

**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, DECEMBER 4, 2017
AT 7:00 P.M.**

MEMBERS PRESENT: Council Members Mr. Coffey, Mr. Phipps, Mr. Nash, Mr. Blair, Mr. Aebersold, Mr. Barksdale, Dr. Knable and President McLaughlin. Mr. Caesar was not present.

ALSO PRESENT: Ms. Stein, Mr. Hall, Mr. Wilkinson, Police Officer Applegate, Mr. Wood, Mr. Thompson and Mrs. Glotzbach

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

MOMENT OF REFLECTION

Mr. Barksdale asked that they keep Mrs. Jean Caesar in their prayers and explained that she had surgery this morning and is doing well.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Regular Meeting Minutes for November 16, 2017, **Mr. Coffey** second, all voted in favor with the exception of Mr. Caesar who was not present and Mr. Barksdale who abstained.

Mr. Phipps moved to approve the Public Hearing Meeting Minutes for November 16, 2017, **Mr. Coffey** second, all voted in favor with the exception of Mr. Caesar who was not present and Mr. Barksdale and Mr. Blair who abstained.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

Keeley Stingel, Executive Director Homeless Coalition, passed out copies of the Homeless Coalition's initial outcomes & continued efforts and reviewed them with the council. Said handouts are on file with the City Clerk's Office. She explained that the coalition is requesting \$75,000.00 again this year to serve the homeless in southern Indiana as well as those that are at risk of becoming homeless. She stated that the initial investment was used as leverage to acquire additional funds which brought in over \$90,000.00. She explained that they have received their 501C3 non-profit status which allows them to fundraise and request grants from individuals that will be tax exempt. She stated that the coalition has hired an executive director, has gone through the branding process and is now operating out of a physical office that is located in downtown New Albany. She explained that they are meeting a community need for emergency shelter which is called the White Flag Shelter program and have already operated 3 nights this year and last year they served 126 individuals. She stated that their continuing efforts include further funding efforts which already includes a commitment from the City of Jeffersonville, the Bales Foundation and individual donations. She stated that they are also operating the White Flag Shelter, increasing visibility and awareness, coordinating services, partnering with local governments and community buy-in. She explained that their goals include staff to coordinate white flag services, a system that tracks relationships/communications among service providers, create real-time access for housing, and resources for providers. She asked that the council members take a look at

the documents provided and stated that she would stick around to answer any questions that they may have.

COMMUNICATIONS – COUNCIL:

Mr. Coffey stated that there have been some accusations about him and the Knights of Columbus raising money off the city's property. He added that he had one individual ask him to give names of the individuals that they deliver food to which he refused but offered to show them the receipts where they bought the food. He asked Mrs. Glotzbach to read the email response from Mr. Duggins into the record. Said email is on file with the City Clerk's office. He stated that he has a hard time with these accusations because they were working to raise money to make sure that these families have food for Thanksgiving and it is very disheartening.

Mr. Blair stated that earlier this year for procedures, they passed an ordinance for submission of items for council meetings and this passed round they didn't get their packets until Thursday.

Mrs. Glotzbach stated that she was on vacation so she was unaware that they didn't go out until Thursday.

Dr. Knable stated that last meeting there were several concerned citizens expressing their contention that there hasn't been any public discussion regarding the New Albany Housing Authority's plans and he would like to have the executive director to address the council when they have a plan together.

Mr. Blair stated that he would be interested in hearing a presentation but he would rather have it in a public forum such as the library.

Mr. Coffey stated that some of the food they delivered where in various housing projects and they were shocked at some of the conditions of the buildings. He explained that he doesn't think that it is right that the people have to live like that, especially knowing that the previous group was sitting on \$13M and could have fixed some of these issues.

Dr. Knable stated that the more opportunities to hear the plans the better.

Mr. Coffey stated that he thinks that the council should look into purchasing tablets again to save on paper.

Dr. Knable recommended talking about this going into the move to the new building.

COMMUNICATIONS – MAYOR:

Mr. Hall stated that Mayor Gahan wanted him to pass on some winter prep that is going on. He explained that the crews are ready and the equipment has been well maintained with a stockpile of salt leftover from last year.

Mr. Barksdale asked Mr. Hall to tell the mayor that he has received several compliments on how good the Christmas decorations look in the downtown area.

Mr. Thompson stated that they are trying to get all of the paving finished up before the weather gets bad.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

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

Ed Wilkinson stated that they operate a \$13M a year budget and the revenue for 10 months has been \$11,670,000.00 with the expenses coming in at \$11,335,000.00. He added that puts them running about 2% under the listed budget and the gap in the revenue is where the 3% CPI revenue increases, which will pick up but did not start until July in the calendar year. He explained that they are holding expenses down to just under 5% so they are staying in the black. He updated the council on the progress of their capital expenditures for expenses in the sewer department and stated that they have a new flusher truck which was a \$300,000.00 purchase on the new equipment line item in budget. He added that at the end of the seven or eight year life cycle for this vehicle, they took it in and had it rebuilt for \$30,000.00-\$50,000.00 to get a couple of more years of use and handed it off to storm water. He stated that the other activities are lining and as of the end of September they have about 3.5 miles of new pipe lined and by end of the year they should be in the neighborhood of 5 miles. He added that the lining extends the life of the piping by 80 years. He discussed the capital projects for EPA and explained that they have had about \$17M worth of improvements since 2009 which includes McLean Lift Station and Grant Line Road Lift Station that were both completed in 2017

Dr. Knable asked when McLean went online.

Mr. Wilkinson stated sometime in May or June. He explained that the next group of projects came into play a year ago when they passed the new bonds for \$12.5M. He stated that at the time, the list included a ballpark estimate for seven projects which includes Jacobs Creek Lift Station at \$1.4M, Uphill Run Lift Station at \$800,000.00, Basin 16 Storage Project for 1.6M gallons at \$3.8M, Basin 14 Storage Project for 600,000 gallons at \$1.6M, Basin 7 Project, and scorkle clarifiers at the plant at \$1.5M. He explained that there is so much private development going on that the pressure is still on the construction companies and they are not being real frugal with their bids and are coming in on the high side. He stated that they are in excellent shape compared to what the neighbors around them are dealing with. He added that he is very comfortable with the 3% CPI rate and stated that for five years he has not seen any need to deal with or worry about facing any radical changes in the system of any type. He stated that of the 7 projects that are in the bond list, they have spent \$442,000.00 and they maintain an accounting system on bond money separately. He explained that the overall bond payments/standing for the sewer department have a combined amortization schedule and in six years they will have knocked off \$32M of that which will drop the payment from \$5.5M to \$1.5M per year. He added that while everyone will be looking for the money to take care of their system, New Albany will be at the tail-end of the process at that point. He pointed out that any time they have questions about the numbers it can usually be found in the Rodefer Moss reports that they receive.

Dr. Knable stated that he thinks they were wise in doing a five year rolling average on the CPI because they are going to see a spike in it this year. He asked about the estimate for residual capacity of the main plant and what the life expectancy is of some of the main structures.

Mr. Wilkinson stated that the design capacity is 12M gallons a day and they are running about 8M gallons a day. He explained that the lining of the pipes is reducing the amount of water coming into the system between 25%-30%. He added that the demand on the plant, even with the new projects, has not increased the overall flow into the system.

Dr. Knable asked if he expects any major overhaul projects at the plant.

Mr. Wilkinson stated that two of the projects that they did at the plant last year were re-work renovation and he is looking at having a five year rolling replacement of major capital equipment along with the five year forecasting the first year after that bond payment drops,. He explained that they will be doing that on an ongoing basis and they already do a tremendous amount of preventative maintenance.

Mr. Nash asked if there are any projected dates on Basin 16.

Mr. Wilkinson stated that the bids are in now and they have to review them and pick one. He added that the new line from Jackson Street to the golf course will start in January and they will start digging the storage unit/piping within 90 days. He stated that those jobs are fairly straight forward and will be done with most of that \$12M spent in 2018.

Mr. Nash asked if it starts the clock on no overflows when those projects are done.

Mr. Wilkinson stated that we are much closer than that with EPA and explained that when they took the list to remedy the 10 overflows that are left, they understood that the city was serious.

Mr. Nash asked when he anticipates that they will come out from under EPA.

Mr. Wilkinson replied 24 months from now.

Mr. Blair asked where the clarifiers are located.

Mr. Wilkinson explained that they are the first units of cement that they come to on 8th Street.

Mr. Blair stated that his understanding was that they purchased the QRS property so that they had capacity for the clarifiers on that property but now it sounds like they aren't using that property for that any longer.

Mr. Wilkinson stated that they are trying to figure that out. He explained that they have an engineering study that proposed \$12M, \$8.5M and \$9.5M to repair the scorkles, and when you have numbers that big, you move over and build new.

Mr. Blair stated that there was an engineering study done in 2016 for the city by HWC and he thinks that is what is being referenced, but he wants to know where the studies are or what the justification is for the purchase of the QRS Property through the sewer department.

Mr. Wilkinson stated that the biggest justification and common sense reason comes from the fact that they have to grab the space that they can get that is close to where they can build.

Mr. Blair asked if they consulted with the Corp of Engineers or anyone about building in a flood plain.

Mr. Wilkinson stated that they can build wherever they need to build and they have done this with them enough times to know what the requirements are.

Mr. Blair asked if he could provide a document that says that property could be a site for a sewer facility.

Mr. Wilkinson replied no.

Mr. Blair stated that the problem they will run into is that funds were used out of the sewer utility that are now not being used for the sewers and that could be an auditor finding and could put the city's credit rating at risk.

Mr. Wilkinson stated that he would very much like to be in on that discussion if it happens. He explained that before they starting lining pipe there was a big questions about capacity and overflow so they started looking for property. He stated that the starting price was \$2-\$3M but always "not in my backyard" and they can't change the way the city flows.

Mr. Blair asked where the study shows that they need a new facility because it sounds like if they can continue to make the existing plant more efficient, they can continue to treat what they have and possibly even have additional capacity.

Mr. Wilkinson stated that if his question is why they bought the land now, it is because it was available and offered to them at a good price that was inside of their property purchase line item budget.

Mr. Blair stated that without an engineer giving them a go ahead that the property can be used for a sewer utility, money is being spent out of that budget for something that isn't going to be used for the sewers. He added that an auditor is going to pick up on that.

Mr. Wilkinson stated that they have the TIF money and EDIT money that has been pledged by the council and they have been operating without it. He added that they probably won't request it again this year or next year and these were judgment decisions by the sewer management and if there are any comments that appear in the audit, they are happy to be part of the discussion. He added that at this point unless they want to unwind it, they are where they are at with it.

Mr. Blair stated he isn't saying they should unwind it, just that it should have been funded appropriately. He explained that the council is the fiscal body and if they see a situation that isn't fiscally sound, they have an obligation to bring that up. He added that if you make a mistake then you are better off self-policing than letting the auditors come in and find it.

Mr. Wilkinson asked if he got those answers when he called in to them about this.

Mr. Blair stated that he did bring it up and explained the situation and was told by Todd Caulfield, Auditor, Indiana State Board of Accounts that sewer utility monies should be directly related to the operation of the municipality owning the property.

Mr. Wilkinson stated that the sewer utility can lend money to the city or to another department as long as it is documented and a paper trail is available. He explained that the Indiana statutes also say that in setting a rate, they can take in all those considerations because their responsibility is to serve the community as economically as they can. He added that the purchase of that property as well as all of their other decisions are made with great care to do just that.

Mr. Coffey pointed out that money was mismanaged in the past so that is where the concerns are coming from. He stated that the EPA gave them a list of projects that they wanted done and past administrations chose to do other projects instead. He added that he was told by someone with the Justice Department that the city could have basically rebuilt the city and still had the sewers done for the amount of money that has been spent on them.

Mr. Wilkinson stated that is a ridiculous statement to make.

Mr. Coffey stated that he is not happy with the numbers and he would rather do this in a work session than get the numbers the night of.

Mr. Wilkinson pointed out that they get the numbers in a monthly report so this is not new information.

