

**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 THURSDAY,
APRIL 18, 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. Caesar, Mr. Phipps, Mrs. Benedetti, Mr. Gonder, Mr. Blair, Mrs. Baird, Mr. Zurschmiede and President Mr. McLaughlin. Mr. Coffey was absent.

ALSO PRESENT: Matt Lorch, Shane Gibson, Stan Robison, Michael Hall, Colonel Pennell, Major Whitlow, Mickey Thompson, Scott Wood, John Rosenbarger, Warren Nash, Ed Wilkinson 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 April 1, 2013, Mr. Gonder second, all voted in favor.

Mr. Baird moved to approve the Regular Meeting Minutes for April 1, 2013, Mr. Phipps second, all voted in favor.

Mr. Blair moved to approve the Executive Session Meeting Minutes with corrections for April 10, 2013, Mr. Baird second, all voted in favor with the exception of Mr. Zurschmiede who abstained.

COMMUNICATIONS – PUBLIC:

COMMUNICATIONS – CITY OFFICIALS:

Mr. Phipps stated that in the packet he received the proposal for two new civil defense sirens at Bicknell Park and Spring Street Firehouse at a cost of \$45,783.50. He said that the council just needs to let him know if they want to move forward with this or not.

Mr. Blair asked if that is something that the county typically funds.

Mr. Phipps stated that the county installed the other ones.

Mrs. Benedetti stated that she spoke with Mr. Herthel and he said that they received funding from Horseshoe.

Mr. Gonder stated that he thinks it is important enough that they should just go ahead and do it now.

Mr. Phipps stated that it really is a public safety issue.

There was a lengthy discussion regarding who pays for the maintenance, where previous funding came from, and if the county should be the one to pay for this.

Mr. Phipps stated that in all likelihood it should be the county but they don't seem to have the money to do it.

Mr. Blair stated that they should at least submit the request to them and let them say if they can or cannot pay for it.

Mr. Gonder stated that they should get started and if they can get the county to add funds that would be a benefit.

Mrs. Benedetti asked Mr. Phipps to ask the county to pay.

Mr. Phipps stated that he would but he doesn't think that there is anything making them install these sirens or maintain them; they just had a grant and spent it on them. He explained that this is not a frivolous expense and it is something they really need whether or not the county can help pay for it because it could save lives.

Mrs. Baird asked if they would primarily be for bad weather or could they also be used for terrorist attacks.

Mr. Phipps explained that they could be activated in any type of emergency.

Mrs. Baird stated that she thinks that we should get started on drafting an ordinance.

There was a lengthy discussion regarding what fund they would take this out.

Mrs. Benedetti stated that the county takes care of the maintenance so once they are installed they will be taken care of.

Mr. Lorch stated that he and Mr. Phipps could talk about drafting a letter to send to the county regarding the funding.

Mrs. Benedetti asked how they are going to handle a lot of the troubled areas within the city where weeds and grass are overgrown.

Mrs. Baird stated that on April 27th New Albany Clean & Green has organized a cleanup and they have volunteers for different areas of the downtown.

Mrs. Benedetti stated that if the weeds aren't sprayed they come back so she thinks they need to have a licensed individual to take care of chemicals.

Mr. Thompson stated that last year the council appropriated \$50,000.00 and he hired five part timers and equipment to take care of these issues. He explained that Mr. Zurschmiede asked for that money to be appropriated again this year and it was so they have just been waiting for the weather to break and for things to start growing.

Mrs. Benedetti asked if the city could hire a landscaper to be able to spray the chemicals.

Zurschmiede asked if they have ever sprayed for weeds

Mr. Thompson stated that they have on occasion but now you have to be licensed to be able spray.

Mr. Gonder asked what the part time people focused on last year.

Mr. Thompson replied that they focused on overgrown vegetation. He stated that they do a pretty good job of taking care of downtown but the part-time workers focused on areas in the outskirts that have been let go or they haven't been able to get to.

Mr. Gonder stated that he wouldn't be in favor of chemical treatment.

Mrs. Benedetti asked if they could form a committee to be part of the streetscape evaluation.

Mr. McLaughlin appointed Greg Phipps, Diane Benedetti, John Gonder and Shirley Baird

COMMUNICATIONS – MAYOR:

Mr. Hall stated that there will be a public meeting some time in May at the Knights of Columbus on the Main Street Improvement Project and he will bring the details back to them once they have been finalized.

Mrs. Benedetti asked if they could get something in advance to look over on this before the meeting.

Mr. Hall stated that he would see what he could do. He explained that the Bicentennial Park is really shaping up and they will have a grand opening sometime in May.

APPROVAL OF CF-1 FORMS:

Mitchell Veneers, Inc., Compliance with
Statement of Benefits referencing R-05-11 (RE)

Mr. Zurschmiede stated that this is another one of those where they were supposed to get a list along with them and they still haven't gotten them.

Tabled

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: READING

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
---------	---	--------

Mr. Phipps introduced R-13-02 for approval, Mrs. Baird second,

Mrs. Baird withdrew her second.

Mr. Phipps introduced R-13-02 as amended, Mrs. Baird second, all voted in favor with the exception of Mr. Coffey who was not present.

Mr. Phipps stated that they are not going to do the bonds so they need to discuss what they want to do. He explained that they really need to get started on paving and he is open to suggestions. He stated that Mr. Gibson has prepared an amended version if they want to go that route or they could vote this one down and craft a new resolution.

Mr. Caesar stated that this is just a commitment by the council to move forward on paving.

Mr. Gibson stated that it is for \$2M and it would allow them to go ahead and get bid documents ready. He presented a history of the income over the past 10 years for both Riverboat and EDIT. He explained that the red version of the resolution is the amendments and would have to be voted on as amended so it will be up to the council how they move forward. He stated that if they vote on it tonight they will get the ball rolling and get bid documents ready and get it advertised.

Mrs. Benedetti asked if this takes all revenue bonds out.

Mr. Gibson replied yes.

Mrs. Benedetti asked if that \$2M was for this year and they would revisit it again next year.

Mr. Gibson stated that is correct.

Mrs. Benedetti said that she asked if the list can be broken down in each district.

Mr. Gibson stated that he thinks that Mr. Streips could put something together. He explained that is approved then they will advertise the public hearing and first reading of the ordinance for appropriation for the 1st meeting in May and have final vote on the second meeting in May.

Mr. Gonder asked if it would make sense to let each representative from each district to make a top ten list so that they can prioritize.

Mrs. Benedetti stated that it will require a work session to compile the information according to districts

Mr. McLaughlin asked Mr. Thompson if he has an up to date list of the streets that have been done in the last couple of years.

Mr. Thompson stated that is what he previously gave them and they also have a map that shows the streets that have been done and he will try to get a smaller version to them.

Mr. Phipps asked if they want to set aside 10% for alleys.

Mr. McLaughlin stated that they have alleys where the residence has lived there 40-50 years and never remember it being paved.

Mr. Gonder stated that they may want to trade off some streets for alleys.

Mr. Thompson stated that they are down to local streets and alleys.

Mr. Blair stated that they are only talking about milling and paving not construction on these.

Mr. Thompson stated that is correct.

Mr. Gibson stated that the list they compiled was a needs-based list and wasn't by district but they can look at doing that. He explained that they did hit some alleys last time and identified more that needed to be done.

Mr. Caesar stated that there are places that need more than milled two inches and paved like Corydon Pike and State Street.

Mr. Thompson stated that goes back to having an inspector on the job because it is put in the bid to address those issues but they have to have someone out there to look after this work.

Mr. Gibson stated that they have started putting together a job description and job request for a City Engineer/Inspector type of position.

Mrs. Benedetti stated that there are a lot of sidewalks and curbs that need attention.

Mr. Gibson stated that when they are doing streets they are looking at the sidewalks as well to identify problems but if they have problem areas that they are indentifying on their own to please send them on.

Mrs. Benedetti asked what is in the LRS fund for 2013

Mr. Gibson stated that the amount they usually get from the state is around \$450,000.00

Mr. Thompson stated that by the time they pay for all of the contractual services and other expenses there isn't anywhere near what they need for paving.

Mr. Gibson explained that what is left is used for paving.

Mrs. Benedetti asked how Main Street will be funded.

Mr. Gibson replied 111.

Mrs. Benedetti asked how much is left in that account.

Mr. Gonder stated that he thinks around \$1.3M

There was a lengthy discussion regarding the milling machine that the Street Department has and the type of work it can do.

Mr. Blair asked when the last time was that they used the milling machine and if they are trying to use it.

Mr. Thompson stated that right now they can't because they don't have the right equipment.

Mr. Gonder asked if it would be cost effective for the Street Department to do that instead of contracting someone out.

Mr. Thompson stated that it would be helpful but they don't have all the equipment to use it.

Mrs. Benedetti asked about the Main Street project what the deadline for the federal match.

Mr. Gibson stated that there is no deadline.

Mr. Blair stated that he doesn't understand that if they own a machine that can do some of the smaller jobs and patch work why they wouldn't use that machine.

Mr. Thompson stated that they wouldn't use that type of machine for the road paving but the reason that they can use it is because they need a backhoe to move it.

Mr. Blair stated that they could always contract the front loader out and he would like to know what the numbers are to do that.

Mr. Zurschmiede asked if the milling machine they have is just for spot milling.

Mr. Thompson stated that is correct.

Mr. Gonder asked about the status of the EDIT funding out of the sewers.

Mr. Gibson said that Crowe Haworth is working on that right now.

Mrs. Benedetti asked if they should use \$2M out of EDIT or \$1M out of EDIT and Riverboat.

Mr. Gibson stated that he would recommend they shore up Rainy Day and then at the end of the day it doesn't matter because they are both funds for the city to use.

Mr. Caesar stated that he would like to pass this amended version so the city can get started on getting the bids together and moved money from EDIT to Rainy Day and then appropriate from both EDIT and Riverboat for paving.

Mr. Blair asked about the need to move money to Rainy Day and where they got the numbers from

Mr. Caesar stated that it is 10% of the General Fund and that was a comfortable number.

The Council set a Work Session for Monday, April, 29th at 6:30 p.m.

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 3
---------	---	---------

Mrs. Baird introduced Bill No. Z-13-02 for third reading, Mr. Phipps second, all voted in favor with the exception of Mr. Coffey who was absent and Mr. Gonder who abstained. Bill No. Z-13-02 becomes Ordinance No. Z-13-08

Mr. Caesar asked Mr. Wood if they are good on all stipulations and drainage issues.

Mr. Wood stated that they are.

BOARD APPOINTMENTS:

MISCELLANEOUS ITEMS:

COMMUNICATIONS – PUBLIC (non-agenda items):

Mr. Nash was present on behalf of the Trash Force and explained that they are having a Mother Earth Day celebration on Saturday, May 11, 2013 from 11:00 a.m. to 4:00 p.m. He invited the council to attend.

Mr. McLaughlin stated that Norfolk southern is concerned about pedestrians crossing the tracks and would like to use temporary barriers to guide them to the paved crossing during the July 4th celebration.

Mr. Thompson stated that they can contact the railroad and have someone monitor that area.

Mrs. Benedetti stated that they would like to see something more permanent.

Mr. Gonder stated that he didn't get the idea when they were talking about it that is was in general but more like it was just during these big events.

There was a lengthy discussion regarding the crossings and the safety issues that are present.

Roger Baylor stated that he thinks that it is dangerous at night down at the amphitheatre on the steps with the lack of lighting. He explained that some of the restaurant and bar owners got together and discussed putting together and association to try to get some things done and asked about some money that may have been set aside such as a grant for economic development and asked if that would something that would be available to them if they set up this association.

Mrs. Benedetti stated that she thinks that it should be considered.

Mr. Gonder explained that it was a wide opened plan modeled after the Horseshoe grant program where a proposal would come before the council for approval but that the whole amount of \$75,000.00 would not go to one project.

Mr. Blair asked if Mr. Baylor has spoken with Dave Duggins about this and stated that he would be very interested in putting something together to provide incentives for certain project.

Mr. Baylor stated that they all have common concerns and would be very interested in moving forward.

There was a lengthy discussion regarding this grant and the details of the process.

Mr. Blair stated that he would be interested in seeing what they would like to do with the grant.

Mr. Baylor stated that they would like to brand themselves as a food and drink community to get people to come to the community.

Mr. Blair stated that he would like to see a matching fund if it is used for marketing or advertising.

Mr. Baylor stated that he thought that was part of the original concept.

IN COMMITTEE:

TABLED ORDINANCES:

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

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:55 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk