

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA,
WILL HOLD A REGULAR COUNCIL MEETING IN THE THIRD FLOOR
ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON MONDAY, APRIL
1, 2013 AT 7:30 P.M.**

The meeting of the **New Albany City Council** was called to order by Mr. McLaughlin at 7:30 p.m.

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

ALSO PRESENT: Stan Robison, Shane Gibson, Michael Hall, Colonel Pennell, Major Whitlow, Mickey Thompson, Scott Wood, John Rosenbarger, David Brewer, David Duggins and Vicki Glotzbach

MOMENT OF REFLECTION:

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Caesar moved to approve the Work Session Meeting Minutes for March 21, 2013, Mr. Baird second, all voted in favor with the exception of Mr. Zurschmiede who abstained.

Mrs. Baird moved to approve the Regular Meeting Minutes for March 21, 2013, Mr. Gonder second, all voted in favor.

COMMUNICATIONS – PUBLIC:

COMMUNICATIONS – CITY OFFICIALS:

Mrs. Benedetti explained that she produced a document to Mrs. Prestigiacommo this evening that LWG audit that has not been paid for 9 months. She stated that Mrs. Prestigiacommo told her that the claim was on the Mayor's desk to be paid. She explained that she doesn't know how everyone else feels about this but she thinks if they contract out for work and it is done that the bill should be paid in a timely manner.

Mr. Coffey asked when the bill was submitted to the Mayor and stated that he thinks they should have to go back and pay interest on that money.

Mr. Blair asked if she contacted the Mayor regarding this.

Mrs. Benedetti stated that she contacted the Mayor's office and the first time she was told it wasn't paid and was asked to submit the bill again and she did but it never got paid.

Mr. Zurschmiede stated that he thought this was to be paid out of their budget.

Mr. Benedetti stated that it was.

Mr. Coffey stated that he thinks this is very disrespectful.

Mr. Caesar stated that a lot of times when they do committees they don't really know who is in charge and need better structure.

Mr. Gonder asked that when they are assigned or volunteer for a committee that they have an informal meeting before they leave to jot down questions and issues while they are fresh in their minds.

Mrs. Benedetti asked why the committee didn't meet on paving.

Mr. Coffey stated that they were waiting to gather all of the information.

Mr. Gonder stated that Pam Mann contacted him and explained that there is an attempt to increase the weight limit on trucks to 120,000 lbs and it is currently 80,000 lbs. He stated that there is a federal law that this one circumvents and leapfrogs into the higher numbers. He believes that it could have dire affects on the roads and not to mention safety as well.

Mr. Coffey stated that he was privy to a study done on this and the increase in weight doesn't correlate to the damage which is much greater because the roads were not made to handle that much weight.

Mrs. Benedetti asked Mr. Brewer about a report that was given to the Board of Works and a position that was funded for his office.

Mr. Brewer stated that there were some discrepancies in the Treasurer's office so they were waiting to get that cleared up. He explained that they are looking to upgrade their software soon and he thinks that will help tremendously with the flow of information.

Mrs. Benedetti stated that she would like to have a list of demos going on throughout the city and the monies coming in.

Mr. Brewer stated that in 2012 they collected \$88,000.00 in code enforcement and the personnel addition played a big part in this with getting letters out. He explained that they had about 580 yards that were cut this past year and that program is funding itself for the first time that he knows of.

Mrs. Benedetti asked if they could get a report of what they have torn down and what is up-coming.

Mr. Brewer stated that he would get that to them. He explained that he has been working with Mr. Stumler and Mr. Timperman regarding the church clock tower. He stated that the contractors need to be licensed and insured and they are still waiting on the contractor to take the test. He explained that if he doesn't pass the test and has to retake it, they are going to have to do something with the scaffolding because it will be a safety issue if it keeps sitting.

Mr. Phipps asked who takes care of the fire stations because the Charlestown Road fire station has loose shingles and aluminum siding around the windows that are falling off. He stated that they really need to keep up their buildings and asked if there was a fund for that.

Mr. Brewer stated that there is a plan in place to get some of the maintenance issues taken care of but he will go back and check that particular building.

Mr. Zurschmiede stated that there is no money to do anything like that.

Mrs. Benedetti stated that she couldn't hear the civil service siren when they tested last Saturday and asked if they were doing anything about it.

Mr. Phipps stated that the last time he brought it to them he was told to take it back to the county and they are claiming that they don't have any money to do it. He explained that he would pursue it but it looks like if they want them, they are going to have to fund it.

Mr. Gonder stated that he was contacted by Grace Schneider from the Courier Journal regarding the method for approval for taking down the trees for the Bicentennial Park. He explained that he recalls that the City was going to make restitution.

Mr. Duggins stated that they went to the Tree Board before taking down the trees and got approval and then planted more trees than were taken down so he didn't know what was meant by restitution.

Mr. Gonder stated that there are private citizens that pay fines for doing what the city did and the Tree Board needs funding and the funds that would normally come from fines from private citizens could be taken from the funds for the Bicentennial for Tree Board projects.

Mr. Duggins stated that nothing like that was brought up at the meeting. He explained that they had the trees inspected by Greg Mills who is an arborist and they were diseased.

Mrs. Benedetti asked who is doing the landscaping.

Mr. Duggins stated that MAC is the General Contractor but he doesn't know where the trees are being purchased. He stated that the project was bid out and it was open to everyone but the low cost bidder was used.

COMMUNICATIONS – MAYOR:

Mr. Hall reminded everyone of the second public information session tomorrow night at Fairmont Elementary at 6:00 p.m. and the third session on April 10th at 6:00 p.m. at the Cathy Wilkerson Center. He invited them all to join the discussion.

Mr. Phipps asked if they were going to allow public questions.

Mr. Hall stated that they had a suggestion box and had members of the administration there to answer questions. He explained that they are still compiling the suggestions that were made and will combine them with the second and third sessions as well.

Mr. Caesar stated that he can't be there tomorrow night but there are a whole lot of people in the community interested in splash parks.

APPROVAL OF CF-1 FORMS:

Lee Supply Corporation, Compliance with
Statement of Benefits referencing R-06-37 (RE)

Mr. Coffey moved to approve, Mr. Caesar second, all voted in favor.

Mr. Zurschmiede asked if they are supposed to get a master list with these.

Mr. Caesar stated that they are.

Mr. Duggins stated that these are just now starting to come in but they will do the master list again this year.

Mr. Zurschmiede asked if they could the most current list they would appreciate it.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: READING

Z-13-02	Ordinance Amending the Code of Ordinances of New Albany, Indiana Title XV, Chapter 156 (Docket P-02-13: Receveur Real Estate)	Baird	1&2
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Mrs. Baird introduced Bill No. Z-13-02 for first and second reading, Mr. Zurschmiede second, all voted in favor.

Mrs. Benedetti asked how this is going to be positioned.

Mr. Wood stated that this is a pad that already exists that backs up to Mt. Tabor cemetery. He explained that the foundation and the retaining wall were already put in but the economy stopped the work and now they want to move forward.

Mr. Coffey asked how many parking spots there will be.

Mr. Wood stated 26.

Mr. Coffey asked how far it is from the SDR Development.

Mr. Wood stated that it is about one mile.

Mr. Coffey asked Mr. Wood if they looked at the whole picture to see how many rental units were in the area.

Mr. Wood stated that there are a lot of commercial centers in the area as well as IUS so there is very little multi-family housing on the outside of 265.

Mr. Coffey asked how much single family dwelling is there and stated that this is encroaching on the neighborhoods.

Mr. Wood stated that it is a fair question to look at the comprehensive plan and say where it makes sense to have multi-family units and use it to update the zoning ordinance.

Mr. Caesar asked Mr. Wood if he wanted them to move forward with updating the plan.

Mr. Wood stated that he would love to get them and the community involved to help them out.

Mr. Gonder asked if it would be possible to introduce form base concepts.

Mr. Wood stated that if that was something the community wanted to see happen then certainly.

Mr. Gonder asked if these are all market rate.

Mr. Receveur stated these would be for rent starting at \$750.00 per month going up.

Mr. Coffey asked if they are going to be subsidized

Mr. Receveur replied no.

Mr. Caesar asked if the drainage is going north and east.

Mr. Wood replied yes.

G-13-04	An Ordinance Amending City Ordinance 52.000	Caesar 3
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Mr. Caesar introduced Bill No. G-13-04 for the third reading, Mr. Phipps second, all voted in favor. Bill No. G-13-04 becomes Ordinance G-13-07

Mr. Caesar explained that this is regarding the pre-treatment of sewage by certain businesses within the city. He stated that the EPA has approved this and the Sewer Board is in favor of it.

G-13-05	An Ordinance to Replace Chapter 91: Animals In the Code of Ordinances of New Albany, Indiana	Gonder 3
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Mr. Gonder tabled this item.

BOARD APPOINTMENTS:

MISCELLANEOUS ITEMS:

COMMUNICATIONS – PUBLIC (non-agenda items):

Ed Hack stated that Mr. Coffey and Mr. Robison spoke at a Board of Works meeting and indicated that they are connected with Jessie Elders Construction and just wanted to clarify that there is no connections. He explained that there were quite a few vehicles on the property because his son let some people store some trucks there as well as ones from their concrete company so they are guilty of that. He stated that all of the information that was being passed around was very misleading and untrue. He explained that he asked Mr. Stephens to come to the meeting with him so it could be fair since he was the one that started this but he declined to come. He stated that they have been accused of dealing drugs which is an absolute lie and explained that they have cleaned up the lot with the help of Mr. Brewer. He explained that they are trying to be good neighbors and he doesn't know what information is being passed on to Mr. Coffey but from what he hears none of it is true. He stated that just because someone has a last name that has a reputation doesn't mean that they make the same mistakes and he doesn't think it is fair to put that on people who haven't done anything wrong.

William Hook stated that he only tries to help people around the community and he doesn't appreciate being accused of things that he hasn't done.

Mr. Coffey stated that he never mentioned either of the gentlemen's names that are here tonight when he went to the Board of Works and that he was only speaking about Mr. Elders.

Mr. McLaughlin stated that the proper venue for this is the Board of Works.

Larry Close stated that he is from the same area that they are talking about and would like to see about forming a block watch because there has been a lot of petty crime in the area in the past and they would like to make sure it doesn't happen again. He explained that they would love to get the children involved in projects around the community to help clean it up. He stated that they are also having issues with speeding in the area and they would love for that to be addressed.

Mrs. Baird stated that she was involved in a block watch and she contacted the Chief of Police to get that started.

Mr. Coffey stated that he should contact Cathy Wilkerson to work on programs for the kids.

Mr. McLaughlin told him about the cleanup that is going on April 14th.

Mr. Blair stated that he would like to see a project budget before they have any more meetings regarding R-13-02

Mrs. Benedetti asked for an update regarding the police arbitration.

The council set an Executive Session for April 4th at 7:00 p.m. at the offices of Schad & Schad regarding the police arbitration.

Mr. Caesar stated that he will try his best to have a 3-5 year paving budget before the next meeting.

Mr. McLaughlin named John Gonder as chair of Paving Committee.

IN COMMITTEE:

R-13-02	A Resolution Making a Preliminary Determination to issue County Economic Development Income Tax Revenue Bonds of the City of New Albany, Indiana	Phipps
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TABLED ORDINANCES:

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:45 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk