

A MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WAS HELD IN ROOM 100 AT NEW ALBANY CITY HALL ON TUESDAY, MAY 9, 2023 AT 10:00 A.M.

PRESENT: Cheryl Cotner-Bailey, member, David Brewer, member, and Mickey Thompson, president.

OTHERS PRESENT: Police Chief Bailey, Fire Chief Juliot, Brad Fair, Phil Aldridge, Sean Payne, Bryan Slade, