ahead and get it on the schedule.

Mr. Barksdale stated that the Bono Road Project will begin from Green Valley Road to Cottom Avenue in August and there will be some utility work being done and they are hoping to bid it out in August.

COMMUNICATIONS – MAYOR:

Michael Hall stated that the last stretch of the New Albany’s commitment to the Greenway from E. 8th to the Clarksville Bridge is set to start this summer. He explained that the project will take about a year and a half to complete. He stated that the Mayor was also happy to see the resolution on the agenda recognizing the State Champion Bulldogs.

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

A-16-02	Ordinance for Appropriation of EDIT Money for Blessings in a Backpack	Phipps 1&2
----------------	--	-----------------------

Mr. Phipps introduced Bill A-16-02 and moved to approve the first and second readings as amended, Mr. Caesar second, all voted in favor.

Dr. Knable proposed an amendment at the end of paragraph 3 to add for the year 2016, Mr. Coffey second, all voted in favor.

Mr. Phipps explained that this is not appropriating any new money but they didn't make the December 15th deadline for the money that they appropriated in December.

Dr. Knable stated that he has nothing against Blessings in a Backpack but he has serious reservations about taking public tax money then redistributing to charities. He explained that if they have extra tax money he would rather give it back to the taxpayer to give to the charity of their choice or to use it on infrastructure. He stated that he is willing to accept it this year and is really happy that Mr. Phipps brought it back for year-to-year but he wants these programs to know that the council will give this request some very deep thought and the money might not be there in 2017.

Mr. Phipps stated that he would agree if this money was going to a religious organization but he can rationalize this differently because there is a need in the community and it is going to school children.

Mr. Aebersold asked if the council obligated this last year.

Mr. Phipps replied yes and stated that it didn't meet the deadline.

Mr. Gibson stated that this was an additional appropriation for 2016 and the DLGF deadlines were for 2015. He explained that the DLGF claimed that it was submitted past their deadline and when the city tried to explain that it was for 2016 and not 2015 it didn't make a difference.

Mr. Aebersold stated that since it was already approved he thinks it should go through but he agrees with Dr. Knable that they should look at these very cautiously in the future.

Mr. Barksdale stated that the money has been obligated so he would agree to send it through this year but they do need to have further discussion about it during the budgetary process.

Dr. Knable asked if the ordinance should clarify that it is for the 2016 year.

Mr. Gibson stated that they can do that if they want but it isn't necessary.

Mr. Blair stated that he would like to give them some indication that funds may not be there for 2017 so that they aren't blindsided and he added that he would go on record to say that he will support this appropriation for as long as he is on the council.

Mr. Caesar stated that he would agree with that they do need to send them some sort of letter.

Mr. Lorch stated that he would draft a letter and present it to them before he sends it out.

**A-16-03 Ordinance for Appropriation of Rainy Day Money Aebersold 1&2
for Paving and Sidewalks**

Mr. Aebersold introduced Bill A-16-03 and moved to approve the first and second readings, Mr. Phipps second, all voted in favor.

Mr. Gibson passed out a map breaking out the city into the 2015 paving projects as well as a list of the 2016 proposals, said map is on file with the City Clerk's office. He explained that a lot of times council members get calls regarding different roads and alleys and if they would like to submit those to Mr. Thompson they would be happy to add them to the list to be evaluated.

Mr. Caesar stated that this money was allocated through the state to come to the cities for road improvements and explained a history about how this was done in the past with the state. He explained that they reformulated how they do their budgets and they haven't seen any more Rainy Day funds so they want to make sure it stays there.

Dr. Knable stated that the money is not there yet so until it is in the bank he would hesitate to allocate it.

Mr. Gibson stated that the auditor is required to have it to them by June 1st and they still have to go through the entire bid process as well as advertising which will take them about a month or more before they get the bids back.

Dr. Knable stated that he would suggest taking this money and adding it to what they would have normally spent so that they can have \$3.5M worth of infrastructure repairs this year.

Mr. Gibson stated that their normal max has been about \$2M and he can talk with Mr. Thompson about if the staff could manage it.

Mr. Blair stated that EDIT and Riverboat funds are already committed so there aren't funds sitting out there for this.

Dr. Knable stated that he loves the list but he would just like to see more of it.

Mr. Gibson stated that he is sure there are \$10M worth of repairs they could identify but this is what they have been able to identify up to this point.

Mr. Blair stated that he didn't see any sidewalks on this list.

Mr. Gibson stated that they didn't list the sidewalks intentionally.

Mr. Blair asked if it would benefit to have someone look at the streets on the list and rank them.

Mr. Gibson stated that he has already reached out to talk with an engineering firm about that.

Mr. Barksdale stated that each councilman knows their district and suggested that each of them make a list to double check.

Mr. McLaughlin stated that Mr. Thompson has been very accommodating to them in the past when they have made suggestions.

Mr. Caesar stated that they need to send those areas to Mr. Thompson.

Dr. Knable asked if they could do a survey of the sidewalks when they do the survey of the sidewalks.

Mr. Gibson stated that he could talk with them about what that would entail.

Mr. Caesar stated that he has gotten numerous complaints about the quality of the paving and used Main Street as an example where the base of the road is eroding away.

Mr. Gibson stated that milling and paving verses complete reconstruction is vastly different.

Mr. Caesar stated that he totally understands and that he just doesn't want to see them spend all this money on paving only to have to come back and immediately redo it.

Dr. Knable asked if the standard contract covers that issue.

Mr. Gibson stated that the standard contract covers one year.

Mr. Coffey stated that the map shows that Cherry Street was done and asked what part of Cherry Street because there are holes that you actually have to dodge.

Mr. Gibson stated that he can't answer that.

Mr. Coffey stated that Main Street was completely redone including the base and it hasn't held up.

Mr. Blair stated that they have hired a city engineer and they need to make sure he is on top of these jobs as they are being done.

Mr. Gibson stated that they try to do that on each project.

Dr. Knable stated that the work done on Cherry Street was at the base near Old Vincennes in front of Scribner.

Mr. Nash stated that Silver Street has been paved many times and then utilities have come in and dug it up several times.

Mr. Gibson stated that they do their best to coordinate with the utilities but there are many times where the work they need to do is out of the city's control.

Mr. Nash asked if he should call Mr. Thompson about potholes.

Mr. Gibson stated that normally the calls go to the street department.

Mr. Barksdale stated that it would be good if the citizens knew that they could call the street department for this.

INTRODUCTION OF RESOLUTIONS:

R-16-03 Resolution to Authorize the Use of a Planning Blair

Facilitator

Mr. Blair introduced R-16-03 and moved to approve, Mr. Coffey second, all voted in favor with the exception of Mr. Phipps, Mr. Nash, and Mr. McLaughlin who voted no.

Mr. Blair explained that he received several name suggestions for this position and finally received three written proposals and he and Dr. Knable picked Christi Smallwood.

Ms. Smallwood went through the scope of work that was proposed and stated that having a strategic plan allows you to be proactive instead of reactionary in all of their decision making. She stated that it allows them to form a vision statement and lay out what they want to accomplish and what they want the city to look like. She explained that her job as a facilitator would be to collect and pool all of the information from them and show them all the details of how it fits together to accomplish their mission. She presented a plan for the scope of the work she would be doing in this role and gave a brief background of her experience that includes a varied history of marketing and advertising, strategic planning for a local church, and she owns her own business called Eagle Eye Enterprises.

Mr. Coffey stated that he has been on the council for 17 years and every council has talked about doing this and this is the first time they have made it this far.

Mr. Caesar asked how the agenda will be set.

Ms. Smallwood stated that she would like to meet with each person one-on-one to begin with and then move on to a recommended retreat time for the group.

Mr. McLaughlin asked what municipalities or elected positions she has worked for in the past.

Ms. Smallwood stated that she has done some coaching for a couple of senators in Kentucky but not on a group level.

Mr. Barksdale stated that he likes it as a team building exercise and could help them.

Mr. Caesar asked if the Mayor's office should be included.

Mr. Blair stated that he has asked the Mayor and/or his staff to be part of the process and he thinks it is going to take some more convincing.

Mr. Caesar asked if they have to be concerned with the open door laws during the retreat.

Mr. Lorch stated that it would have to be a public meeting and they would have to post it like any other meeting.

Mr. Phipps stated that he has some reservations about this for a number of reasons. He stated that often times when a facilitator is brought in there is the perception that there is some type of conflict between the council and the administration. He explained that he just doesn't see any need for this.

Mr. Coffey stated that he would personally like to have a vision and feels that the councils in the past have done a real disservice to the city because they didn't have a goal.

Mr. Aebersold stated that he thinks that the administration needs to be on board with this in the beginning.

Dr. Knable stated that he disagrees because he thinks that working independently would give them a chance to work from under the shadow of the administration.

Ms. Smallwood stated that part of the strategic planning process is bringing in the stakeholders which includes the Mayor and they determine at what point they bring them in.

Mr. Caesar asked if there is an end date on this.

Mr. Blair stated that he wants to have this done before they set the budget this year.

R-16-04	Resolution Recognizing the New Albany High School Boys' Basketball Team for their 2016 State Championship	Council as whole
----------------	--	-------------------------

Mr. Barksdale introduced R-16-04, Mr. Phipps second, all voted in favor.

Mr. Barksdale asked the team to stand up and stated that the city is very proud of them.

Mr. Coffey asked when they will be updating the sign coming in on Spring Street to indicate that they are the 2016 State Champions.

Mr. Gibson stated that they will begin working on it immediately.

Mr. Caesar explained that they are very proud of them for winning the championship but personally he is most proud of them for their grace, humility and respect. He stated that is it wonderful to see a group of young men carry themselves so well in very stressful situations and he is very proud to be part of New Albany.

R-16-05 Resolution Regarding Transparency of Floyd Nash
Memorial Hospital Sale

Mr. Nash introduced R-16-05 and moved to approve, Mr. Caesar second, the resolution did not pass with Mr. Coffey, Mr. Phipps, Mr. Blair, Mr. Aebersold, Mr. Barksdale, and Dr. Knable voting nay, and Mr. Caesar, Mr. Nash and Mr. McLaughlin voting aye.

Mr. Nash stated that the resolution speaks for itself and explained that there were a lot of questions that need to be answered before anything takes place because the people they represented are going to be affected for generations.

Dr. Eichenberger went through a brief history of what has been done so far and explained that the process started in 2013-2014 when the hospital lost money and were faced with the many challenges in the changing health care field, including federal funding and how they are being paid. He explained that they started strategic planning for the hospital and the Board of Trustees started looking at options on how the hospital could succeed on a long term basis. He stated that every year they keep band-aiding and putting off some of the serious infrastructure needs that they have not been able to accomplish and sooner or later they would get bit by one of the major components going out. He explained that they have an unfinished floor in the heart wing and an unfinished helipad that they haven't been able to afford to take care of. He stated that May and June was education for the board and in July the board approved the use of H2C, who specializes in mergers. He stated that in August they reached out to individuals in the county and the city and interviewed them about what it would mean to the city and county if a merger took place and by December they solicited bid offers. He explained that they had several meetings with the county council and the county commissioners and always stressed to them that they could get in touch with him at any time to talk about the bids and he was as transparent as he could possibly be.

Mr. Caesar stated that he has been a proponent for selling the hospital for the last 30 years and one of the reasons was because it was a county hospital and today it sits in the middle of New Albany. He explained that he had hoped when it sold the city would get some sort of real estate tax to help upkeep the infrastructure around the hospital because he feels that the citizens have been cheated by the county holding on to a piece of that land without the city getting a penny in real estate taxes.

Mr. McLaughlin asked if the hospital has ever gone to the county for capital dollars.

Dr. Eichenberger stated that there was a \$2.7M bond issued in 1961 that the county was responsible and another bond in 1966 for \$1.07M so the county did pay bond premiums for the first 40 years. He explained that the county hasn't paid anything to the hospital in the last 10 years and had an \$8M investment over the first 50 years.

Dr. Knable thanked Dr. Eichenberger for being available for the meeting tonight. He asked if there is any room for them to ask for help from the new owners for surrounding infrastructure needs and would love to have a voice on any boards that they may have.

Mr. Nash asked who picked the officials that were on the task force

Dr. Eichenberger stated that the presidents of the boards were automatically part of the task force.

Mr. Nash asked how they made the decisions about which offer was the best.

Dr. Eichenberger stated that the task force and the consultants evaluated every offer with site visits and then made the decision.

Mr. Nash asked about the physical acquisitions that have taken more property away from the city.

Dr. Eichenberger stated that the hospital is landlocked so it is their best interest to acquire these properties when they can and because they are a not-for-profit it does come off the tax rolls when that happens.

Mr. Caesar stated that there was a tremendous amount of taxes lost with the loss of Cottom and Dunbar.

Dr. Eichenberger stated that the hospital has also created a lot of jobs that bring in tax revenue

Mr. Blair thanked Dr. Eichenberger for coming in to speak with them and stated that he thinks he has been very transparent through the process. He explained that this is a county decision and he thinks this resolution was politically motivated.

Mr. Nash stated that these concerns aren't just his but have also been expressed by a county commissioner.

Dr. Eichenberger stated that the county commissioner had every opportunity to meet with him individually as well as at the executive session which he failed to show up for.

Mr. Coffey stated that he just doesn't see a need for this resolution at all and he doesn't believe that Dr. Eichenberger hasn't been transparent.

Dr. Eichenberger stated that they do have a public information session set for May 31st and they may have a second one depending on the turn out, so they are trying to be as transparent as possible.

Mr. Aebersold stated that the city does not own the hospital so he doesn't see any reason why they need to get involved in this at all. He explained that if people want to get informed about the sale there are ways for them to do so.

Mr. Caesar stated that they should have something to do with it because it isn't a county hospital any longer and it is in the middle of the city. He explained that his beef is more with the county council and the county commissioners than the hospital administrators.

Mr. Barksdale stated that Dr. Eichenberger has cleared up a lot of information for him and thanked him for being here tonight.

Mr. Phipps stated that he is more concerned with what the county commissioners are going to do with the money.

BOARD APPOINTMENTS:

Mr. McLaughlin stated that they need to confirm the reappointments for the New Albany Urban Enterprise Association.

Mr. Barksdale moved to confirm the reappointments, Mr. Phipps second, all voted in favor.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Brad Bell stated that he is here tonight to discuss the thoughtless actions and words of one of the council members. He explained that last Monday he was alerted to something that took place on Hannegan Roseberry's personal Facebook page after she posted a

photo of a business restroom explaining why they chose to offer unisex bathrooms. He stated that Councilman Coffey responded in the comments stating "I wonder how many people will stop shopping there" and after several more comments from others trying to figure out why this would be a bad idea for a business to do, Councilman Coffey lashed out and in part wrote "grow up and quit being such a baby". He stated that these are citizens of New Albany that Councilman Coffey is talking to and as an elected official, he should know better and be held to a higher standard. He read into the record a comment from Mrs. Roseberry who was unable to attend the meeting tonight. He stated that he will be requesting a meeting with President McLaughlin and Vice President Phipps to address this and ongoing issues that continue to occur. He invited the entire council to an event they are having on April 20th at the IUS Campus.

Mr. Coffey stated that he has a right to his views and has nothing to do with the council so he has no business bringing this here.

Mr. Nash stated that Mr. Bell has just as much right to bring this to the public meeting and has time allotted to do so.

ADJOURN:

There being no further business before the board, the meeting adjourned at 9:10 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk