

**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, AUGUST 20, 2015
AT 7:00 P.M.**

The meeting of the New Albany City Council was called to order by Mr. McLaughlin at 7:00 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. Thompson, Mr. Baker, Mrs. Moeller, Mr. Gibson, Mr. Ham, Mr. Harbison, Officer Gibson and Mrs. Glotzbach

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Regular Meeting Minutes for August 3, 2015, Mrs. Baird second, all voted in favor.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

COMMUNICATIONS – COUNCIL:

COMMUNICATIONS – MAYOR:

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

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

David Brewer, Building Commissioner

Mr. Gibson stated that Mr. Brewer wasn't present because he had a family emergency. He passed out a list of the 2015 Demolitions along with the building department yearly summary analysis data sheet for the council to review.

Mr. Blair stated that the conversation that lead to asking him to be here was that there are several commercial buildings that are blighted and vacated and they wanted to know what could be done to turn those properties over to either be sold or demolished.

Mr. Gibson stated that you have to be careful with demolition unless they are unsafe. He explained that the some have a high price on the property which slows the sale and Mr. Brewer did ask the owners of the Hardees property to clean it up.

Mr. Blair stated that the first steps they need to take is to communicate with the owners of the properties to express their concerns and then they need to look at what other steps that can be taken.

Mr. Gibson stated that he could look at the ordinances and see if there are any other options for them besides demolition.

Mr. Blair stated that maybe they need to pass a new ordinance to address this situation.

Mr. Gonder asked if the property has a higher tax cost with the building on it than if it were just a yard and if so maybe they can be given some incentive to demo the building.

Mr. Caesar stated that those buildings usually have like a 20 year lease but he would love to see it taken down.

Mr. Zurschmiede stated that the owner might still be receiving lease payments on it.

Mr. Gibson stated that particular property is one of the most difficult ones.

Mr. Coffey stated that we can't allow them to go in and tear it down because if a factory or other business closes then they will start tearing them down to avoid paying taxes.

Mr. Blair stated that it might be beneficial to make contact with them and then to have Mr. Gibson could look at the ordinances to see if there are any other options.

Mr. Caesar stated that he would be happy to make a phone call to the owner if he could get the number.

Mr. Phipps stated that they have to address the other properties as well because otherwise it will just seem as if they are targeting certain areas.

Mrs. Benedetti stated that she thinks it is worth a phone call to the owners. She asked Mr. Gibson to look into the old Lightning Food Mart to see if Mr. Brewer has cited them at all.

Mr. Gibson replied yes and explained that it is for sale but again the price is just too high.

Mr. Phipps stated that the one in his district is at the Pearl and Oak and he thinks they need to put a time frame on when it needs to be done.

Mr. Coffey stated that trucks are not allowed to park at the old Hardee's overnight but that is happening again.

Mr. Gibson stated that he hasn't seen one in a long time but he will look into it.

Mr. Caesar asked if he has much money left for demolitions.

Mr. Gibson stated that if there is, there isn't much.

There was a lengthy discussion regarding liens and how they are filed.

Mr. Gonder asked if it is self-perpetuating.

Mr. Gibson stated that it is much better than it used to be since the liens are being filed correctly.

Joe Ham, Storm Water

Mr. Ham passed out a handout detailing the Storm Water Bond Project Status that included completed projects on Granline. Reno/Market and North of Meide Drive. He

discussed projects that are underway on Green Valley, 13th & Vincennes, the North Y Project, and Binford Park. He explained that there is a study being done on the detention Basin upstream from the 4H site. He went over their expenditures to date and the anticipated cost of the projects that are under way.

Mrs. Benedetti asked if this follows the exact projects that was listed in the bond.

Mr. Ham stated that the Salvation Army is in the same location as the south of Daisy but there are some that were named in the bond that aren't on the list.

Mr. Blair asked if Binford Park was in the original master plan

Mr. Ham replied no and explained that they did a study of Falling Run to see what else could be done that they would have control over and that is where Binford Park came from.

Mr. Coffey stated that he is glad to see Binford Park because it will tie into the one on Martin and alleviate a lot of the water runoff.

Mr. McLaughlin asked if the golf course has been cooperative.

Mr. Ham stated that they have been very cooperative.

Mrs. Benedetti asked if there are any other problem areas being dealt with.

Mr. Ham replied that they had a number of problems areas because of the three rain events but that was simply because the system couldn't handle it but there are old areas of town that require maintenance.

Mr. Blair stated he gets the most calls regarding storm water basins and Mr. Ham has been very good about responding to all of those concerns and trying to correct the issue as soon as possible. He explained that they talked about the fact that they have a large amount of detention basins that need work and it will take a while to address all of those and he wonders if there is any way to do a one-time allocation to allow Mr. Ham to hire contractors to address as many as they can.

Mr. Caesar stated that he agrees that a lot of it is a maintenance issue.

Mrs. Benedetti asked if someone goes out and inspects new developments.

Mr. Ham explained that every two weeks Kevin Fedder, who does the erosion control plans, goes out and inspects them.

Mr. Gibson presented a letter from Mayor Gahan to the US. Army Engineer District regarding the Silver Creek Area and stated that Mr. Ham was able to get them to take an analysis and this is to let them know that it is going to be done. Said letter is on file with the City Clerk's office.

Mr. Ham stated that these projects go before the corps and we are in competition with all other communities across the country in competing for their dollars.

Scott Wood, Planning and Zoning

Mr. Gibson stated that Mr. Wood had another engagement so he couldn't be here tonight but he will answer as many questions as he can.

Mr. Gonder asked if there is any initiative to go forward with sign ordinance.

Mr. Gibson stated that they do have a sign ordinance.

Mr. Gonder stated that Mr. Wood has mentioned that it is inadequate.

Mr. Gibson stated that he believes Mr. Wood would tell them that the entire zoning code is inadequate and it is because it hasn't been updated since 1970's He explained that he believes that Mr. Wood has sent a letter regarding the sign but he hasn't heard back and their ordinance doesn't address it.

Mr. Gonder stated that they need to look at what they can do to avoid this in the future.

Mr. Gibson stated that he anticipates what they will hear is ultimately they need to redo the entire zoning code and it is made more difficult from a legal standpoint because it is so old. He explained that it is a big project and if the council is interested it is something that probably should be done.

Mr. Coffey stated that since CVS went in the flooding problem on Martin Drive has become unmanageable.

Mr. Gibson stated that Mr. Ham could take a look at it and from his understanding CVS has onsite underground detention so anything they are creating and generating is supposed to go to their detention.

Mr. Ham stated that they are actually detaining more than they used to.

Mr. Coffey asked if they could put in flow meters and see.

Mr. Zurschmiede stated that the City Engineer needs to inspect and make sure that it was built the way it was designed and he doesn't know of anyone that is going out on a routine basis to make sure this is being done.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

INTRODUCTION OF RESOLUTIONS:

R-15-16	Resolution Regarding Scanning of Prior Ordinances And Records	Phipps
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Mr. Phipps introduced R-15-16 and moved to approve, Mrs. Baird second, all voted in favor.

Mr. Phipps stated that this should bring them up to date.

Mrs. Glotzbach stated that they may have to add \$500.00 to her budget each year to keep this updated.

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Mr. Blair stated that the area between Grant Line Road and Charlestown Road has had a tremendous amount of flooding issues and there are several individuals here to talk about

that tonight. He explained that as Mr. Gibson pointed out they have requested an analysis but since they are doing the reconstruction of Mt. Tabor road there might be an opportunity to do some piping projects to get some of the water out of there.

Dr. Cliff Staten stated that he lives on the cul-de-sac and Slate Run Creek wraps around them. He explained that he has lived in this area since 1989 but as developments have occurred flooding has become the new norm and it is destroying property. He presented photos of the flooding around his neighborhood, said photos are on file with the City Clerk's office. He asked that they look at the area and address the issue because they are apparently not on the master plan list.

Mr. Gonder said that the creek is doing exactly what it should but clearly they did something wrong and they need to see what can be done to alleviate this issue.

Mr. Zurschmiede stated that first thing we have to do is incorporate drainage to the Mt. Tabor Road improvement project to funnel the water passed as many houses as possible.

Michael Shroust stated that his family has lived on Martin Drive for 50 years and their yard is eroding away and he would like for the area to be addressed. He explained that that the water is very swift with just a small amount of rain and is dangerous.

Dr. Luanne Jenson, president of the Animal Control Board, explained that the board met earlier than normal last week because the county was in arrears. She stated that they sent in a \$75,000.00 payment the next day but they don't have any more money to give to them. She explained that it doesn't mean that they won't keep asking but they do not have any recourse when one of the entities doesn't pay. She explained that they will be presenting their 2016 budgets and she asked if they could get both boards together to discuss the budgets. She explained that their board does not have the authority to terminate the inter-local agreement like it is being suggested so she is asking that the city and the county work together on this.

Mr. Coffey stated that the City has always met their obligation to the Animal Shelter.

Jo Russell read a letter from a resident on Martin Drive expressing that she can't enjoy her property because of the drainage issues. Said letter is on file with the City Clerk's office. She explained that she was told by Mr. Coffey and Mr. Zurschmiede at a meeting to wait until the Bob Evans area was finished because it would help and while it did it has allowed more water to stand and they need to be a priority for the city.

Dennis Feiock stated that he is here to talk about Slate Run Creek and passed out a packet of correspondence that he has sent over the years regarding this issue dating back to 2004, said packet is on file in the city clerk's office. He stated that they need to have detention ponds that actually work and he asked that they city make this area a priority. He passed out copies of the city ordinance regarding flood hazard areas and questioned where some of these developments have gone in and stated that this is a huge part of the problem.

Mr. Coffey stated that Mr. Feiock needs to attend the Redevelopment Commission meetings so that this can be brought to their attention because storm water needs to start incorporating these into the projects.

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:40 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk