

**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 MONDAY, AUGUST 4, 2014 AT
7:30 P.M.**

PRESENT: Council Members, Mr. Coffey, Mr. Caesar, Mr. Phipps, Mrs. Benedetti, Mr. Blair, Mrs. Baird, Mr. Gonder and President McLaughlin. Mr. Zurschmiede was not present.

OTHERS PRESENT: Mr. Lorch, Mr. Robison, Mr. Hall, Mr. Duggins, Mr. Thompson, Police Chief Bailey, Fire Chief Juliot, Mrs. Moeller, Mr. Gibson and Mrs. Glotzbach

MOMENT OF REFLECTION:

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Public Hearing Meeting Minutes for July 17, 2014, Mr. Gonder second, all voted in favor with the exception of Mr. Zurschmiede who was not present.

Mr. Phipps moved to approve the Regular Meeting Minutes for July 17, 2014, Mrs. Baird second, all voted in favor with the exception of Mr. Zurschmiede who was not present.

COMMUNICATIONS – PUBLIC:

Mr. Cassidy stated that he is looking forward to questions regarding the CF1s.

COMMUNICATIONS – CITY OFFICIALS:

Mr. Gonder stated that he has talked about sidewalks on Captain Frank Road several times and he is always shut down by the \$3M/mile cost. He read a quote from KIPDA for widening I65 which is a little less than \$3M/mile so it doesn't make sense to him that they can't install a five foot wide strip in a neighborhood for less than that. He explained that he sees people pushing baby buggies down the road and elderly people out for evening walks who are dodging traffic and one of these days we are not going to be talking about the ridiculousness of the cost for sidewalks but the fact that someone was killed on that road because the lack of.

Mrs. Benedetti stated that there have already been fatalities on Slate Run Road.

Mr. Coffey asked what the cost of the sidewalks are on Main.

Mr. Caesar stated that the beds were laid and the right-of-ways were already there on Main.

Mr. Thompson stated that you have to go in and purchase the right-of-ways which is where the cost comes in.

Mrs. Benedetti stated that there are KIPDA school dollars that they can apply for.

Mr. Gonder stated that it has to be addressed because it is unconscionable to continue to let it ride waiting for someone to get hurt.

Mrs. Benedetti asked what the cost is on the sidewalks that are being replaced downtown.

Mr. Thompson stated that the gas company is doing that work because of the cast iron project.

Mr. Gonder stated that Mr. Thompson did install a mirror at Fawcett Hill Road and that is very helpful but it underscores the fact that the people walking still aren't protected and he doesn't buy the cost that is quoted for sidewalks.

Mr. Caesar stated that he would've love to have seen sidewalks on Captain Frank Road and there is no reason to appropriate a little money to see how much it would cost.

Mrs. Benedetti stated that there has already been a study done.

Mr. Gonder stated that he doesn't think one has been done for Captain Frank.

Mr. Duggins stated that within the last six months Jacobi, Toombs & Lanz went out and did a cost estimate and it is the acquisition of the right-of-way that is the large cost of that project. He explained that the number for one side of the road was \$1.1M but Redevelopment did give him permission last month to expand the State Street TIF to look at a couple of different areas as a way to address this.

Mrs. Benedetti asked what the excuse is on Slate Run Road when they have the Charlestown Road TIF that is fat.

Mr. Duggins stated that there are several projects that are tied to all of these TIFs and they are phasing the project while trying to skim as much cost as they can.

Mr. Gonder stated that the right-of-way acquisition on Captain Frank Road should be mitigated to some extent because it widens as the road continues.

Mr. Duggins stated that when they go through the process of acquiring the right-of-way there is a common misconception that it gets donated but that is never the case.

Mrs. Benedetti asked why there aren't sidewalks from Genung to Hedden Court.

Mr. Duggins stated that is \$1M project that they don't have.

Mrs. Benedetti asked why they decided to jump over it.

Mr. Duggins stated that he didn't, it was done before he came here.

Mr. Caesar asked if Mr. Gonder is talking about Captain Frank from State to Valley View.

Mr. Gonder stated that he is specifically talking about where the sidewalk ends going out towards State Street.

Mr. Duggins stated that it is not that easy to put sidewalks in there because of the topography.

Mr. Thompson thanked the council for the appropriation for paving and explained that they are trying to wrap up the last of the \$2M that was appropriated. He stated that they did some sidewalks and a notice has been sent out for the next appropriation. He explained when that bid comes in they asked that something be put in for striping for

streets that aren't being paved. He asked that they continue to give him calls about areas around the city that need to be striped.

Mrs. Benedetti asked if they could get a list of what they are going to pave.

Mr. Thompson stated that he could provide a list of what has been done since the study in 2008 and explained that streets that are paved will have to have sidewalks brought up to ADA specifications and thermoplastic. He updated the council on the Main Street Project and explained that the sidewalks are going in as well as the median so they will start seeing the progress.

Mr. Coffey stated that he knows there are easements and right-of-ways and asked if there is a difference between the two.

Mr. Duggins stated that a right-of-way is less ownership than easements. He explained that they do two appraisals to make sure they are being fair to the property owner and both give the ability to do work on the property.

Mr. Coffey stated that it was always his understanding that the city owned the property so far in when this is done so he wants to know who owns the property.

Mr. Duggins stated that whoever owns the deed owns the property.

Mr. Gibson explained that the easement gives the city the right to use that identified described part for various items and with a right-of-way someone has the ability to cross your property.

Mr. Coffey asked why they can't put the sidewalk on that easement.

Mr. Blair explained that the easement isn't wide enough.

There was a lengthy discussion regarding sidewalks and uses of right-of-way and easements in different parts of the city.

Mr. Blair asked if he could get a copy of Valley View Lease.

Mr. Duggins stated that he would get that to them.

Mrs. Moeller stated that she recently learned that the county has failed to pay the city some funds going back to 2006. She explained that they are currently working on it and apparently the city has given them a letter to request the funds and more information as soon as possible. She stated that as soon as she knows anything more she will get back to them.

Mr. Gonder asked what it relates to.

Mrs. Moeller stated that it has not been disclosed yet.

Mr. Phipps asked if it was exposed in the audit.

Mrs. Moeller stated that she is not sure.

Fire Chief Juliot thanked the council for appropriation for the new ladder truck and explained that is outside tonight if they would like to come out after the meeting to look at it. He invited them to the training tower for an open house on August 15th at 5:30 and explained that they will be doing some training.

Police Chief Bailey explained that the Indiana state police investigation is ongoing and his understanding is that it is at the very end and they are wrapping up loose ends with a determination in the next couple of weeks. He stated that when that is done he will bring that information back to them. He thanked the council for the funding for the new cars.

COMMUNICATIONS – MAYOR:

Mr. Duggins stated that Meade Drive detention basin ground breaking is Tuesday August 5th at 9:00 a.m. and read the press release regarding the project. He explained that Movies at the Riverfront is back, sponsored by the city and the Horseshoe Foundation. He stated that the first movie is The Lego Movie and it will be on August 9th and they can get the full schedule from the city website.

APPROVAL OF CF-1 FORMS:

Mr. Blair asked if the council could approve these separately.

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

Mrs. Benedetti moved, Mrs. Caesar second, all voted in favor with the exception of Mr. Zurschmiede who was not present.

Mr. Duggins explained that they have estimated on the SB1 10 employees, actual 11. He stated that the salaries have gone down a little but they are above their hiring. He explained that these are contractual agreements between the company and the city that are fill out properly and called to confirm with the company to make sure all of the information is correct. He stated that if this wasn't filled out correctly it would be considered fraudulent and they have a great relationship with the companies that they grant these to.

Mr. Gonder asked if this is an interim number.

Mr. Duggins stated that they have to be received by May 15th each year and they pay a fee for the savings and filings and then they are brought to the council.

Mr. Gonder asked about the estimated amount of new employees is five and the actual is 0.

Mr. Duggins explained that the main thing is that they had 10 estimated on the SB1 and their actual is 11 so they are above their commitment.

Mr. Gonder stated that they are off \$70,000.00 in salaries.

Mr. Duggins stated that it is not uncommon for a small company. He said that overall the abatement program is working and attracting.

Mr. Coffey explained that we are in a tough economy and when you are talking about a small business and they are retaining their numbers that is an exceptional job. He stated that it is an investment and we are still collecting the full taxes while prorating the additional.

Mr. Duggins stated that they try to weight what in taxation in the period of the term of the abatement are they giving up for the investment and he would never recommend removing an abatement unless it is a significant amount and they are almost done with this abatement. He explained that over the life the property owner pays 50% of that tax and the abatement offsets the startup cost. He stated that there is no reason that he wouldn't recommend approval on this.

Padgett, Inc., Compliance with Statement
of Benefits referencing R-05-35

Mr. Duggins stated that this is one of their success stories with high wages and recommended approval.

Mr. Coffey moved to approve, Mr. Blair second, all voted in favor with the exception of Mr. Zurschmiede who was not present.

Richard and Kelly Fust, Compliance with
Statement of Benefits referencing R-03-28

Mr. Duggins stated that this is SIGS Gymnastics which is another new hire. He explained that this is for their building in industrial park and is close to being done.

Mr. Gonder stated that they didn't fill the entire abatement out.

Mr. Duggins stated that he can go back to them and have it fill out and bring it back to the council.

Product Specialties, Inc., Compliance with
Statement of Benefits referencing R-04-08

Mr. Gonder moved to approve, Mrs. Benedetti second, all voted in favor with the exception of Mr. Zurschmiede who was not present.

Mr. Duggins stated that this is another successful one. 125 job estimated 89 and recommended approval.

PC Building Materials, Inc., Compliance with
Statement of Benefits referencing R-04-31

Mr. Gonder moved to approve, Mrs. Benedetti second, all voted in favor with the exception of Mr. Zurschmiede who was not present and Mr. Blair who recused himself.

Mr. Duggins stated that this is a downtown business. Estimated 70 hires 80 actual and recommended approval.

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

Mrs. Benedetti moved to approve, Mrs. Baird second all voted in favor with the exception of Mr. Zurschmiede who was not present and Mr. Blair who recused himself.

Mr. Duggins explained that they are an excellent employer even though they are down on employees but they have significant hiring and wages and a member of a very large conglomeration. He recommended approval.

Swearingen Environmental Services, LLC, Compliance
with Statement of Benefits referencing R-09-02

Mrs. Baird moved to approve, Mr. Gonder second, all voted in favor with the exception of Mr. Zurschmiede who was not present.

Mr. Duggins stated that this is a very small company with a fluctuation in hiring but are above their estimated. He explained that they are an environmental company and a contractor for a lot of environmental projects with the city. He recommended approval.

PTG Silicones, Compliance with Statement of
Benefits referencing R-07-25

Mr. Blair moved to approve, Mrs. Baird second, all voted in favor with the exception of Mr. Zurschmiede who is not present.

Mr. Duggins stated that this is a small project but it was a building in industrial park that should've been torn down and he remodeled the structure. He explained that their hiring is above the estimate and would recommend approval.

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

Mrs. Benedetti stated that this one says spring of 2004.

Mr. Duggins asked that this one be tabled so that he can check it.

Mr. Blair stated that it would be nice if they could get an explanation of why their employment is down when they turn these in.

Mr. Coffey stated that when they get these he would like to have a breakdown of the salary not just the average as well as benefits.

Mr. Duggins stated that he will put that in the letter next time but they are not obligated to provide that information.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: READING

BOARD APPOINTMENTS:

MISCELLANEOUS ITEMS:

Mrs. Benedetti asked if the council could get a copy of the proposed budget to look over before the next meeting.

Mr. Gibson stated that it will not be ready by then.

Mr. Coffey stated that he would like to get it a little earlier this year.

Mrs. Benedetti asked if the council could be emailed a copy of the proposed budget in the last week of August.

Mr. Gibson stated that could probably be done.

COMMUNICATIONS – PUBLIC (non-agenda items):

Mr. Cassidy stated that he is not against tax abatements but has issues with the amount and went over the abatements with the council.

IN COMMITTEE:

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