Mr. McLaughlin stated he did not set this up as an inquisition which it seems to be heading towards. He added that if they have these concerns they can set up a work session or go to one of the sewer board meetings and confront them there. He asked if any of them have utilized that option.

Mr. Blair stated that he has been to the sewer board but with all due respect, their annual presentation is by ordinance. He added that the sewers are important and when he sees rate increases and bonding he has concerns. He stated that there are some great things going on but there are some concerns about how the money is being spent.

Mr. Coffey asked how many projects that were mandated by the EPA are still on the list to be done.

Mr. Wilkinson stated that he has never seen a list of projects from the EPA that he is talking about. He explained that under the years he has been with the sewer board the EPA doesn't tell them what to do, they tell them that they have overflows and that they have to be fixed. He added that it is up to the city to identify the problemed areas and address them and that is the list of projects that he presented earlier. He added that they ordered the entire inventory of piping to be cleaned and televised and that is what the flusher truck does.

Mr. McLaughlin asked how many overflows they had prior to the EPA involvement.

Mr. Wilkinson stated that when he came on to the board they had 75 overflows and now they have less than 10 and these projects should take care of those 10. He asked if they wanted to move on to storm water.

Mr. Blair objected and stated that he wants to hear the storm water update from someone on the storm water board.

Mr. Phipps asked if he has the information that they need does it matter who delivers it.

Mr. Blair stated that he wants someone that has decision making abilities for storm water to be here for that.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

A-17-09	Ordinance for the Appropriation of Riverboat or EDIT Funds for the Homeless Coalition of Southern Indiana	Knable 1&2
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Dr. Knable introduced A-17-09 and moved to approve the first and second readings, Mr. Barksdale second, all voted in favor with the exception of Mr. McLaughlin who voted no and Mr. Caesar who was not present.

Dr. Knable stated that the initial request was for \$75,000.00 for 2 years and they wisely asked that they do it one year at a time. He explained that there is a homeless problem in the city whether they see it on a daily basis or not and while they have essential services to provide a band-aid, this program offers a more long-term solution. He pointed out that Ms. Stingel is a different director than what they saw last year and that creates some question to stability and her to address this.

Ms. Stingel stated that they received their 501C3 in June of 2016 and the former executive director was hired but they left in March of 2017 so she has been with the organization since June.

Dr. Knable stated that it is his understanding that the coalition was going to sign a memorandum of understanding with regards to the Salvation Army shelter and asked if that has been completed.

Ms. Stingel stated that they have agreed to the terms and are going through the legal process with the Salvation Army.

Mr. Phipps stated that he thinks that the council specifically suggested that they seek funds from Floyd County and Clarksville and asked if that has been done.

Ms. Stingel stated that they have been in communications with the Town of Clarksville and with several people involved with the Community Foundation of Southern Indiana. She explained that they want to see how the service members are communicating with one another and currently there isn't a good way to track that so they are looking to improve upon that.

Mr. Phipps stated that he thought initially it was the role of the coalition to basically be the one-stop entity and now it sounds like she is saying that they need others to be on board.

Ms. Stingel explained that there are several other entities that have to be part of this coordinated effort but there are several ways of doing this, one being a single point of entry. She stated that they are covering Clark and Floyd County so that leaves the other 6

counties open and they would like to be able to provide services to people where they live instead of them having to find a way to travel, so the thought was that coordinated entry works best for this area.

Mr. Phipps stated that he would like to see specifically what the \$150,000.00 has been spent on. He explained that he isn't doubting the need for this and added that he was a strong proponent for this a year ago, but given the fact that they aren't paying rent on their location and they served 126 clients, he can't imagine that money is going directly to the person. He stated that it looks like most of the money is being spent to maintain a formal organization which he will agree needs to be there to some extent, but now with the coordination of efforts that sort of eliminates a portion of the justification for the coalition.

Ms. Stingel stated that it isn't unexpected that they want to hear about the return on their investment. She explained that the White Flag program isn't the only thing that they have done but it is meeting a need in the area and is being operated in New Albany. She added that they also used the money that was donated as leverage to secure other funds as well. She stated that the community has demanded that there is a need for their organization and they can't solve these issues overnight.

Mr. Phipps asked if some of the board members left because the former director left or was there some other reason.

Ms. Stingel stated that she would attribute it to this organization being in its infancy and everyone trying to figure out their role and where they want to take the organization.

Mr. Blair asked how she sees herself working with the New Albany Housing Authority.

Ms. Stingel stated that she has a relationship with Dave Duggins from previous projects that she has worked on and she is really looking forward to working with NAHA. She added that she has met with him in this role and feels there are some good things to come from the relationship between the two entities.

Mr. Blair stated that the most recent data shows that there were 118 students that were homeless in the school system and asked what her vision is for working with that population

Ms. Stingel stated that she serves on the Indiana Institute Youth Board of Directors which focuses on serving youth workers. She explained that they were asked who would be willing to host and target youth homelessness and she volunteered for that.

Mr. Blair asked if their financial statement and budget are available.

Ms. Stingel stated that she can provide those upon request.

Mr. Barksdale stated that he has worked with Ms. Stingel several times and is very supportive of the coalition and their current leadership. He asked that they give it another round of funding and go from there.

Dr. Knable asked if there is a full-time grant writer.

Ms. Stingel stated that she would be doing that and when she worked for the state she reviewed grant applications on a regular basis so she is familiar with the process.

Mr. Phipps stated that he would like to see the financial statements before the third reading.

Mr. Aebersold stated that he thinks that the council has a lot more information than the last time.

Mr. Coffey stated that he does understand that these things take time but he is going to expect the coalition to come back in six months to show what they have done.

Ms. Stingel stated that there are some people that are still skeptical about the issue of homelessness. She explained that they do need to activate those that do understand that it is a problem and give them a way to be connected, and that is something they are trying to do with the White Flag Program.

Mr. Phipps pointed out that Ms. Barb Anderson is going to come to the council next month to request \$25,000.00 for the Haven House and she does have her boots on the ground and he hopes what they do tonight doesn't compromise their ability to help her organization. He explained that in the future he thinks it would be a good idea when they are going through the budget process to figure out the collective amount that they want to donate to charity and possibly give thought ahead of time to which groups they know they want to support. He added that he will likely vote for this one more time as well but he does want to see the financials at the next meeting and some good data subsequently.

Dr. Knable asked Ms. Stingel if she has reached out to Ms. Anderson.

Ms. Stingel replied yes.

Z-17-04 An Ordinance for the Vacation of a Public Way Coffey 1&2
Pursuant to a Petition Filed by 40 & 8 Voiture 1250

Mr. Coffey introduced Z-17-04 and moved to approve the first and second readings, Dr. Knable second, all voted in favor with the exception of Mr. Caesar who not present.

Mr. Coffey explained that this will allow them to own both sides of the property and close the alley which will make the neighbors happy.

Mr. Barksdale stated that 40 & 8 does an excellent job of keeping their area up and since they are maintaining it, he feels it is a great idea. He asked who owns the previously vacated lot 6.

Mr. Coffey stated that he isn't sure.

Z-17-03 Ordinance Amending the Code of Ordinances Phipps 3
of New Albany, Indiana Title XV Chapter 156
(West Street Mews, Inc. requests a PUDD to permit
freehold townhouses in the R-2, Urban Residential
district at 1105-1109 West Street)

Mr. Phipps explained that he received an email from the clerk's office informing him that Attorney Greg Fifer asked that this item be tabled until the first meeting in January so that they can collect more information.

Dr. Knable moved to table this item until the December 21st meeting and to send the petitioners a letter to that fact, Mr. Coffey second, all voted in favor with the exception of Mr. Caesar who was not present.

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

Mr. Phipps moved that Mr. Jason Roseberry be reappointed to the New Albany Historic Preservation Commission, Mr. Barksdale second, all voted in favor with the exception of Mr. Caesar who was not present.

Mr. Barksdale stated that Mr. Jason Roseberry would have been here but he was called into work. He added that they moved back to the area almost five years ago and have done a great job of restoring an old home and are very community minded.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no further business before the board, the meeting adjourned at 9:05 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk