

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA,
HELD A REGULAR COUNCIL MEETING IN THE THIRD FLOOR ASSEMBLY
ROOM IN THE CITY/COUNTY BUILDING ON THURSDAY, DECEMBER 15,
2016 AT 7:00 P.M.**

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

ALSO PRESENT: Mr. Lorch, Mrs. Moeller, Mr. Gibson, Police Officer Davidson, Mr. Duggins, Mr. Wood, Mr. Wilkinson and Mrs. Glotzbach

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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Regular Meeting Minutes for December 5, 2016, Mr. Barksdale second, all voted in favor with the exception of Mr. Coffey who was not present.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

Mr. Roger Baylor stated that he thinks it would be a good idea to detach the annual CPI rate increase from G-16-03 and said that the rest of it is sound. He said that the annual CPI rate increase is not any better defined than it was last time so he thinks it should be discussed first and something more concrete come back. He then asked Mr. Wood if the comprehensive plan is on the website somewhere.

Mr. Wood stated that it should be.

Mr. John Smith stated that he is in favor of getting out from under the EPA and is not necessarily opposed to the CPI rate increase but would strongly encourage that a rate study be performed because he is more concerned about it not being enough instead of being too much. He also stated that the statute says that it has to be nondiscriminatory, lawful and just and one reason that it would be unjust is if it doesn't cover.

Mr. Scott Whalen stated that just and equitable were left out of the phrasing in the ordinance and there is no description of how that CPI will be used. He said that the one that has been selected is the water and trash collection services and now with exiting a period of low fuel prices, those increasing prices will raise the trash collection portion. He also said that it is good to maybe use as a baseline but as far as setting the rate, you need to look at your current situation and future projections to know whether a rate increase or decrease is going to cover those expenses. He then stated that he was on the Bureau of Labor Statistics website and came across the latest round of error corrections that they published on October 18th and there were 1,419 corrections so it's probably not a good thing to justify a rate increase or decrease on. He recommended pulling the CPI Index out.

COMMUNICATIONS – COUNCIL:

Dr. Knable reminded everyone that the Homeless Coalition is doing white flag days now and is working in conjunction with the Salvation Army on a limited basis and then on January 2nd or 3rd they are going to open the entire gymnasium for that so he is cautiously optimistic that those dollars were well placed and certainly were for those they are servicing right now.

Mr. McLaughlin stated that he did not vote for it but has found that it seems to be taking off and they have a weekly meeting at the LifeSpring Building on Grant Line Road to explain what the white flag effort is.

Mr. Phipps stated that he is going to table R-16-18 because with the significant changes it will have to go back to the plan commission for a vote and it will probably come back to the council in February.

Mr. Caesar thanked Develop New Albany, Mr. Barksdale and the city for the great job they have done with the lighting downtown as well as the holiday lights. He said that the core of downtown looks very nice.

Mr. Barksdale stated that we really need to thank the city for what they have done because they have really stepped up to plate and you can see the fruits of their labors out there now. He then stated that he will be bringing the yearly funding for Blessings in a Backpack before the council at the second meeting in January.

Mr. McLaughlin stated that since the building will be closed on Monday, January 2nd, the first meeting in January will be on Thursday, January 5th.

Mr. Caesar stated that he hasn't really spoken with anyone about the greenway project but the 150 year old railroad bridge is going to be dismantled and replaced with a new bridge. He added that they said they did all they could to save the bridge but it wasn't possible.

Mr. Duggins stated that it is an INDOT decision and was over \$1.5M cheaper. He said that the structure is not historic and that was all done through their reviews. He also said that it is a federal aid project and INDOT jumped through all of the hoops. He explained that they are building a replica of it but it just won't carry 40,000 ton railcars on it. He added that the big success is that after 30 years the greenway will be completed and that bridge is extremely important because it was a final piece of it.

Mr. Barksdale asked if it had to have a 106 review.

Mr. Duggins replied yes.

Mr. Barksdale asked if anyone in New Albany/Floyd was questioned since it was Clarksville.

Mr. Duggins replied no and stated that the only reason we were involved is because we abut the property.

COMMUNICATIONS – MAYOR:

Mr. Duggins stated that Mayor Gahan said he supports G-16-03 that will be heard tonight and he also wanted to wish everyone a Merry Christmas.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

Mr. Summers stated that a letter was presented to each council member from the engineer at Beam, Longest and Neff that is working on the Mt. Tabor Road Project and he wanted to review that briefly with the council. He explained that the project was designed in accordance to the INDOT design manual and all of the drainage calculations were done in such fashion as well. He stated that the existing road section out there is two 12 foot lanes and two 10 foot lanes will go back in with curbs and gutters so the change in area is minimal in that respect. He said that the new sidewalks are going to be draining into the grass strip that will be installed so some of that water will be able to infiltrate into the grass and any that does not will run off into the curb and gutter and be collected. He said there are existing 13 outfalls and will be 14 in the future and the proposed sidewalks add 1.37 acres of impervious area which will be 0.07% of the entire drainage of the project. He also said that it is important to note that this has already been designed in accordance to INDOT standards so whoever the council is going to retain to look at this should be aware that these have been looked at, checked and flushed out even through INDOT.

Mr. Blair asked if they said that the amount of water would increase in their memo.

Mr. Summers replied there is no increase in water.

Mr. Blair said that it states in the memo that the proposed improvements increase the total amount of impervious area in the Slate Run Creek watershed by 0.07%.

Mr. Summers explained that it increases the impervious area but not the amount of water.

Mr. Wood thanked the council for their great input at the work session last Thursday and said that there are at least three significant changes that will be added to the plan and felt it would be best to go back to the steering committee, the plan commission and then back to the council. He invited the council committee as well as any other council members to attend the steering committee meeting here on Wednesday, January 4th from 3:30 p.m. until 5:00 p.m. He said that it will be on the agenda for the plan commission meeting on Tuesday, January 17th at 7:00 p.m. and he will have a written copy available to the council at least two weeks before the council's Monday, February 6th meeting so it can be considered at that meeting.

Mr. McLaughlin asked if the council's suggestions will be implemented into the plan.

Mr. Wood replied yes and stated that they need to figure out where those suggestions will best fit in with goals and policies. He added that if anyone has additional comments along the way to please call or email him.

Mr. Caesar thanked Mr. Wood and his staff for their hard work on this because it is very comprehensive.

Mr. Barksdale stated that he is very impressed with the document so far.

Mrs. Moeller stated that the financial reports for November 2016 were placed on each council member's desk and requested to have them read into the minutes.

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

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

**G-16-03 Ordinance Approving and Authorizing Sewage Caesar 3
 Works Revenue Bonds and Bond Refinancing and
 an Index Implementation and Adoption As Amended**

Mr. Caesar introduced G-16-03 and moved to approve the third reading as amended, Mr. Phipps second, all voted in favor with the exception of Mr. Blair who voted no and Mr. Coffey who was not present. Bill G-16-03 becomes Ordinance G-16-16.

Dr. Knable moved to amend the ordinance to read that the CPI-U used will be specifically the CPI-U for water, sewer and trash; that we shall use a rolling average of the most immediate previous five year's CPI-U as a basis for annual review and discussion of rates; that final rate shall be determined subject to an annual review and discussion between representatives of the sewer board and the council as a whole and further subject to annual approval by a majority vote of the common council; that an independent rate study shall be undertaken periodically as deemed necessary and appropriate by a simple majority vote of the common council and as per existing state statute, Mr. Nash second, all voted in favor with the exception of Mr. Coffey who was not present.

Mr. Caesar moved to amend the ordinance to set the initial rate increase at 3%, Dr. Knable second, all voted in favor with the exception of Mr. Coffey who was not present.

Mr. Caesar stated that there was a lot of information going back and forth in emails and he hopes that everyone received the information they requested and answers to their questions. He then opened the floor for comments.

Dr. Knable stated that he took the liberty of summarizing the arguments of several different small groups and citizens that he has had discussions with on G-16-03. He understands the concerns of presenting this as an omnibus package but has been reassured that a year or two from now when you look this up in the ordinance book there will be a separate section on how rates are fixed. He said that the numbers that we have seen since last week have convinced him that the bond issue is a good project and feels the biggest issue is in the CPI issue. He proposed an amendment to that portion of the ordinance in four parts. He said number one is to use the CPIU for water, sewer and trash but we will have to watch the variables to trash pickup as an astute member of the crowd pointed out. He said his second point is that he would recommend using the rolling average of the most immediate five years as a basis for annual review because that would protect the average consumer from extremes in fluctuation and provide consumers with an estimate for an annual adjustment especially those on fixed incomes. He then moved on to his third point which was that the rates would be subject to annual review and discussion by either the council as a whole with representatives from the sewer board or our standing utilities committee with the sewer board and have a presentation by them and then they could let us know if that number is hitting the mark or not hitting the mark. He added that after that discussion the rate would need an annual approval by the council as a whole. His fourth point is that he thinks an independent rate study should be undertaken periodically as deemed necessary by a simple majority vote of the council as a whole or as already stipulated by existing state ordinance. He added that there are already triggers within the state ordinance for doing rate studies but he would add to it that the council can do that. He also added that the council already has that power but feels it is important to stipulate that in the ordinance for transparency and for people who

read this to more readily understand. He said that he doesn't like the CPI by itself because he feel it is too arbitrary. He also said that regardless of whatever we do with this we do have to have independent rate meetings with the public as well. He noted that the proposal as is with some of the modified data that we received is that we would start at 3% based upon the data that we have.

Mr. Caesar stated that those were points that he was really looking for and was having trouble getting down in short form.

Mr. Gibson stated that the 3% was just used for projection purposes so that we could take a look at the financials and hopefully after review you feel comfortable with that ball park range being enough. He said that using the rolling average is ultimately the council's call. He also said that the rolling average was 4.2% and last year's average was 3.5% so 3% was just used to be conservative and give you assurances that something in that fashion would be enough to help maintain the utility and actually stay ahead of the curve instead of getting behind. He stated that they would like to set a public hearing before the Monday, February 6th council meeting at 6:30 p.m. He said that the council would take ultimate final action after that to reaffirm, modify or amend if you deemed it necessary and appropriate at that time. He added that the process requires a public hearing before it can be implemented.

Dr. Knable asked if the public hearing would air simply the proposed rate increase or how we arrived at that.

Mr. Gibson stated that it would be to advise the public of the statutory requirement that we have to adhere to that the city council will conduct a public hearing regarding a rate and user fee increase or something to that effect.

Mr. Caesar asked if they were better off to use the amended version in section 25 that he sent to the council and then add Dr. Knable's to the bottom of that or just keep the version as it is.

Mr. Gibson explained that he thinks that the one Mr. Caesar is talking about is cleaner because it talks about the process and incorporates Dr. Knable's too but he doesn't know if it is everything that has been talked about. He said that it requires a joint meeting of the utility committee and the council within two weeks of the publication of the July CPI and then obviously a report back to the council whether the committee and the sewer board find that it was appropriate and met the needs of the sewer utility.

Dr. Knable asked if everyone got the document that Mr. Caesar is referring to.

Mr. Gibson stated that it was only emailed to Mr. Caesar as the sponsor. He said that could ultimately be incorporated along with what Dr. Knable was saying in the final action after the public hearing.

Dr. Knable stated that the problem is that he doesn't like to vote when he doesn't know what he is voting for.

Mr. Caesar suggested keeping the current version as is right now and then asked if they want to implement the rolling average and start out with the 4.2%.

Mr. Gibson stated that decision could be made now or you can adopt it as is and then amend it at the final vote.

Dr. Knable stated that he and Mr. Gibson have been looking at those figures since the last meeting. He then asked Mr. Gibson how confident he is that 3% would get them where they need to be.

Mr. Blair stated that from the financial projections he has seen he feels that the 3% is adequate for next year but he can't speak for future years.

Dr. Knable said that it could state that the rolling five year average will be incorporated as the beginning point for each discussion. He also said that this year we could propose it at 3% and then carry that forward.

Mr. Caesar stated that he is all for Dr. Knable's four points and is looking for exact verbiage. He also stated that he is fine with starting it out at 3%.

Mr. Phipps stated that he thinks it makes it clearer.

Mr. Caesar asked Mr. Gibson if they have covered all of the legal bases.

Mr. Gibson replied that the next legality is the public hearing followed by a vote to either clean up whatever you don't like here and/or the rate.

Dr. Knable asked if they need to state for the record tonight what that rate will be for the hearing.

Mr. Gibson stated that they do not have to specify tonight.

Dr. Knable stated that it might make sense to set the rate tonight to be as far in advance as possible before the public hearing so that people have a chance to have a number to work with. He also stated that he would set it at 3% based on the discussions that have been had.

Mr. Blair asked Mr. Gibson about the changes on the last revision because he wasn't able to review it before the meeting.

Mr. Gibson explained that the orange highlights reflect the correction.

Mr. Blair stated that it corrected Pillsbury but asked if he added in new projects.

Mr. Gibson replied yes. He said that as an example the 3% that was used for the projection in 2018 was based upon the user fees themselves that were collected in the projection in 2017 and then he subtracted out Pillsbury and added in the other ones but to be conservative he didn't use the 3% on those but they are carried forward from there. He said that on the second sheet since he was using more projections in this matter as opposed to budgets, he adjusted \$4,200.00 at the plant to do more of a projection based upon what their actual expenses are. He explained that if you look at the original sheet it was based on what was budgeted which is usually always a little bit higher because our goal is to stay under it so he took a projection on that. He said that \$309,417.00 is the very first one and that's an average of 2014, 2015 and 2016 numbers to better reflect what the actual projection would be going forward. He said that on the next one underneath that, he actually budgeted approximately \$2.6M in capital projects which includes a lot of items that could be bought from the reserves that are not necessarily all reoccurring expenses. He added that there is a cash reserves that can be used for one time purchases but a lot of times when he is budgeting he will go ahead and put those items in there which will make that item higher. He said that the next adjusted item is right under that which is \$407,000.00 which was originally \$432,000.00 and is the combined sewer

board costs and the billing office costs. He added that he actually broke it down in the report where you can see the sewer board itself as well as the billing office. He then moved on to another average beneath that which has been pretty consistent at \$330,000.00-\$340,000.00 so he took an average of 2014, 2015 and 2016 and used \$352,285.00 to project. He said that the next number reflects the estimated debt of sewer only going through 2025 and is about \$400,000.00 less than what was on the last sheet because the storm water bond was being shown in there too.

Mr. Blair asked if the projected number of \$1,493.514 is correct for 2024.

Mr. Gibson replied yes and stated that it drops almost \$4M.

Mr. Blair asked if it drops even when the new bond kicks in.

Mr. Gibson replied yes and stated that there is an amortization schedule on the last page for sewer only.

Mr. Blair asked if he is saying that in the debt coverage ratio we are at 125%.

Mr. Gibson replied yes, if you take the projections we had. He reminded him that we did drop the \$2.6M in capital because some of that is not always necessarily yearly operating expenses so he did that to show what we have. He said another thing that is not factored in is EDIT and TIF revenue and that would push that even higher. He added that the sewer board has released that in the last couple of years but that income could be used if needed.

Mr. Blair stated that if we are at 125% that puts us right at the threshold and puts it really thin.

Mr. Gibson stated that these are projections.

Mr. Blair stated that he knows and it could be less.

Mr. Gibson stated that in our annual operating expenses which can include a lot of one time purchases, he wanted the council to see that it can be met. He said that if it comes to that then we would probably make a one time appropriation to purchase something such as an aqua truck versus budgeting for it in that fashion because of the cash reserves. He then stated that the actual true capital improvements that we are obligated to at this point until EPA is gone are the reline system which is \$600,000.00 per year, about \$110,000.00 in expenses, a debt obligation of \$250,000.00 per year for purchase of property which is for nine more years and there would be some smaller equipment repairs. He added that in that capital item that you are seeing is a \$400,000.00 line item for emergency repairs and that is not an every year operating type of expense.

Mr. Blair asked if we are projecting anything for if we have a big repair.

Mr. Gibson stated that we have \$2M in 2020 and just over \$2M in 2021 and that is not touching the reserves for anything and allowing them to accumulate.

Mr. Blair stated that we are doing two lift stations and the clarifier system and he thought there were more capital projects that we are doing consisting of funds. He asked if that was correct.

Mr. Gibson stated that he thinks we are almost done with all of those remaining capital projects and those were all being taken out of the reserves which was what the plan was.

Mr. Wilkinson stated that Grant Line Road will carry over into next year

Mr. Blair asked what the estimated costs are for those projects and stated that the reserves can't be used twice.

Mr. Gibson stated that they aren't and explained that if you go with pure ongoing operating expenses, you are at about \$1M or probably about \$1.5 if you add in a little buffer instead of even the \$2.4M that he is showing. He gave the example that we have a line item for \$500,000.00 in case repairs need to be done to the sewer plant that is being shown in the \$2.6M or \$2.4M in some fashion but that is budgeted for and is not a reoccurring thing.

Mr. Blair stated that what Mr. Gibson is calling reserves is different than the cash in the bank right now. He added that Mr. Gibson is saying that he budgets reserves in the current budget.

Mr. Gibson replied that is correct.

Mr. Blair stated that we are getting one debt service coverage at \$1.31M and another one at \$1.25M.

Mr. Gibson stated that he was asked to do projections and if he only budgeted for the \$1M that he knows for a fact that we will have in reoccurring operating expenses then that would affect that dramatically. He added that if he factored in the \$500,000.00 from EDIT that would affect it dramatically as well as if he factored in TIF.

Mr. Blair stated that he doesn't think any of us want EDIT or storm water to go towards sewer projects. He thinks this really needs to be tabled because we have to make sure that we understand the projected cost of the project and any time you do a project of this magnitude of \$13.5M there is going to be some variance. He said that there are couple of unknowns that you don't have in a typical project such as land acquisition price and he would suggest that we get the land under contract so that we know the price. He said that we also have unknown excavation costs because when you start digging below the ground there are a lot things you will find that you never expected. He said that you really need to go in and do soil bores and testing to determine what is underneath the ground because you may find rock, historic artifacts or environmental things and that could significantly increase the costs. He suggested that we get those things known or better estimated before we move ahead. He said that if the project is more than \$13.5M then we are going to be forced to not repair a lift station, cut back on lining effort or defer other things in order to get this project to work. He reminded everyone that they were told that the parks project was going to be \$16.5M and it came in at \$19.2M and there were more knowns on that project. He then stated that he appreciates Mr. Gibson's work but going seven years interest only is not acceptable and would rather look at what type of rate increase we need to start paying on P&I from day one. He stated that the argument has been made that we will not have to do any capital projects in the next 10-12 years but he doesn't agree with that because we have an old antiquated system and there will be additional capital projects. He questioned the purchase of the QRS property and whether we really needed that for \$250,000.00 for the next 10 years. He said that his thought is to slow the bond issue down. He added that he does not like to approve financing before a rate study.

Mr. Caesar stated that he understands that there can be a lot of variables but doesn't feel that we can hold this back because we are running out of sewer credits and interest rates

are going up. He then asked Mr. Gibson if he had any comments on the excavation costs and such.

Mr. Gibson stated that he thinks they built in a 25% contingency into their estimates.

Mr. Christmas stated that it is typical practice for them to include appropriate contingency in their estimates with the information they have.

Dr. Knable asked where we are on the reline project.

Mr. Wilkinson stated that we have done about 16 miles and there are 200 miles.

Mr. Aebersold asked Mr. Gibson to explain why it is better for us to pay only interest for the first seven years on this.

Mr. Gibson stated that it allows us to keep our coverage and meet our covenant requirements. He said that it is not always ideal but to get the money to finish these projects is the scenario that has always worked and that is what is in front of us.

Dr. Knable stated that we could restructure it but would have to increase the projected rate accordingly.

Mr. Blair stated that over the 20 year period we are spending \$21.3M to get \$13.5M today and of that \$7.8M is interest which is about 1/3 of our cost and that's a huge ratio. He also stated that we have been under this mandate since 1993 and this project is going to take 2 1/2-3 years. He said that given the credits that we have and the credits that we are projecting to use, we are out of credits right now so we will have to live for two years with any credits unless we can go back to EPA and petition them to increase our number of credits.

Mr. Gibson stated that we do get credits for the project itself.

Mr. Blair asked if they are going to automatically give them to us.

Mr. Christmas stated that in 2006 when the Memorandum of Understanding was signed they gave half of the amount of storage that was created so he is hoping that they use a similar formula.

Mr. Gibson stated that we do get additional credits for that project.

Mr. Phipps stated that is why we have to move quickly on this.

Mr. Blair stated that haste makes waste and originally on Georgetown we requested 711,000 credits and only received about 71,000 so it was only about 10% of what we requested. He also stated that with EPA nothing is a sure thing from what he understands so he wouldn't be so sure that we will pick up any credits in the next couple of years.

Mr. Gibson stated that we will pick up credits for the project being put in but he cannot say what the exact number will be.

Mr. Blair stated that he would hope so but Georgetown didn't pan out the way we thought it would and that's what put us in the situation we are in.

INTRODUCTION OF RESOLUTIONS:

R-16-18 Resolution of the Common Council of the City of Phipps
New Albany Adopting the City of New Albany and
Unincorporated Two Mile Fringe Area
Comprehensive Plan Year 2036

Mr. Phipps tabled this item.

R-16-19 Resolution of the Common Council of the City of Caesar
New Albany to Amend R-16-06 and R-16-14

Mr. Caesar introduced R-16-19 and moved to approve, Mr. Barksdale second, all voted in favor with the exception of Mr. Coffey who was not present.

Mr. Duggins stated that it is just referencing the abatement schedule in R-16-06 and R-16-14 and asked that the council approve it.

R-16-20 Resolution Appropriating funds for a Blair
Stormwater Study

Mr. Blair introduced R-16-20 and moved to approve, Dr. Knable second, all voted in favor with the exception of Mr. Phipps and Mr. McLaughlin who voted no and Mr. Coffey who was not present.

Mr. Blair wanted to point out that our ordinance calls for anything that is over one acre to have a third party review of storm water and in essence that is what we are doing here.

Mr. Nash stated that he supports this but with Mr. Summer's letter that puts two engineers saying there would be no significant effect and two saying there could be.

Mr. Blair stated that it may very well come back with the same conclusion as the designing engineer came back with. He added that he just wants peace of mind because water will get in some of the homes when we have bad storms and he just doesn't want them to point to that road and say that was the cause and this will tell us definitely if there is a problem or not.

Mr. Phipps stated that he is not comfortable with just picking a firm like this and feels that is something that the council as a whole should pick. He asked Mr. Blair how he came up with this group.

Mr. Blair stated that he was really trying to pick someone that has no association with the City of New Albany

Mr. Phipps asked if they are certified by the state.

Mr. Blair replied yes and stated that it is a pretty well-known group as far engineering firms but they just haven't done any work over here.

Mr. McLaughlin asked if they are certified by INDOT.

Mr. Blair stated that he doesn't know that.

Mr. Phipps asked if they are approved or certified through INDOT and stated that we should probably know that.

Mr. Blair stated that they will look at the documentation of the firm that's done that. He then asked Mr. Christmas if they have to be certified by INDOT.

Mr. Christmas stated that if you want to do work on an INDOT project or an LPA project then you have to be INDOT prequalified.

Mr. Blair stated that they are not doing work but just a study.

Mr. Summers stated that if you are going to evaluate the work of an INDOT project he would think that the person doing the study should be prequalified by INDOT because if not it will fall on deaf ears as far as INDOT is concerned.

Dr. Knable stated that it could be amended pending review of their resume.

Mr. Phipps stated that if this was simply to look into the repeated flooding that takes place in Slate Run Creek area then he would be for it but he thinks it is too connected to the other project and feels those questions have been answered.

Mr. Blair stated that we usually have two studies done on much smaller projects.

Mr. Caesar asked what would be the best-case scenario if we do this.

Mr. Blair stated that the best-case scenario is if there would be a solution to alleviate some of the flooding in that area but he doesn't think that is going to happen. He added that justification to do a retention basin or something upstream to hold some of that water back would be the other scenario that he would like to see.

Mr. Summers stated that the storm water board has requested that the Corp of Engineers look at the drainage at this particular area and they have added to their list of areas to look at in the City of New Albany for potential detention in the future.

Dr. Knable asked what the time frame is on that.

Mr. Summers stated that he doesn't know.

Dr. Knable stated that probably won't happen any time soon.

Mr. Aebersold asked Mr. Blair if he has put a bug in their ear about what might be able to be done.

Mr. Blair replied no.

Mr. Aebersold asked him not to because he would like for them to look at the project with a fresh eye.

Mr. Blair stated that he described the project to them and sent them to the website to look at the road design plans.

Mr. Summers pointed out that storm water would not be funded through INDOT.

Mr. Blair stated that he is looking at getting the road done as fast as we can get it done but also wants to know if there is something we can do to help those neighbors along the creek.

Mr. Caesar asked if we will get a report back and be able to ask questions on it.

Mr. Blair stated that he is assuming that we would be able to have a meeting on it or whatever everyone wants.

Dr. Knable asked if this is the finite cost on it and if we do end up meeting we don't end up taking on more consulting fees.

Mr. Blair stated that he is telling them \$8,000.00 and if they can't do it then he will either bring it back or we won't do it.

BOARD APPOINTMENTS:

Mr. McLaughlin appointed Mr. Bill Cochran to the New Albany-Floyd County Building Authority Board of Trustees. All councilmembers voted in favor with the exception of Mr. Coffey who was not present.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Mr. Roger Baylor read the following letter that he sent to the Tribune as well as the Courier Journal:

In 2013, New Albany city councilman Bob Caesar was chairman of New Albany's Bicentennial Commission. More than 600 days ago, I asked Caesar for financial records detailing the committee's activities. I specifically sought details about the "official" Bicentennial book, "Historic New Albany, Indiana: By the River's Edge." How was it contracted, published and sold? What is the status of the Redevelopment Commission's loan, without which the book wouldn't have been published at all? Supposedly 5,000 Bicentennial books were published at a cost of \$144,000, or \$28 per book; to this day, they're routinely gifted by Mayor Jeff Gahan at ribbon cuttings and public ceremonies. If books remain unsold, how many are there, and where are they being stored? Who paid for the ones that Gahan gifts? At various points, Caesar confirmed publicly that he would make available this information, and in a 2015 e-mail, he conceded the records were in his possession, "Upstairs under a lot of stuff." Naturally, I've been stonewalled ever since. Earlier in 2016, when I reminded Caesar of his obligation to the taxpayers, he imperiously told me to file an open records request with City Hall. I did, and was stalled by city attorney Shane Gibson for almost five months before this answer arrived: "The city does not possess the above referenced items." Sadly, this isn't the first time our mayor, his team and his political allies have seen to it that information like this is withheld. If they're willing to go to these lengths to cover up dated Bicentennial financial records, what else is being hidden?

Mr. Baylor then stated that he feels very strongly that things like this are public record and sees no reason why they should be stored anywhere but here in this building in some capacity.

Mr. Scott Whalen stated that he lives on the corner of Klerner Lane and Mt. Tabor Road and wanted to bring to the attention of the council that he has not been contacted or received their offer yet for the road project. He said he has seen a couple of the proposals for other property owners and there are some issues that he has noted. He explained that the shared path verbiage of the 10 ft. wide sidewalks that were going to be on the north side is still in the documents so the project has not been updated in the offer documents. He also said that he was provided with what were supposed to be three different designs that they just received and none are dated. He stated that he heard tonight from the city engineer that the roadways are going to be 10 ft. wide and currently Mt. Tabor Road is 30 ft. and the last plans that he had indicated that wasn't going to change. He also stated that the traffic study that set this whole thing in motion was not correct and the results were

the complete opposite of what they had stated and there is actually a huge reduction of traffic at that corner. He said they did another traffic study while Mt. Tabor Road was the designated detour for McDonald Lane so in his opinion that invalidates that traffic study. He also said that it is still hanging out there whether they are going to convert the four way stop which is safest for pedestrians and cyclist into a stop light with turn lanes. He added that the final configuration of that intersection has a huge bearing on the impact of our property values moving forward. He said that if it is a light with turn lanes then he will never be able to get out of his driveway. He stated that another neighbor has asked for her driveway access to be moved away from the intersection and they were told that they will put the curb cut in but the connection of her drive is her responsibility which is not the case because the same level by law has to be maintained to this project. He pointed out that some of the residents in the houses across from the corner will not be able to park in their driveway without the tail end of their cars hanging over the sidewalk. He just doesn't see how anyone driving through there would think that this project is a good idea. He then questioned why they want up to 45 ft. of his property other than to redesign the road. He stated that if we fixed the hill for good in the correct way, there are huge savings and money there that the city could recoup. He requested that the council put some pressure on. He reminded the council that the board of works was created by an ordinance and can be terminated by an ordinance.

ADJOURN:

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

Pat McLaughlin, President

Vicki Glotzbach, City Clerk