

**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 THURSDAY, JUNE 20, 2013 AT  
7:30 P.M.**

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

**OTHERS PRESENT:** Mr. Hall, Mr. Gibson, Major Whitlow, Colonel Pennell, Police Chief Knight, Mr. Wood, Mr. Rosenbarger, Mr. Thompson and Mrs. Glotzbach.

**MOMENT OF REFLECTION:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

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

**Mr. Phipps moved to approve the Work Session Meeting Minutes for June 3, 2013, Mr. Gonder second, all voted in favor with the exception of Mrs. Benedetti who abstained and Mr. Zurschmiede who was not present.**

**Mr. Coffey moved to approve the Regular Meeting Minutes for June 3, 2013, Mr. Caesar second, all voted in favor with the exception of Mr. Zurschmiede who was not present.**

**COMMUNICATIONS – PUBLIC:**

**COMMUNICATIONS – CITY OFFICIALS:**

**Mr. Coffey** stated that the Building Commissioner is going to come to the council to ask for money to do demolitions along with a few other things. He explained that they have filed the liens on the houses but they just aren't getting the money in.

**Mr. Blair** asked if he will bring them a list of liens to be collected.

**Mr. Gibson** stated that he would. He explained that a lot of the properties reverted back to the county and the liens are wiped out when that happens. He stated that building permits are starting to pick up along with everything else so they are optimistic. .

**Mr. Coffey** asked if the city can get the lots when a house is torn down.

**Mr. Gibson** explained that if someone wants to buy the property they do so at a tax sale and if the county accepts it the liens are wiped clean and they can dispose of it however they choose.

**Mr. Coffey** asked if there is some way that the city can get it done to where they can keep the property.

**Mr. Gibson** stated that it could possibly be done if they foreclose on each lien that is filed and he isn't sure if that is the best solution but it still comes second to property taxes.

**Mr. Blair** asked if there is some way for the city and county to come to some agreement that they won't accept them.

**Mr. Gibson** stated that he can look into that.

**Mr. Gonder** asked how long after a lien is filed it goes to tax sale.

**Mr. Gibson** replied on average about a year.

**Mr. Gonder** asked if they could look the properties on the tax sale list and get them.

**Mr. Gibson** stated that they have already started looking at that option.

**Mr. Phipps** asked Mr. Gibson if he has been in touch with Terry Herthel regarding the warning sirens.

**Mr. Gibson** stated that Mrs. Prestigiaco has been in contact and it is in the works to get quotes to take to the Board of Works.

**Mr. Caesar** stated that tonight was the Exclusively New Albany event at Larry Ricke's house and it was a successful event. He explained that Saturday the 22<sup>nd</sup> is the Public Art Walk from 6-9 p.m. and he invited everyone to join them. He stated that the Highwheelers will be at the Bicentennial Park on Sunday the 23<sup>rd</sup> from 11:00 a.m-2:00 p.m. and there will be an ice cream social at the Division Street School from 2-4 p.m. He explained that the Independence Day Celebration will be July 3<sup>rd</sup> at the riverfront.

**Mr. Blair** stated that he ran into Dennis Julius of the Jeffersonville City Council and he mentioned some luncheons that they held in the past and expressed interest in starting those up again. He explained that he thought it was a good idea and asked if July 18<sup>th</sup> would be good with a back up date of the 19<sup>th</sup>. He stated that they can only have up to four people and Jeffersonville will be hosting it this time.

**Mr. McLaughlin, Mrs. Benedetti, and Mr. Gonder agreed to attend.**

**Mr. Thompson** stated that they had the pre-bid meetings with contractors for paving and explained that the bids are due in on June 25<sup>th</sup>. He explained that if they have any areas of concern to please give him a call so he can continue to get the list together.

**Mr. Caesar** stated that he has a couple of short jobs to give him.

**Mr. Thompson** asked him to email them to him.

**Mr. Gonder** asked about the pavement that has been shaved back on East Market.

**Mr. Thompson** stated that it was a drainage issue and he will talk to Mr. Ham about fixing it.

**Mr. Coffey** asked about the highway dividers on Cherry Street.

**Mr. Thompson** stated that MAC Construction has sold them and they should be gone in two weeks.

**Mr. Coffey** stated that MAC should've been charged for storage for those.

**Mr. McLaughlin** asked Mr. Gibson about the budget material in their packets.

**Mr. Gibson** explained that they have started meeting with department heads this week and they have a few more meetings next week. He stated that he can prepare a budgetary timeline schedule for the council and then start scheduling some work sessions.

**Mr. McLaughlin** stated that if they start early enough they can use the time before the regular meetings.

**Mrs. Benedetti** asked if there could be a representative from the administration to come in and explained the new health care that is going in effect.

**Mr. Gibson** stated that they can do that and they have been speaking with the department heads as they have been coming in for budget meetings.

**Mr. McLaughlin** stated that each of them have items that they would like to take under their wings and he thinks it would be a good idea to try to intermingle them with the budget discussions to see what they can do to support these projects.

#### **COMMUNICATIONS – MAYOR:**

**Mr. Hall** stated that the first two concerts at the Bicentennial Park have been very successful and thanked everyone that has joined them for coming out. He explained that the crowds are growing each week and stated that this week they will have Ballroom Blitz on the stage. He invited all the council members out to join them for the show. He stated that early next week they will finalize the July 3<sup>rd</sup> event and hopes to have the information out regarding the celebration on the riverfront.

**Mr. McLaughlin** asked if anyone in the administration met with Norfolk Southern about added security.

**Mr. Hall** stated that they did have a meeting this week with them and Mr. Thompson is going to talk with the railroad regarding this issue. He explained that they will be covered on both sides and have police officers in the area.

#### **APPROVAL OF CF-1 FORMS:**

Shireman-Uhl Properties, LLC, Compliance with  
Statement of Benefits referencing R-04-22 (RE)

Koetter Development, Inc., Compliance with  
Statement of Benefits referencing R-08-48 (RE)

Rite-Way Industries, Inc., Compliance with  
Statement of Benefits referencing R-08-42 (PP)

Rite-Way Industries, Inc., Compliance with  
Statement of Benefits referencing R-04-11 (PP)

Jones Popcorn, Inc., Compliance with  
Statement of Benefits referencing R-09-13 (PP)

Jones Popcorn, Inc., Compliance with  
Statement of Benefits referencing R-12-01 (PP)

Globe Mechanical, Inc., Compliance with  
Statement of Benefits referencing R-07-22 (PP)

Marlin Andres/Globe Mechanical, Inc., Compliance  
with Statement of Benefits referencing R-07-05 (RE)

**Mr. Coffey moved to approve the above CF-1s, Mrs. Baird second, all voted in favor with the exception of Mr. Zurschmiede who was not present.**

**Mr. McLaughlin** stated that Mr. Duggins called him and explained that all the CF-1s are in order and he would recommend approval.

**Mr. Caesar** stated that the only thing that he noticed is that there is only one company that is bringing in a lot more employees which is Globe Mechanical and that is what these are for. He explained the others are staying the same or going down.

**Mr. Coffey** stated that because the economy is turning around maybe they will see some additions next year and they need to continue to check on this.

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS:      READING**

Z-13-05	Ordinance Amending the Code of Ordinances of New Albany, Indiana Title XV, Chapter 156 (Docket P-05-13: ONC, LLC)	Baird 1&2
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**Mrs. Baird introduced Z-13-05 and moved for the first and second reading, Mr. Caesar second, all voted in favor with the exception of Mr. Gonder who voted no and Mr. Zurschmiede who was not present.**

**Mr. Wood** stated that this is a planned unit development at the corner of Green Valley Road and Daisy Lane. He explained that this exact plan was approved in 2008 but the economy stopped the project and stated that everything is essentially the same with no new materials. He stated that the building will be a medical office.

**Mrs. Benedetti** asked if there would be additional drainage put in.

**Mr. Wood** stated that it will held onsite underground.

**Mr. Gonder** asked if the Fire Chief has looked at this to make sure that the engines will be able to get out in case there is a traffic issue.

**Mr. Wood** stated that they have to go to the fire prevention bureau for approval on this and they will be talking with Mr. Schellenberg as well regarding coordination with the Fire Department and then the curb cut request will go to the Board of Public Works and Safety.

**Mr. Cullen** stated that there are stipulated hours from 8:00 a.m. to 6:00 p.m. with occasional Saturday morning hours.

**Mr. Coffey** asked how many cars the parking lot will hold.

**Mr. Wood** replied 83.

**Mr. Caesar** stated that he thinks it would greatly benefit the intersection if they could make a turn lane coming south on Green Valley Road onto Daisy Lane.

**Mr. Wood** stated that they have not anticipated it but would have Jacobi, Toombs and Lanz look into it.

**Mrs. Benedetti** asked if they will only exit onto Daisy Lane.

**Mr. Wood** replied yes.

**Mr. Caesar** stated that they really need an extra lane on Daisy Lane.

**Mr. Wood** stated that he doesn't think the right-of-way is there to make it work.

**There was a lengthy discussion regarding the impact on traffic with this addition.**

**Mr. Coffey** stated that the business is perfect for this corridor but asked if they would have a problem with giving the city the ground to make that lane a turning lane.

**Mr. Wood** stated that this would be a question for the Plan Commission.

**Mr. Cullen** stated that he would have to look at a plan for the turn lane to see how it would affect the area. He explained that they would be more than happy to work with the city and the Plan Commission on this.

**Mr. Wood** stated that they want minimal impact on the creek because it is in a flood plain.

**Mr. Coffey** stated that part of the reason that the creek fills up is because they put the medical arts buildings in neighborhoods and now they are asking to put in another one. He stated that they have to come to a compromise to alleviate this.

**Mr. Cullen** stated that if the Plan Commission puts together a plan then he is sure that ONC would be interested in considering it. He explained that they would just like to see if it is feasible and if there is a plan that would allow for that.

**Mr. Gonder** asked if they could come back at the next meeting with an update on this.

**Mr. Wood** stated that they might be able to have a rough drawing by the next meeting.

**Mr. Gonder** asked about the square footage of the building.

**Mr. Cullen** stated it is approximately 14,000 square feet.

**Mr. Gonder** asked how they calculated the 83 parking spaces.

**Mr. Wood** stated that it is five per thousand square feet.

**Mr. Gonder** asked if they have the option at this point to set aside a certain area that could be paved for parking since there is a drainage issue.

**Mr. Wood** stated that client is saying that they need each one of these spaces for this so that is something they would need to work out.

**Mr. Gonder** stated that the green grass in that area is going to be paved over by asphalt and asked if that would affect drainage.

**Mrs. Benedetti** stated that they said it will drain underneath.

**Mr. Wood** stated that there is going to be underground retention.

**Mr. Cullen** stated that they understand that impervious surfaces have some drawbacks and explained that the drainage provisions of the ordinance are quite specific as to what

must be done in order to not have more water leave that site than what is currently allowed. He stated that they can't get close to the ditch because it is a blue lined ditch.

**Mr. Gonder** stated that the addition of the pavement is adding to the heating if they go above what it necessary so if they can draw it back they have an obligation to do so.

**Mr. Cullen** stated that as it is designed it is within regulation of the zoning ordinance as it was intended to do. He explained that there are some offsets that they have to consider and they will take those into consideration. He stated that what they have is a professional hoping to construct a building that will hopefully attract more medical professionals to his building which will be good for the area. He explained that they will work with them to alleviate those issues when they see some plans.

**Mrs. Benedetti** asked Mr. Wood if he would have something for them for the next meeting.

**Mr. Wood** stated that he would try to.

**BOARD APPOINTMENTS:**

**MISCELLANEOUS ITEMS:**

**COMMUNICATIONS – PUBLIC (non-agenda items):**

**IN COMMITTEE:**

**TABLED ORDINANCES:**

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 8:20 p.m.

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Pat McLaughlin, President

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Vicki Glotzbach, City Clerk