

**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, NOVEMBER 7,
2022 AT 7:00 P.M.**

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

ALSO PRESENT: Ms. Stein, Mr. Hall, Mrs. Moeller 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 Regular Meeting Minutes for October 20, 2022, Mrs. McLaughlin second, all voted in favor with the exception of Mr. Turner who was not present.

COMMUNICATIONS – COUNCIL:

Mr. Applegate stated that regarding the item that was added to the agenda, he spoke with Mrs. McLaughlin and they thought that it would just be best to put it into an ad hoc committee and then potentially have a special meeting set up for it because time is of the essence.

Mr. Blair asked who the members are on the ad hoc committee?

Mr. Applegate stated that they are Mr. Aebersold, Mrs. McLaughlin and himself.

Mrs. Collier stated that tomorrow is election day and she wanted to remind everyone if they haven't already voted, please go vote tomorrow.

Mr. Dickey stated that he would echo that and also with tomorrow being election day, city services will be shut down for the day at city hall and the court house will be shut down as well. He then said that it was shared on the website that the parks department is soliciting for the master plan so if you haven't taken time to take the survey and comment on what you would like to see with the parks, please do so in the near future.

Mr. Phipps stated that he just wanted to concur that tomorrow is election day and if you haven't voted, please do so because this is an extremely critical election and the future of our democracy may hinge on it.

Mr. Blair stated that he concurs with everyone on the importance of voting tomorrow and he also wanted to wish their colleague, Dr. Knable, good luck in the election.

Dr. Knable stated that he has a very thoughtfully written four-and-a-half-page letter from someone who lives near E. Spring Street and E. 4th Street and works downtown as well. He said that she is concerned for pedestrians because the crosswalks that have been beefed up are still not doing their jobs. He then stated that he would like for the letter to be part of the minutes rather than him reading the entire letter. He said that she has discussed this issue with members of the board or works and with the mayor as well but

feels like it is not getting anywhere and she is very concerned that someone is going to get hurt downtown. He stated that he understands that we have taken measures on this in the past but they have not been adequate up to this point in time. He said that he thinks we need to look at other options whether that is the little humanoid in the crosswalk that lights up and/or stronger enforcement, but unfortunately, it looks like even some of our official vehicles have kind of been remiss with regards to stopping when pedestrians are in the crosswalk. He stated that it was a very thoughtful letter and he had probably better ask before making her name a part of the record. He then stated that he received a very nice phone call yesterday and he needs to call the officers involved as well as Police Chief Bailey. He said that a person who found himself in the middle of a mental health dilemma that could have potentially gone sideways was helped by NAPD and they went above and beyond with regards to helping with transportation for someone to a local mental hospital. He stated so as to not violate anyone's health records, he does not want to get into the details but it was very, very scary and could have gone a lot of different ways. He said there was one way that it could have gone right and the police officers were there to make sure that it did go right. He stated that he wanted to make a public addressment of this because there are good things happening in bad times and our police department is sometimes unheralded with regards to that.

Mr. Applegate wished Dr. Knable good luck on his election tomorrow because elections are stressful. He stated that he talks a lot about trying to give people grace and that goes along with voting because you may be standing in line with people who don't believe what you believe, but everyone has the right to believe whatever they want to believe. He said to keep it at that and make sure that it doesn't spill over into scarring our democracy anymore than what we have seen in the recent past. He stated as everyone else said that election day is tomorrow and it is important to have your vote as we all see that elections do matter.

COMMUNICATIONS – MAYOR:

Mr. Hall said that as Mr. Dickey stated, we are updating our Parks and Recreation Five Year Master Plan and there is a survey link on our Facebook so he is encouraging everyone to go take that. He said that it only takes 10-15 minutes but it really provides a lot of feedback on what people would like to see in their city's parks and recreation department. He then stated that leaf season is well underway and he is sure that everyone is seeing it with recent storms and high winds. He said that there are extra crews out working this week trying to get caught up on that. He stated that they had a post on social media today kind of outlining the steps that residents can take and the easiest is to get those leaves into the right-of-way. He asked that council members pass onto to their constituents to not put their leaves in the curbs because that is where they can cause a lot of clogs and contamination, but if they put those in the right-of-way, the street sweeper will come and collect them. He said that residents can also set ten bags of leaves out with their weekly trash collection.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

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

Wastewater Update – Mr. Ed Wilkinson

Mr. Wilkinson stated that he is going to summarize the packet that the council received. He said that the area service map is the first thing and it is covered 24/7 year-round no matter what the issue. He stated that the area that they call the 4-mile zone goes all the way over to Floyd Central School on Highway 150. He said that they have 210 miles of gravity sewer with over 5,000 manholes and that takes up the activity of a 5-day a week 30-man crew. He stated that the 30 wobbles a little bit and sometimes goes from 30 to 32 and they do a lot of call-in and call-out scheduling where they rotate people's schedules. He added that their payroll stays fairly consistent. He then spoke of the big elephant in the room that we have been battling for literally 30 years. He stated that he has seen a

complete turnover of council members as well as all of the administration of the plant. He said with operations with EMC gone, they have finally accomplished what they started to do 30 years ago. He said that he put the court orders in the packet so everyone would have copies. He stated that the sewer ban by IDEM and the compliance letter from EPA court order from the Chicago District Court is in there as well as the consent decree termination from the Chicago District Court for EPA. He said to have accomplished what many other councils have worked on and done and many other engineering firms as well as sewer board members have worked on and done, we have invested \$32M and 26 projects which are listed in the packet. He stated that the next page is 11 years of operating expenses for operating the plant and the billing office as well as 11 years of income which is all condensed down to one page. He said that the bond payment schedule that is in there and how much we owe in bonds is a question that comes up every once in a while, and all of the bonding relates to the EPA requirements to clean up your water. He stated that in 2011, we had an outstanding balance of \$75M and it is now down to \$25M as of September 1st of this year so that is \$50M spent on bond payments alone and \$1.1M per month for operations. He said that the combination of the old assets and the new improvements and upgrades, as well as the new expansion, is now in the neighborhood of \$250M to \$300M value and that is nearly paid off. He added that financially we are in excellent shape. He said that the next five years is covering planned capital expenditures and during this coming year we will be putting a new roof on the 720 Building, rebuilding a 27-inch brick sewer line that runs from W. 7th Street to the expressway in an alley that runs parallel to Spring Street, we need an equipment storage building at the 14th Street Lift Station, we need to replace and upgrade the ultraviolet sterilizing system that we use to kill the bacteria in the water, we are going to be laying a new service line on Highway 150 up to Floyd Central and we are going to replace two of the force mains that run parallel to Mt. Tabor Road from Charlestown Road over to Grant Line Road. He stated that the combination of all of these jobs is a total of about \$8M and we will not have to borrow any money to do these. He said that the specific construction timeframe is going to run three to four years and with each of the jobs you have three of four months of engineering ahead of the construction starting, so basically inside of the next five years, we will have spent another \$8M on improvements and expansions to new service areas. He added that when they do engineering, they overdesign about 35% which takes several years of expansion before you fill that pipe up. He then stated that he was down to one more subject which is the quality of the plant running and how you measure it. He said that when it comes to the Clean Air Act and Clean Water Standards, the E. coli bacteria is the item that they use for measurement. He explained that the wastewater plant has a regulatory limit and if you step outside of that, it is a violation which we have been avoiding with all of the work we've been doing and have been two and a half years without any violations of any type. He stated that the E. coli item is one that he wanted to draw attention to because the plant is basically old and some of the piping and so on is 70 to 80 years old. He said that the standard E. coli for the plant is 125 milligrams per liter and food processing plants that would do milk or any of the food products is less than 10 milligrams. He stated that in comparison, from products you are going to eat less than 10 milligrams and the discharge of the wastewater treatment plant high limit is 125 milligrams and the last month we reported, it was 3 milligrams.

Dr. Knable stated that he appreciates Mr. Wilkinson's dedication. He then stated that we have 210 lines of gravity and asked how many pump-assisted lines do we have?

Mr. Wilkinson stated that there is 14 miles of force main and the manholes are spread between 100 ft. and 600 ft. and outside of the 600 ft., there isn't any equipment such as cables or power systems.

Dr. Knable asked which pump station is the oldest and how many years do we still have on that one?

Mr. Wilkinson stated that in his book that most of the council members received, he has every pump station listed, the number of pumps and the age of the pumps and all of them are in top notch condition. He said that the lifespan of any one of them is only going to be the failure of the pump or the failure of the electrical cabinet.

Dr. Knable stated that more and more frequently municipalities are tracking polio, covid and things like that via wastewater so he asked if we are part of the national system on that and how the monitoring is being done?

Mr. Wilkinson stated that almost two years ago they looked at it and tested several times with an outside lab and they didn't find anything going on, but in Louisville they find it all of the time.

Dr. Knable stated that he just didn't know if there was a federal mandate on monitoring but it sounds like there isn't.

Mr. Wilkinson stated that they haven't been approached with one but he didn't want to say that there is not one because in some of the bigger cities there may be.

Dr. Knable thanked Mr. Wilkinson for everything that he does and said that he has never met anyone literally so committed to their job.

Mr. Blair stated that the presentation was very informative and very well done. He then asked what capacity we are at with our treatment as far as our treatment plant?

Mr. Wilkinson stated that the certification is 12M gallons per day and the average flow runs between 6M and 8M gallons per day. He said that when we get a dry hot patch during the summer, it will drop down to 5M gallons per day but it usually runs 4M to 8M gallons per day and we are licensed for 12M. He stated that in an emergency, which is after two, two and a half or three inches of rain in so many hours, the plant will jump up to 35M to 40M gallons per day. He said that the UV sterilizing system will handle about 40M gallons per day and then they have to add chlorine and with the chlorine treatment, they can take a flow of up to about 63M or 64M gallons per day.

Mr. Blair stated that he mentioned expanding into new service areas and asked if there are any opportunities to bring on some of these communities to our sewer system that maybe have package plants or are in areas that aren't on sewers?

Mr. Wilkinson stated that they would be happy to engage anyone that is out there looking for help, but right now there isn't anyone wanting to change their system with the one exception of the work they are doing with Floyd Central.

Mr. Blair asked if there would be an opportunity to possibly do a decrease in sewer rates in the future?

Mr. Wilkinson stated that he doesn't want to say yes or no to that question. He said that the cash flow has been significantly changed and we will do these construction jobs out of pocket and then when this amount of work is done, if we haven't got any other emergencies, they can rethink the cash flow operation. He explained that the last rate increase was eight years before the council changed it in 2010 with a bump in 2012 and in his notes and in his projections, he didn't try to do anything more than get this work done without borrowing money. He added that there aren't very many cities around that haven't had a sewer rate increase since 2012.

Mr. Blair stated that he just wanted to make sure that he is still looking at rates and continuing to do that work which it sounds like he is. He also stated that he really appreciates everything that Mr. Wilkinson does and is always impressed with the work he does and the help that he has given him.

Mr. Dickey stated that regarding rates in comparison to our neighbors, he feels we are very competitive these days because there have been some increases in our neighboring communities. He asked Mr. Wilkinson if that is pretty true from his standpoint?

Mr. Wilkinson replied yes and stated that he actually has it all written down in his folder. He said in comparison to all of the cities around us for capital, we are going to be cutting down from \$25M in total outstanding debt. He stated that Jeffersonville is around \$140M right now, Clarksville has about \$60M coming up in mandates and Charlestown just announced \$40M in new construction. He said that their monthly rates are kind of all over the board because they are increasing 20% to 50% to cover new construction and, we are the lowest rate around and we are not going up anymore so we will stay the lowest rate. He stated that he just hesitates to use someone else's number because they could've changed it three days ago and he didn't know about it.

Mr. Dickey stated that he just thinks that is a big selling point and he knows occasionally folks get a big bill, but he does think it is important to keep in mind the work that we have done and how that is impacting keeping rates very reasonable.

Mr. Applegate asked what size the pipe is going out to Highway 150?

Mr. Wilkinson stated that it will probably be a 12-inch pipe.

Mr. Applegate stated that he concurs with everyone else and thanked Mr. Wilkinson so much for being at the meeting and all that he has done for the city. He said that he does an excellent job.

Mr. Wilkinson stated that he likes doing what he does.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

INTRODUCTION OF RESOLUTIONS:

COMMUNICATIONS PUBLIC: R-22-10 Amending 2021 Salary Ordinance for Non-Bargaining Unit Employees

COMMUNICATIONS PETITIONER: R-22-10 Amending 2021 Salary Ordinance for Non-Bargaining Unit Employees

R-22-10 Resolution Amending 2021 Salary Ordinance for Non-Bargaining Unit Employees Collier

Mrs. Collier introduced R-22-10 and moved to approve, Mr. Phipps second, all voted in favor with the exception of Mr. Turner who was not present.

Mrs. Collier stated that this basically is an amendment to reflect that the bi-weekly pay schedule was kept for the non-bargaining city employees. She said that the twice monthly pay schedule that the council passed to be effective in January, 2021 would have greatly impacted some of the employee's household budget planning, so we kept the bi-weekly pay schedule in place. She stated that the state auditor wanted us to make an official amendment to that to reflect that we stayed at the bi-weekly pay schedule. She added that a thorough review of everyone's payroll was done and no one was underpaid and no one was overpaid so everyone received that pay that they should have.

COMMUNICATIONS PUBLIC: R-22-11 Amending 2021 Salary Ordinance for Elected Officials

COMMUNICATIONS PETITIONER: R-22-11 Amending 2021 Salary Ordinance for Elected Officials

R-22-11 Resolution Amending 2021 Salary Ordinance for Elected Officials Collier

Mrs. Collier introduced R-22-11 and moved to approve, Mr. Dickey second, all voted in favor with the exception of Mr. Turner who was not present.

Mrs. Collier stated that this is basically the same thing as the last resolution but it is for elected officials since we kept the bi-weekly pay schedule for the elected officials as well. She added that this is to meet the request of the state auditor.

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no further business before the board, the meeting adjourned at 7:45 p.m.

Jason Applegate, President

Vicki Glotzbach, City Clerk