

**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, JULY 17, 2014 AT  
7:30 P.M.**

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

**OTHERS PRESENT:** Mr. Robison, Mr. Hall, Mr. Duggins, Mr. Thompson, Police Chief Bailey, Mrs. Moeller and Mrs. Glotzbach

**MOMENT OF REFLECTION:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

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

**Mr. Phipps moved to approve the Regular Meeting Minutes for July 7, 2014, Mrs. Baird second, all voted in favor.**

**COMMUNICATIONS – PUBLIC:**

**COMMUNICATIONS – CITY OFFICIALS:**

**Mrs. Baird** asked Mr. McLaughlin if he viewed the email from a lady in the Fairmont School area about a neighbor that is being disruptive.

**Mr. McLaughlin** stated that he has not viewed it.

**Mrs. Baird** stated that she called her but she really wanted to speak with Mr. McLaughlin because the neighbors want to get together and set up a meeting.

**Mrs. Benedetti** asked what her issues were.

**Mr. Zurschmiede** stated that there were some issues of potential drug activity going on near her home.

**Police Chief Bailey** asked that the email be forwarded to him along with her number and he will call her himself.

**Mr. Caesar** asked Mr. Duggins to give some updates on the parks as far as if we are keeping on budget and on schedule. He added that there was some talk about putting splash pads in some of the parks but he hasn't heard anything about that lately.

**Mr. Duggins** stated that the Hoosier Panel site is on schedule but there were some overages because of bad soils but there were some allowances for that. He explained that the skate park has been installed the splash park is in the process of being constructed. He said that they did make a change to incorporate soft pad material instead of mulch because they were afraid that the mulch would stick to kids' feet and get in the filter system for the splash park. He said that the walking trail is going to be exactly one-half mile. He also said that the building is huge and they have had two instances of theft unfortunately. He said it is going to be a beautiful facility and everything will be well lit so it will be a comfortable, safe environment. He also said they were able to save some of the major trees there. He moved on to Binford Park and stated that there has been

some vandalism of the equipment there so everything has to be locked down. He said there was a change order on an expensive pump for irrigation which is about \$30,000.00 and they are either going to build a shelter to cover that or extend the shelter that is already there. He also said that he and Mr. Blair have met with the soccer folks and they asked about the maintenance agreement which should be finished up pretty quickly. He said that he has information on cutting, striping and chalking of the field. He then said that they are really moving on the aquatic center and everything is on schedule and there is an allotment for bad soil in that budget.

**Mr. Caesar** asked about Bicknell Park.

**Mr. Duggins** replied that there is not anything going on there yet. He stated that splash pads have not been budgeted for yet and he would like to wait until the one is installed at Hoosier Panel before he will know a good cost for the others because it is really a wide range.

**Mr. Caesar** stated that he just doesn't want to leave that area of town out.

**Mr. Duggins** stated that right now Ms. Meredith's office is at Bicknell and they are looking at increased lighting for the basketball courts and those things.

**Mr. McLaughlin** stated that have been some instances of vandalism there.

**Mrs. Benedetti** stated that Police Chief Bailey has been on that.

**Mr. Duggins** stated that he went to a program with 21<sup>st</sup> Century Parks and the first thing they say gets people to parks is safety so that is what we are focusing on. He said that lighting was a huge cost at Binford Park but he feels by far it was the most important thing to do and the neighbors are really happy about it. He also said that he thinks that a parks master plan is something that needs to be done.

**Mrs. Benedetti** asked if we have to have a master plan before we can apply for grants or anything.

**Mr. Duggins** replied that he is sure that we do but he does not know a whole lot about it. He added that he knows Ms. Meredith has a presentation and Trent Baker, who is an intern and has been fabulous, has put a lot of it together and they can put that on whenever the council would like.

**Mrs. Benedetti** asked if the council could get an update on the TIFs on the same night that they do their presentation.

**Mr. Duggins** replied yes and stated that he just filed the TIF filings so he will send those out to the council.

**Mr. McLaughlin** stated that there was a situation at the water park in Jeffersonville with e coli and asked if there is some way to avoid that with our water park.

**Mr. Duggins** stated that we have the best filtration system that you can buy and now we can market it as having the cleanest, nicest facility possible with that system. He also stated that it will have a sun system where the sun actually helps clean a lot of it too. He said that the pool also has separate areas so if there is a problem such as a fecal accident in the main pool, you still have the lazy river and the slides open.

**Mr. McLaughlin** said that he is concerned with the geese because Community Park is not that far from the aquatic center.

**Mr. Duggins** stated that he did not think of that and he also didn't think of installing a barrier at the fields at Binford Park so that cars can't drive on them. He said that he will check into both.

**Mr. Blair** stated that there are some salary line items on the budget to actual are significantly less than they should be at this time of year.

