

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA,  
HELD A SPECIAL COUNCIL MEETING IN THE THIRD FLOOR ASSEMBLY  
ROOM OF THE CITY/COUNTY BUILDING ON MONDAY, DECEMBER 14,  
2015 AT 7:00 P.M.**

**MEMBERS PRESENT:** Council Members Mr. Coffey, Mr. Caesar, Mr. Phipps, Mrs. Benedetti, Mr. Blair, Mrs. Baird, Mr. Gonder, Mr. Zurschmiede and President McLaughlin.

**ALSO PRESENT:** Mr. Lorch and Mrs. Glotzbach

**Mr. McLaughlin** called the meeting to order at 7:15 p.m.

**MOMENT OF SILENCE:**

**PLEDGE OF ALLEGIANCE:**

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

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

**COMMUNICATIONS – COUNCIL:**

**Mr. Caesar** stated that he took some time to read the rules of procedure for a special meetings while he reads them one way he understands that they can come across another way so he will be bringing in something to clarify that ordinance at the first of the year. He explained that as he understands it five people must sign a document before anything is to go out regarding a meeting being called. He stated that the Mayor can call a meeting as well by notifying the clerk within 48 hours. He read 30.15 of the ordinance and stated that he was not given 48 hours' notice of the meeting and as far as he is concerned the five members signing the document tonight is completely illegal.

**Mr. Phipps** stated that he concurs.

**Mrs. Benedetti** stated that she received her notice at 3:51 p.m. on Thursday by email and that is 48 hours' notice.

**Mr. Coffey** stated that they haven't had a problem in previous special meetings when the five members came in to sign the day of the meeting.

**Mr. McLaughlin** asked if everyone was aware of what is being discussed and if everyone is comfortable with proceeding.

**Mr. Blair** asked what Mr. Lorch says about it.

**Mr. Lorch** stated that the way Mr. Caesar interprets it is a reasonable interpretation but whether they follow it that way should be a group decision. He explained that it sounds as though sufficient notice didn't go out but if they want to accept the signatures from tonight should be a group decision.

**Mrs. Benedetti** explained that the notice did go out in sufficient time.

**Mr. Caesar** stated that he isn't arguing that but he wants to see a document where all five of them signed it at that time.

**Mr. Coffey** stated that Mrs. Glotzbach didn't make a mistake because this is exactly how they have proceeding with a special meeting in the past and no one had any issues with it but because it is something they don't want to pass they are suddenly concerned with the rules.

**Mrs. Benedetti** stated that if a legislature wants to introduce something they have the right do so and they have a right to have a meeting if they want to have one. She explained that they all have one vote and they are capable of voting yes or no, but they need to have a little more respect for their job and stop pitting people against one another which has been going on for 8 years. She stated that she told Mr. Coffey if he wanted to introduce something she would be there if she could because he has that right and she has the right to vote against it if she doesn't like what he brings forward.

**Mr. McLaughlin** stated that going forward maybe they need to look at this a little more in depth.

**Mrs. Benedetti** stated that the bottom line is she thinks that every council member has a right to have something on the agenda and to call a meeting.

**Mr. Blair** stated that they also have to follow procedure.

**Mrs. Baird** stated that she wasn't aware that the mayor wanted other things on the agenda.

**Mr. McLaughlin** stated that he informed the Mayor that he couldn't add anything because the agenda for the special meeting had already been set.

**Mr. Phipps** stated that he doesn't understand why this couldn't have been put on the agenda for Thursday because for him a special meeting is for a pressing matter.

**Mr. Coffey** stated that it is important because if they don't get the money they will be closed on the 19<sup>th</sup> or the 20<sup>th</sup> and if they vendors know that the money has been allocated they will allow them to stay open.

**Mr. Gonder** stated that he has to recuse himself for business reasons.

**Mr. Zurschmiede** stated that going forward they really need their attorney to render a decision on matters like this.

**COMMUNICATIONS – MAYOR:**

**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**

**A-15-09 Ordinance for Appropriation of EDIT  
Money for Floyd County Solid Waste**

**Coffey 3**

**Mr. Coffey introduced A-15-09 and moved to approve the third reading, Mrs. Benedetti second,**

**Mrs. Benedetti withdrew her second.**

**Mr. Coffey moved to amend the amount of the appropriation from \$25,000.00 to \$22,500.00, Mrs. Benedetti second, the motion did not pass with 5 nay votes from Mr. Caesar, Mr. Phipps, Mr. Blair, Mrs. Baird, and Mr. McLaughlin and 3 aye votes from Mr. Coffey, Mrs. Benedetti and Mr. Zurschmiede.**

**Mr. Coffey introduced A-15-09 and moved to approve the third reading, Mr. Zurschmiede second, the third reading did not pass with 5 nay votes from Mr.**

**Caesar, Mr. Phipps, Mr. Blair, Mrs. Baird, and Mr. McLaughlin and 3 aye votes from Mr. Coffey, Mrs. Benedetti and Mr. Zurschmiede**

**Mr. Coffey** stated that he would like to amend it to 22,500.00. He stated that Mrs. Byerley works hard and watches her budget closely.

**INTRODUCTION OF RESOLUTIONS:**

**BOARD APPOINTMENTS:**

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

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 7:30 p.m.

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Pat McLaughlin, President

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Vicki Glotzbach, City Clerk