

**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, SEPTEMBER 20, 2018 AT 7:00 P.M.**

**MEMBERS PRESENT:** Council Members Mr. Coffey, Mr. Caesar, Mr. Phipps, Mr. McLaughlin, Mr. Nash, Mr. Blair, Mr. Aebersold, Mr. Barksdale and President Knable.

**ALSO PRESENT:** Ms. Stein, Police Officer Shultz, Mr. Thompson, Mr. Streips, Mr. Gibson, Mrs. Moeller, and Mrs. Glotzbach

**President Knable** called the meeting to order at 7:00 p.m.

**MOMENT OF REFLECTION:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. McLaughlin** moved to approve the **Public Hearing Meeting Minutes for September 6, 2018, Mr. Phipps** second, all voted in favor.

**Mr. Barksdale** moved to approve the **Regular Meeting Minutes for September 6, 2018, Mr. Caesar** second, all voted in favor.

**COMMUNICATIONS – COUNCIL:**

**Dr. Knable** stated that he has been in discussion this week with the mayor as well as Mrs. Moeller regarding the Homeless Coalition. He explained that the money that was allocated to them back in March still hasn't been executed in part because of stipulations that the council as a body put on that ordinance to make sure that the money was earmarked for specific purposes. He said that Ms. Stingel is going to appear before the council at the second meeting in October and if we have any further guidance that he can give her with regards to specific usage of that money, he would be happy to relay that to her prior to the meeting. He also said that Mrs. Moeller has also advocated for a meeting between Ms. Stingel and the mayor which he does not oppose. He stated that the mayor has signed the ordinance in a timely manner but it is has just not been executed because of the stipulations that we put upon it.

**Mr. Coffey** asked if there were any stipulations the council put on it that were of concern.

**Dr. Knable** stated that Mr. Caesar amended it to make sure that the money went to direct care rather than administrative purposes.

**Mr. Caesar** stated that the stipulation was that the money be spent on white flag efforts, beds and supplies for the homeless.

**Dr. Knable** stated that he has been in contact with the Salvation Army and they have not received anything from them so it is just a matter of us lining the ducks up so that the Salvation Army tells them what is owed and then go that route. He said that he will call Ms. Stingel and help arrange a meeting with the mayor via Mrs. Moeller so that she can

meet with him before she comes before the council or around the same time. He then stated that the Human Rights Commission met prior to this meeting tonight and Mr. Phipps was there as a co-liaison. He said that they interviewed five excellent candidates for their fifth member and there were actually eight applications submitted but two were disqualified because of non-residency and one was because it was not submitted in a timely manner. He said that the other five interviewed excellently tonight and the commission is going to meet next week to decide on the fifth member and then set up their quarterly meeting dates thereafter so he thinks that it will be up and running pretty quickly. He explained that Mr. Phipps and he discussed during that meeting and also after that given the quality of the candidates, they feel it may be very worthy of consideration to expand that body from five members to seven. He said it would really increase the diversity of the body and the quality of the candidates that were there is unbelievable. He added that they were really motivated and really wanted to get engaged. He stated that he would like discussion on that at this moment or at a future meeting but he feels that Mr. Phipps and he are of the mind to try to go ahead and bring that amendment to the ordinance to the council before the end of the year. He said that the idea would be that the mayor would get another appointment as well as the council getting another one which would bring their total to seven.

**Mr. Phipps** stated that he concurs with everything that Dr. Knable said and feels that they are really excellent candidates. He stated that each one brought a unique strength to it and he would be happy with any of the candidates that the commission actually chooses. He added that he agrees that the commission should be expanded to make it even more diverse.

**Mr. Caesar** stated that he is in favor of that and mentioned that there was some discussion about appointment times and asked if they wanted to address that.

**Mr. Phipps** stated that they would address that also in the amendment.

**Mr. Caesar** reminded everyone that there is a meeting at Scribner Middle School regarding the Sherman Minton Bridge on Tuesday, October 2<sup>nd</sup> from 5:30 p.m. until 7:30 p.m. with a presentation at 6:00 p.m. He stated that the bridge is scheduled for repairs in 2021 which could take three years and there was a discussion about this after the Horseshoe Foundation meeting and Mr. Brad Striegel is going to write a letter to INDOT to see what is going to happen and to inform them of the loss of business that will cause. He said he remembers back in 2012 that several businesses were devastated and it did affect his business but it did help restaurants because citizens of New Albany and Floyd County discovered that there are great restaurants downtown and that they don't have to go across the river. He said that he plans to attend the meeting and if anyone wants to go with him, he would welcome that. He added that there will be one other meeting in Louisville but that meeting and this meeting are the only two meetings they will have.

**Dr. Knable** stated that he thinks the most they can do is push for minimal time with total closure and wanted to remind people that there are no plans for the bridge to reopen as a toll bridge.

**Mr. Caesar** stated that he views this as a very important thing and if there is anything they can do, they should be proactive.

**Mr. Phipps** stated that it is going to be bad either way because if they close it down permanently then people have to pay the tolls on the other bridges or if there is just one

lane open, there will be massive traffic backups so that will cause a lot of congestion in New Albany.

**Mr. Caesar** stated that 90,000 people go over the Sherman Minton per day.

**Mr. Barksdale** stated that Develop New Albany just mentioned tonight that INDOT and KYDOT have put a committee together to have the meeting and Develop New Albany has a representative going to that meeting and asked if anyone knows if the city has a representative going.

**Dr. Knable** stated that we will have plenty of people there and suggested that they discuss it after the meeting as well as if there is a need for the council to create a committee.

**Mr. Barksdale** suggested that they wait until the 2<sup>nd</sup> to see what the hierarchy is then.

**Mr. Blair** stated that he would like to add that the crime rate went down in 2012 to Mr. Caesar's list of impacts. He then stated that he received some calls regarding code enforcement and one complaint is vehicles that are inoperable that are parked on the street. He said that he wasn't sure if it is code enforcement or the police traffic division handles those situations.

**Mr. Phipps** stated that he would call anyone at the police department and they will send someone to tag it with a notice to get it moved within 24 hours.

**Mr. Blair** stated that he thought code enforcement would take care of it but the car is still sitting there and he feels it is a safety issue in subdivisions with kids playing.

**Mr. Phipps** stated that if it is in the yard, they would but the traffic division patrols the city streets.

**Mr. Blair** stated that he did notice that the ones in the yard were tagged with notices.

**Mr. McLaughlin** stated that he has had problems in his neighborhood with people parking on the sidewalks and called Traffic Officer Miller and he either issued a warning or a ticket so that took care of it.

**Mr. Caesar** stated that on Culbertson Avenue across from the cemetery, there is no grass between the street and the sidewalk and the ground sits lower because everyone there parks with one tire in the street and one in the grass. He added that he is seeing more and more cars parked in grass so they may have to do something about that.

**Mr. Coffey** stated that we have an awful lot of cars on lots for sale. He said that some of this is a business where people buy cars from auctions and then park them in lots. He gave the example of the fireworks place on Corydon Pike and said that it is a business.

**Mr. Blair** stated that it is addressed in the zoning ordinance which states that you are allowed to sell only two vehicles per year like that.

**Mr. Coffey** stated that the lot on Corydon Pike probably sells 10-12 cars per week like that.

**Mr. Blair** stated that shows the importance of us getting a zoning enforcement officer.

**Mr. Phipps** stated that under the new ordinance, it would be directly ticketed so it would speed up the process as opposed to sending warning letters and then having to take legal action. He said it will streamline the enforcement.

**COMMUNICATIONS – MAYOR:**

**COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:**

**Mrs. Moeller** presented the council with the monthly financial reports for August 2018.

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

**PARKS & RECREATION – Mr. McLaughlin**

**Mr. McLaughlin** apologized because the meeting schedule has not been conducive with his work schedule so he hasn't been able to attend meetings. He said he has been keeping in contact with Ms. Meredith and Mr. Sipes and there really isn't anything to report at this time other than what Ms. Meredith reported at the budget hearing regarding the fall programs that are starting.

**Dr. Knable** asked Mr. McLaughlin to remind them to give the council a year-end update on the revenue of the pool and Silver Street Park.

**PLAN COMMISSION – Mr. Phipps**

**Mr. Phipps** stated that they met on Tuesday night and had a brief presentation on the main bullet points of the new zoning ordinance but they decided to table it so that there could be a work session with the council. He explained that they could make any suggestions or tweaks before the plan commission votes on it because once the commission votes on it, the council can't amend it. He said that Mr. Wood was to contact Dr. Knable to set up a date and time for the work session and asked Dr. Knable if he had been contacted.

**Dr. Knable** replied no.

**Mrs. Glotzbach** stated that she was copied on an email from Mr. Wood regarding the work session.

**Dr. Knable** said that he would have Mrs. Glotzbach check on that after the meeting.

**Mr. Phipps** then stated that they gave favorable recommendations to several daycare centers that have been in existence for several years but with the change in the state laws, they had to be approved again. He said that they gave favorable recommendation for a tattoo parlor where there was previously one on State Street and Elm Street. He said that they also gave a favorable recommendation for an enclosed basketball court at Hammersmith Park. He explained that they gave a favorable recommendation for a museum in Silver Hills on Adams Street that is going to detail the history of Silver Hills as well as have memorabilia and records and will eventually be opened to the public a few hours a week. He said that all of these things will go forward to the board of zoning

appeals and they will hash out the details. He said that prior to the meeting, Summit Springs was postponed until a future meeting.

**Mr. Coffey** said that he knows the commission postponed Summit Springs but asked if anyone has taken a look at it.

**Mr. Phipps** stated that they didn't postpone and that it was postponed before it ever came to their agenda.

**Mr. Nash** asked about the development at Green Valley Road and Daisy Lane.

**Mr. Phipps** stated that was postponed prior to the meeting.

**Dr. Knable** stated that he walked Summit Springs and it might be worthwhile for them to all take a fieldtrip there with one of the developers.

**Mr. Coffey** stated that he isn't saying it is a bad project but right now it isn't working.

**Mr. McLaughlin** stated that they met with Home Depot about expanding the retention pond. He added that the rain has been an issue especially with the ground churned so it isn't totally unexpected.

**Mr. Coffey** stated that it is unexpected for what has come off of the hill. He added that the holding pond has collapsed in the past.

**Mr. Gibson** stated that the developer's representative came to the board of works and indicated that they are moving ahead with the detention basin on the project which will be built at 1.5 times what the standards are on lot 7 to address these issues.

**Mr. Coffey** asked if it is possible to have another engineer come in to take a look at the drainage and make a recommendation or tell them what has been done.

**Mr. Gibson** stated that he is sure he can get someone to come in to do that and reminded them that they have to approve any secondary approval.

**Mr. Caesar** stated that there is an engineer up there every day watching over it.

**Mr. Streips** stated that was a requirement of the project.

**Mr. Coffey** stated that as steep as that is, there is going to need to be another retention area halfway down.

#### **TREE BOARD – Mr. Streips**

**Mr. Streips** passed out the Tree Management Plan for the council to review and explained that the Tree Board applied for the 2016 Community and Urban Forestry Assistant Grant which awarded \$20,000.00 in early 2017. He stated that the project started on April 20, 2017 and ended in June of 2018 and added that New Albany was one of ten that was awarded money through DNR in the entire northeast region. He explained that the board was required at that time to obtain three proposals for the project and selected ArborPro, Inc. who has drafted a number of management plans and inventories throughout the country. He stated that the inventory was completed in September of 2017

and the management plan followed based on the inventory and how to manage that. He explained that there were a total of 7,777 sites inventoried that included trees, vacant planting sites and stumps. He added that this is a huge asset for the community to have and it is all stored digitally with notes on every tree that was inventoried. He stated that the tree board has worked very hard in the last couple of years on this project and they are excited to do more. He explained that he would like to give the council time to review the information passed out to them tonight and he will be back at the next meeting to answer any questions and present photos of the inventory.

**Mr. Caesar** stated that there were many trees that needed to be removed.

**Mr. Streips** stated that was one great thing about the inventory and explained that as they went through, they categorized the ones that need to be removed into a schedule.

**Mr. Caesar** asked if there is a planting plan in this as well.

**Mr. Streips** replied yes.

**Mr. Barksdale** stated that Mr. Streips has done a fantastic job getting this taken care of and has worked very diligently on it. He added that he has been on the tree board numerous years and they are very excited about this plan moving forward.

**There was a lengthy discussing regarding diseased trees and how to address them.**

**Mr. Coffey** stated that there are a lot of trees along Silver Hills that are diseased and we can't lose those trees or it will be like Summit Springs.

**Dr. Knable** asked if the distressed list includes interplay between the trees and the sidewalks around town.

**Mr. Streips** stated that there are some recommendations in the inventory and discussion about which trees are affecting sidewalks.

**Mr. Caesar** stated that the type of tree is important but the term they need to live with is urban trees and they don't live to be 300 years old.

**Mr. Blair** asked about the tree planting plan and if they have specific locations.

**Mr. Streips** said that it is not specific locations but more so numbers.

**Mr. Blair** asked if that kind of plan will be developed.

**Mr. Streips** replied yes and stated that the tree board has talked about this numerous times as trees have come in.

**Mr. Blair** stated that he would encourage the board to come up with a multi-year plan that specifies a number of trees, locations and cost because that is something they might be able to build into their budget.

**Mr. Streips** stated that is something that could be a sub-plan that comes out of knowing the funding.

**APPROVAL OF CF-1 FORMS:**

**INTRODUCTION OF ORDINANCES:**

**READING**

**COMMUNICATIONS – PUBLIC: (2019 Budgets)**

**COMMUNICATIONS-PETITIONER: (2019 Budgets)**

**A-18-05 Ordinance to Fix the Non-Reverting Budgets for the Year 2019 Caesar 3**

**Mr. Caesar introduced A-18-05 and moved to approve the third reading, Mr. Phipps second, all voted in favor with the exception of Mr. Coffey who voted no. Bill A-18-05 becomes Ordinance A-18-12.**

**Mr. Caesar** stated that the council has been over this and there have been no changes in the non-reverting budgets.

**Mr. Coffey** stated that he will not be voting in favor of this because he has concerns with the non-reverting fund for unsafe building.

**Mr. Gibson** stated that there is no funding being asked of from the council or other entities to fund the unsafe building line item.

**Mr. Blair** asked if that is administered through the building commissioner.

**Mr. Gibson** replied yes.

**Mr. Blair** stated that they could ask him to come in a give a report on that.

**Mr. Gibson** reiterated that they are not asking for resources to fund this matter and explained that that when liens are collected and demolitions are done, that money goes to their budget because otherwise there is no resources for them to use.

**A-18-06 Ordinance to Fix the General Fund and Other Budgets for the Year 2019 Caesar 3**

**Mr. Caesar introduced A-18-06 and moved to approve the third reading, Mr. Coffey second,**

**Mr. Coffey withdrew his second.**

**Mr. Caesar moved to amend the budget for fund 06004 –Reserve Liability Self Insurance from the original amount of \$400,000.00 to \$247,629.00, Mr. Coffey second, all voted in favor.**

**Mr. Caesar introduced A-18-06 as amended and moved to approve the third reading, Mr. Coffey second, all voted in favor. Bill A-18-06 becomes Ordinance A-18-13.**

**Mr. Gibson** stated that unless they want to for administrative purposes, there does not need to be an amendment on this because it can't be approved by DLGF for over what it was advertised at.

**A-18-07 Ordinance Setting Salaries for the Year 2019 for Elected Officials McLaughlin 3**

**Mr. McLaughlin introduced A-18-07 and moved to approve the third reading, Mr. Phipps second, all voted in favor. Bill A-18-07 becomes Ordinance A-18-14.**

**A-18-08 Ordinance Setting Salaries for the Year 2019 for Non-Bargaining Unit Employees McLaughlin 3**

**Mr. McLaughlin introduced A-18-08 and moved to approve the third reading, Mr. Phipps second, all voted in favor. Bill A-18-08 becomes Ordinance A-18-15.**

**Mr. Gibson** thanked the council for all of their work on the budget this year.

**Mrs. Moeller** thanked Mrs. Glotzbach for all of her extra work as well.

**INTRODUCTION OF RESOLUTIONS:**

**BOARD APPOINTMENTS:**

**COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):**

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 7:55 p.m.

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Al Knable, President

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Vicki Glotzbach, City Clerk