**Mrs. Moeller** stated that she would have to look into it and get back with him tomorrow.

**Mr. Blair** stated that he was on Grant Line Road and turned onto Daisy Lane right behind an IMI truck that had mud all over it and was spewing mud all over the road and when he got down to State Street Mr. Blair told him that he was dumping a lot of mud on the road and the driver just shrugged his shoulders at him. He said that he called the IMI dispatcher and told him what he experienced with the truck and the dispatcher said that he would take care of it. He told the dispatcher to call him back to let him know how he took care of it and the dispatcher finally said that they are going to put some dirt on the road because that is just the nature of what they are doing. He then asked if there is anything we can do about construction trucks dumping chunks of dirt and mud on our streets.

**Mr. Thompson** stated that a lot of times those construction trucks are on job sites so part of what the dispatcher said is true.

**Police Chief Bailey** stated that he would recommend that the police dispatch be called next time and given a description of the vehicle and if the police officer can identify and witness the violation then they can take some law enforcement action and write a citation.

**Mr. Blair** asked if this could be brought to the attention of the police officers.

**Police Chief Bailey** replied yes and stated that they are watching for it on a daily basis.

**Mr. Blair** stated that there are medians in some of the subdivisions in his district that were probably installed by the developer and they are in different states of being taken care of or being maintained. He said that there are three in Castlewood, one in Chadwood and one in Watkins Prairie. He said that sometimes neighbors take the responsibility of maintaining them but there is one in Castlewood that is that is in really bad repair.

**Mrs. Benedetti** asked if they have a homeowner's association.

**Mr. Blair** replied that they do not. He said that he is not opposed to asking some of the neighbors to take responsibility for them. He added that he does not know who is responsible for them but he just wants to get them cleaned up because they are an eyesore.

**Mrs. Benedetti** stated that she has received many calls on striping and stops on the roads that have faded. She said that she doesn't know if we need to contract with a company to do that but something needs to be done.

**Mr. Blair** stated that he would like to get an estimate of what it would cost.

**Mrs. Benedetti** said that another complaint that she is getting is on street signs because you can't read them.

**Mr. Gonder** asked Mr. Thompson if he would rather contract the striping out or do within the street department.

**Mr. Thompson** stated that he would rather have the people to do it within the department. He said that if the street department does it then they would use a piece of equipment that you have to walk behind that paints the stripes but if you contract it out they have a long line truck that does it so it is nicer and does a better job.

**Mr. Zurschmiede** stated that we could take a portion of the paving budget to get it done. He then asked Mr. Thompson what is going on at Kenzig Road.

**Mr. Thompson** stated that LG&E had to rebuild the road. They shut down on July 3<sup>rd</sup> and rebuilt the road where there were base failures and once they are finished they will repave the road.

**Mr. Gonder** asked Police Chief Bailey stated that he is getting tired of the cars that make so much noise and asked if the noise ordinance is enforced.

**Police Chief Bailey** replied yes and stated that typically the music portion of that ordinance is enforced and as far as the loud mufflers they are looking into investing in decibel readers. He added that they are also looking into tint readers.

**Mrs. Benedetti** asked if we are getting ready to get the new police cars.

**Police Chief Bailey** replied that the process is just being finalized in the city attorney's office.

**Mr. Gonder** asked where we ended up getting the cars.

**Police Chief Bailey** said the bid process is still out.

**Mrs. Benedetti** asked if we are going with the same vehicle.

**Police Chief Bailey** replied no because they found that certain vehicles are impossible to get right now because of shortages of those vehicles. He said that they will be different than what we currently have just because of the availability of vehicles.

**Mrs. Benedetti** asked what brand they will be.

**Police Chief Bailey** replied that they will be either Dodge or Chevrolet. He added that the paint scheme will be exactly what we already have.

**Mr. Blair** stated that when this was discussed with the previous chief the argument was that we should stay with the Ford product because of the maintenance and keeping things consistent and asked if it would be worth our while to wait for the Fords to come in.

**Police Chief Bailey** stated that he had a conversation with the city mechanic in reference to that and his opinion was that he would be able to cover the major repairs that would come up with these vehicles.

**Mr. Blair** stated that he was told that we had to stay with Ford because he wanted consistency and now it sounds like the story is changing.

**Police Chief Bailey** stated that he is certified on Ford products and that is what he prefers.

**Mr. Thompson** stated that he had some issues with the new cars but doesn't know exactly what they were.

**Mr. Blair** stated that the new cars should've been under warranty. He said that he had not heard that and he has worked pretty closely with it and is now getting a different story. He said that he is perturbed because you get one story from one person and then all of a sudden it changes with the circumstance and that is not right.

**Police Chief Bailey** stated that the Ford product is a little more difficult to get in and out of. He also stated that he has found that this time of year is a difficult time for car availability.

**COMMUNICATIONS – MAYOR:**

**Mr. Hall** stated that the mayor wanted him to give update on the environmental discharge that happened. He said that there was some blue ink around the 1600 block of Slate Run Road that entered a tributary of the creek. He said that he does not know all of the details at this time but believes it had something to do with an employee at Discount Labels that had the ink and it somehow got into the water. He also said that IDEM is on the scene along with Floyd County and New Albany Storm Water Departments, the police department, the fire department and the health department. He explained that there is an environmental crew on the scene cleaning it up by vacuuming the ink out of the water and it will be monitored especially after heavy rains to make sure there are no residual effects. He added that the initial guess of the product is that it is not severely harmful or a severe health risk.

