

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 THURSDAY, APRIL 16, 2015 AT 7:30 P.M.

The meeting of the **New Albany City Council** was called to order by Mr. McLaughlin at 7:30 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, Mr. Michael Hall, Mr. Gibson, Mr. Thompson and Mrs. Glotzbach

MOMENT OF REFLECTION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Caesar moved to approve the Executive Session Meeting Minutes for April 6, 2015, Mr. Zurschmiede second, all voted in favor.

Mrs. Baird moved to approve the Regular Meeting Minutes for April 6, 2015, Mr. Blair second, all voted in favor.

COMMUNICATIONS – PUBLIC:

Mr. Irv Stumler read a statement from Father Thomas Merrill of St. Mary's Church in favor of prayer at the meetings. Said statement is on file in the city clerk's office. He then stated that he fully agrees with the statement and urged the council to do the right thing by voting yes to allow those who wish to pray to do so and allow those who do not wish to not participate.

Mr. Steve Burks stated that he is present to encourage the council to reconsider the ordinance and feels that as a pastor and leader in the community having a prayer is a good thing. He also feels that the issue of prayer has been a vital part of the history of our nation and all through our founding documents. He said that he would like to see the council go back and follow the original ordinance.

Mr. Adam Keeler stated that as an elected body your job is to represent all people equally regardless of religion and by instituting a specific prayer you are saying that some citizen's beliefs are more superior than others. He added that he thinks it is a poor use of taxpayer's money and a poor use of funds that we should even be addressing this in a government building. He explained that Councilman Coffey said that the Lord's Prayer is a message not catering to any religion but it shows preference to a single deity. He then quoted Matthew 6:5 and also quoted the 1st Amendment of the Bill of Rights. He feels that prayer or mode of worship at meetings would be forcing all of those who attend to support that mode of worship even if they don't have to participate in it. He said that he is not sure that our city nor its constituents will want to spend thousands of dollars in a court battle and/or to allow Muslims, Wiccans or Satanic Prayers or any other religious beliefs.

Ms. Susan Ryan stated that she was concerned by the comment that we are a Christian nation and explained that we are a Christian majority. She said that “In God We Trust” and “Under God” was put into our pledge as recently as the 1950’s and was not part of the founding fathers. She also shares Mr. Phipps concerns about using the Lord’s Prayer because she feels that it is a sacramental prayer. She stated that she worked for 20 years in church work and even at the World Council of Churches, they never used the Lord’s Prayer as it is a sacramental prayer for worship and to take that kind of prayer and make civic religion out of it is to really demean it. She added that by saying we are Christian in this community begins to push others away.

Mr. Mark Cassidy stated that just because the Supreme Court says that you can doesn’t mean that you should. He said that three years ago when this came up he was really proud Councilman Coffey who said he thought the moment of reflection was a good compromise. He the read a post on social media that he wrote three years ago which said to take it out of the rules and if anyone wants to say a prayer of any kind then they can do it at the non-agenda time slot and that way government has nothing to do with it.

Mr. Roger Baylor stated that this is a ridiculous waste of time and you should vote it down as quickly as you can.

COMMUNICATIONS – CITY OFFICIALS:

COMMUNICATIONS – MAYOR:

Mr. Michael Hall stated that Friday, April 24th, we are hosting Shakespeare in the Park at Bicentennial Park and encouraged everyone to come. He said that they will be doing Macbeth and it is a 90 minute production which will begin at 6:00 p.m.

Mrs. Benedetti asked if there is some type of unveiling planned at Bicentennial Park.

Mr. Hall replied that he thinks there is something that is going to happen but he doesn’t have the date or details yet.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: READING

R-15-08	Resolution to Correct the City of New Albany Council Agenda	Coffey
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Mr. Coffey introduced R-15-08 and moved to approve, Mr. Blair second.

Mr. Coffey stated that the resolution’s purpose is to go back to the original agenda because it is set by ordinance and can only be changed by council’s approval by ordinance. He also said that he is going to give the clerk a number of court rulings throughout the country and have her put them in the packet for the next meeting.

Mr. Coffey withdrew the resolution to make sure that the wording is correct to go back to the original agenda, Mr. Blair withdrew his second.

Mrs. Benedetti suggested putting it into the rules committee that is established.

President McLaughlin stated that he will be contacting those on that committee.

R-15-09	Resolution of the Common Council to Establish a Custom for the Opening of Council Meetings	Gonder
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Mr. Gonder tabled and asked that it be taken to the rules committee as well.

Z-15-01 An Ordinance for the Vacation of a Public Way Baird 1&2
Pursuant to a Petition Filed by New Albany-
Floyd County Consolidated School Corporation

Mrs. Baird tabled this item.

BOARD APPOINTMENTS:

MISCELLANEOUS ITEMS:

Mr. Coffey stated that he would like to point out that when there wasn't a minister present in the past, that's when the Lord's Prayer came up but the ordinance actually calls for an Invocation and that's what it is until it is changed.

Mr. Zurschmiede stated that if we are not going to have an Invocation then we need to take it out of our ordinance.

Mr. Phipps stated that the simple fix is just to amend it in the ordinance and replace it with a moment of silence so he doesn't see why it has to get bogged down in a committee.

Mr. Coffey asked Mrs. Benedetti how many council members she spoke with before she made the change to moment of reflection.

Mrs. Benedetti stated that she couldn't recall but she did talk to about seven different denominations. She added that this could have been challenged at any time. She said that when the Lord's Prayer was taken out she felt that we needed something in this chamber that served all people.

COMMUNICATIONS – PUBLIC (non-agenda items):

Mr. Mark Cassidy stated that it wasn't challenged because we didn't know it.

Mr. Roger Baylor stated that he took some pictures of the plaque at Bicentennial Park and suggested putting the names on those types of plaques of the people that actually installed the park. He then asked if we have anywhere in accounting that tells if all of the accounts were square on the Bicentennial Commission.

Mr. Caesar stated that there is not a final accounting because the committee has not been closed down but there are current books.

Mr. Baylor asked if that is something that could be sent to him to look at.

Mr. Caesar replied yes.

Mr. Baylor then stated that just because he asked for an audit is no reason that Mr. Vic Megenity's name should have been omitted from the plaque.

Ms. Melanie Adams stated that the thing that she took away from the last meeting is how the council speaks for all of New Albany but her position was not represented and she wanted to make sure that it is known that not everyone agreed with the resolution to repeal and replace the RFRA. She also stated that that when the Bill of Rights was added it did not tell people what they could do, it just told government what they could not do.

She said that religion or non-religion permeates our whole lives and it is this amendment that protects American's rights to exercise their religion in the public square. She also said that she would never want to discriminate against a person but she has some deeply held religious convictions. She explained that her concern is that maybe the Bill of Rights is not being protected and upheld for everyone. She stated that she has always felt welcomed in New Albany but after the last meeting she didn't feel quite exactly the same. She then recited a prayer for the council.

IN COMMITTEE:

TABLED ORDINANCES:

**G-14-01 Ordinance Adopting the International Property Zurschmiede 1&2
Maintenance Code Standards for the City of
New Albany**

ADJOURN:

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

Pat McLaughlin, President

Vicki Glotzbach, City Clerk