

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 WEDNESDAY, SEPTEMBER 2, 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. Gibson, Police Chief Bailey and Mrs. Glotzbach

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Gonder moved to approve the Work Session Meeting Minutes for August 12, 2015, Mr. Phipps second, all voted in favor.

Mr. Gonder moved to approve the Regular Meeting Minutes for August 20, 2015, Mr. Phipps second, all voted in favor.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

COMMUNICATIONS – COUNCIL:

Mr. Gonder stated that he received a call from Mr. Tom Zurschmiede and went to his house to view the CVS sign and it is unbelievable how bright it is. He said that he doesn't know how it measures up with the two foot candle rule. He added that Mr. Zurschmiede may lose on this one but people in the future should not have to put up with this.

Mrs. Benedetti asked if someone was going to contact CVS to see if something could be done. She also asked if Mr. Wood or Mr. Streips was ever contacted about it.

Mr. Gonder stated that he did not check on that.

Mr. Caesar stated that there was an original letter written to CVS about the little sign but we haven't written a letter about this new bright light.

Mr. Phipps asked if at the property line it was brighter than what it would be on a night with a full moon because that's what the two foot candle rule means.

Mr. Caesar said that you couldn't even see the moon with this light.

Mr. Blair stated that if it is greater than that it would be in violation of the zoning code.

Mrs. Benedetti stated that Mr. Wood or Mr. Streips should check it.

Mr. McLaughlin asked if it is hard to police because it is hard to measure.

Officer John Hall stated that they don't have meters to measure light.

Mr. Gonder asked Mr. Caesar if there has been any reply back from CVS.

Mr. Caesar replied no.

Mr. Zurschmiede stated that Mr. Lorch is still working with Indianapolis on reviewing the building codes and they are dragging their feet so he asked Mr. Lorch to give them a deadline of the end of September.

COMMUNICATIONS – MAYOR:

Mr. Michael Hall stated that last Friday was the last Bicentennial Park Concert Series and it was a fantastic evening so he wanted to thank everyone for their support. He also stated that the September Movie Series is starting this Saturday with the Frozen Sing-a-long to kick things off. He said that the Mayor wanted to extend his appreciation for these quality of life events.

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**

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

Mr. Jason Roseberry, Historic Preservation Commission

Mr. McLaughlin stated that the council had a letter from Mayor Gahan in their packets recommending that Mr. Roseberry fulfill the unexpired term of Megan Resch for the at-large position on the New Albany Historic Preservation Commission.

Mr. Zurschmiede asked him where he lives.

Mr. Roseberry replied that he lives on Spring Street.

Mr. Phipps stated that he is a neighbor of his and believes that he would make an excellent candidate for the at-large position.

Mr. Zurschmiede moved to approve, Mrs. Baird second, all voted in favor.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Officer John Hall stated that they received the arbitration decision and then prepared a contract that was left at the mayor's office on Monday.

Mr. McLaughlin asked that he give the contract to the city clerk and she could send it out to all council members.

Mr. Blair stated that he would like a copy of the documented arguments.

Officer Hall stated that he doesn't think they typed up that document this time. He said that he only received a two page document stating what their findings were.

Mrs. Benedetti asked if testimonies were given.

Officer Hall replied yes.

Mrs. Benedetti stated that they got that before and asked how they got it.

Officer Hall stated that it is up to the arbitrator how they handle their arbitration and some have a court reporter there and some don't and this time they didn't. He added that he doesn't think that there is a jurisprudence for how an arbitration is actually rendered.

ADJOURN:

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

Pat McLaughlin, President

Vicki Glotzbach, City Clerk