**Mr. Caesar** stated that someone needs to be held accountable.

**Mr. Hall** stated that what he heard from Joe Ham was that Discount Labels was responsible for remediation of the site.

**APPROVAL OF CF-1 FORMS:**

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS:                    READING**

A-14-04	Additional Appropriation for Hope Southern Indiana's Pack the Bus Program from Riverboat Fund	Gonder 3
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**Mr. Gonder introduced A-14-04 and moved to approve the third reading, Mr. Phipps second, all voted in favor. Bill A-14-04 becomes Ordinance A-14-14.**

G-14-05	Fair Housing Ordinance for the City of New Albany	Phipps 3
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**Mr. Phipps introduced G-14-05 and moved to approve the third reading, Mrs. Benedetti second, all voted in favor. Bill G-14-05 becomes Ordinance G-14-15.**

**BOARD APPOINTMENTS:**

**MISCELLANEOUS ITEMS:**

**Mr. Phipps** asked about the redistricting maps that Mr. Lorch was supposed to get for the council.

**Mr. Lorch** said that he forgot but will look into getting them.

**Mrs. Benedetti** asked if there some kind of ordinance about trailers or campers being parked at a residence in the driveway or somewhere on the property.

**Mr. Coffey** stated that he thinks there is an ordinance.

**Mrs. Benedetti** asked if someone can run an extension cord for electric from their home to it.

**Mr. Zurschmiede** replied yes.

**Mrs. Benedetti** asked why someone would keep one plugged in like that all of the time.

**Mr. Coffey** stated that you can't allow someone to live in one.

**Mr. McLaughlin** stated that some people plug them in after they have been camping to clean them up.

**Mr. Zurschmiede** stated that a camper can run off of electric 110 or battery power and when you are out in the wilderness it runs off battery power but if you are in your driveway preparing to go, you can plug it in to charge your battery.

**Mrs. Benedetti** asked what if someone has one plugged in all day every day.

**Mr. Zurschmiede** said that someone can't live in it and he is sure that we have an ordinance to deal with that.

**Mrs. Benedetti** stated that she doesn't think that anyone is living in it but neighbors are worried that is happening.

**Mr. Blair** stated that there could be deed restrictions or homeowner restrictions too besides a code.

**Mr. Gonder** stated that it came up in redevelopment one time because there was someone had a relative living in on their property and you are not allowed to do that.

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

**Mr. Cassidy** stated that it was interesting that he heard questions about striping roads, police cars and different stories and one of his questions is about abatements. He said that he is not against abatements and there is a place for them but he has been coming to meetings for a long time and a few years ago the council quite having representatives come in for abatements. He explained that after meetings he has heard a couple of people say that they had a couple of questions but there was no representative to ask and he wondered why that wasn't brought up during the meeting so it could be postponed until a representative could be present or until Mr. Duggins could answer them. He also mentioned that there is no audit or anyone to check on employment or new hires and asked the question what if someone would lie and a few of the council members said that was a pretty good point but nothing was done about it. He said that there was one passed recently for one in his neighborhood that he thought was going to be a warehouse and come to find out this is almost like a strip mall and one of the businesses to go in there is already in the industrial park and we have given a tax abatement to them. He added that he is just here because he wants to see better government.

**Mr. Baylor** said that he was going to read part of a column that he did that day on his blog. He said that they had a downtown merchants meeting and feels that Jeffersonville is getting all of the attention right now and he thinks that is natural given what the Big

Four Bridge splash was. He read that since the Big Four Bridge opened and Jeffersonville became the new regional hottest ticket, he has heard many worried comments such as “can’t New Albany get a bridge too and stage more festivals and special events”. He read that there won’t be a pedestrian bridge unless we pry the K&I out of Norfolk Southern’s hands. He read that the most important facet of the Big Four Bridge is that it isn’t special at all; it is open every day and people use it every day. He also read that metro Louisville residents are making the Big Four part of their daily arsenal of lifestyle and recreational choices, meanwhile, New Albany has the ideal means to steal a march on the remainder of the metropolitan area by thinking about what makes the Big Four special on a daily basis just without an actual bridge. He also read that we have a street study coming from the nationally renowned Jeff Speck and when the study is finished, we must embrace walkability and embark upon a progressive, rapid no compromises program of traffic calming, complete streets and two-way street conversions. He concluded that we can use the street grid to enhance our quality of life every single day and New Albany can be rendered special every single day by supporting revitalization not working against it as our one-way streets do now. He also read that all we have to fear is fear itself and that is the biggest problem of all because boy are we scared.

**IN COMMITTEE:**

G-14-01          Ordinance Adopting the International Property          Zurschmiede 1&2  
                         Maintenance Code Standards for the City of  
                         New Albany

**Mr. Zurschmiede** stated that they are waiting for the state to respond to some issues that were brought up and should hear back shortly.

**TABLED ORDINANCES:**

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 8:35 p.m.

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Pat McLaughlin, President

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Vicki Glotzbach, City Clerk