

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,
INDIANA, HELD A REGULAR COUNCIL MEETING IN THE COUNCIL
CHAMBERS AT NEW ALBANY CITY HALL ON MONDAY, AUGUST 1, 2022
AT 7:00 P.M.**

MEMBERS PRESENT: Council Members: Mrs. Collier, Mr. Dickey, Mr. Phipps, Mr. Turner, Mr. Blair, Mr. Aebersold, Dr. Knable and Mr. Applegate, President. Mrs. McLaughlin was not present.

ALSO PRESENT: Ms. Stein, Mr. Gibson, Mrs. Moeller, Mr. Hall and Mrs. Glotzbach.

CALL TO ORDER:

President Applegate called the meeting to order at 7:00 p.m.

MOMENT OF REFLECTION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Public Hearing Meeting Minutes for July 21, 2022, Mrs. Collier second, all voted in favor with the exception of Mrs. McLaughlin who was not present.

Mr. Phipps moved to approve the Regular Meeting Minutes for July 21, 2022, Mr. Dickey second, all voted in favor with the exception of Mrs. McLaughlin who was not present.

COMMUNICATIONS – COUNCIL:

Dr. Knable stated that he wanted to follow up on the public comments non-agenda item at the last meeting from Mr. Harrell regarding some of the issues he has had with his neighbor and the pellet gun. He said that he contacted the prosecutor's office and they are aware of that particular situation. He stated that he had them research with regards to firearms ordinances and they told him that there really are none that pertain to that. He said that there may be the possibility of tightening or strengthening criminal recklessness laws so Mr. Lane is going to look into that and get back with him. He stated that after that, he will get with Police Chief Bailey about it and then see whether or not there is something that we want to do as far as changes to the existing ordinances, whether it be penalties for that or narrowing the interpretation on what that might be. He added that at this point in time, they are following the ordinances that are on the books as is law enforcement.

Mr. Applegate told Dr. Knable that if he needed help researching or doing anything, the public safety committee and the police can help.

Dr. Knable stated that once he gets feedback from the prosecutor, he will let him know.

Mr. Applegate thanked Dr. Knable for looking into that.

Mr. Aebersold stated that he is glad that Dr. Knable looked into it because he hasn't delved into it too much. He said that he talked with Mr. Harrell twice and he thought it was a kid doing the shooting but it isn't. He stated that the guy is 30 years old or so. He said that he talked to Mr. Harrell about the pictures and asked him if the dead birds and squirrels are falling onto his property? He said that Mr. Harrell told him that they are landing in the alley and on the property of the apartment complex next to him. He stated

that he did say that some are landing in his yard so he guesses that the guy is shooting them out of Mr. Harrell's trees. He said that he asked Mr. Harrell if some of the other people have complained about it? He also said that he asked him about the holes in the garage and he told him that the lady that owned the garage was upset and has since moved. He stated that the lady on the other side of them is an older lady and she doesn't want to get involved. He then said that he didn't realize that the guy was that old and that he was shooting at a target in his backyard. He said that he could hit a kid riding through there on a bicycle or anybody for that matter. He stated that he looked at the rules and regulations that we have now regarding that. He then said that he thinks that the guy is just mad at the other guy and they kind of have a thing going on. He stated that Mr. Harrell told him that it has been quiet for about the last month and he doesn't know if someone went out and talked to him again or what. He said that he is glad that Dr. Knable is moving in the right direction because he is not going anywhere with it but they definitely need to do something.

Mr. Blair stated that at the last meeting he mentioned some concerns of the neighbors in the Rolling Creek Subdivision with the noise coming from Northwest Ordinance. He said that after a lot of effort and Mr. Gibson asking Mr. James Hartman to give him a call, the plant manager called him today and is aware of the situation. He stated that they are trying to take some actions to reduce noise. He said that we are lucky because they have other facilities here in southern Indiana and are moving some of their production and delivery type activities to those facilities so this may take care of itself. He said regarding the issue with the tow truck that they use to move the trailers around, that is a leased vehicle so they don't have any way to reduce the noise on it. He said that Mr. Hartman is looking at maybe getting another vehicle and doing something else with it. He stated that at least Mr. Hartman's attention is on it now and he told him that he would get back with him later this week. He said that he will report that to the neighbors but he does know that the neighbors are keeping a log of when they hear noises, the type of noise, the loudness, what the hours are and so forth. He also said that Mr. Hartman told him that the reason he hasn't been able to return phone calls is because he has just been so busy with taking over the management of all of the facilities here in southern Indiana. He stated that it sounds like he is working on it now so hopefully it will come to a fairly easy resolution and no other action will need to be taken. He said he will keep the council updated.

Mr. Turner thanked the city for opening the restrooms on the greenway. He also thanked the city engineer for releasing the paving list to them because that is good info to have. He then stated that this Saturday is the Miss Harvest Homecoming pageant. He said that he judged in it last year but is not this year. He added that it is a pretty cool event and encouraged everyone to get out and go to it if they can. He said that it is at 6:30 p.m. at Floyd Central.

Mr. Phipps stated that school is back in session and he wanted to remind everyone to drive safely in school zones and drive safely all across town.

Mr. Dickey stated that he would echo that because today was the first day back to school and there were buses and drop-offs, so everyone should be mindful of safety. He then said that over the past week it seems like there was a flood of code enforcement calls that came in and he just wanted to thank the staff for their quick execution on those. He stated that they were able to get either updates or definitive actions to rectify problems on several properties and he just wanted to publicly acknowledge that and thank the crews and the staff that assisted.

Mrs. Collier stated that she wanted to let everyone know that this Saturday down at the Farmer's Market there will be kid activities that start at 8:00 a.m. and she believes that they will be teaching the kiddos how to do some planting. She encouraged everyone to join them.

Mr. Applegate stated that he was just going to mention that kids are back to school so be aware that kids are on the streets. He said that he did see a few today and most of them had their heads buried in their phones so make sure that when you're driving that you are not buried in your phone. He said that he just thinks that is always a good message. He then mentioned that Sheriff Loop has the billboards that say "Keep your head out of your APP" and that it is a nice slogan to remind us. He stated that he thought of it as he saw the kids this morning doing that so it is up to us to keep everyone safe. He then welcomed back Ms. Stein and said that Ms. Wheatley represented her firm well while she was out and wanted her to pass his appreciation on to her.

COMMUNICATIONS – MAYOR:

Mr. Hall stated that this Friday is the last summer concert of the season at Bicentennial Park. He said that he wanted to thank everyone for coming out to those and spending some time with them and their sponsors.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

REPORTS – COMMITTEES, BOARDS OR OTHER OFFICIALS AS REQUESTED BY A MAJORITY VOTE OF THE COUNCIL:

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no further business before the board, the meeting adjourned at 7:13 p.m.

Jason Applegate, President

Vicki Glotzbach, City Clerk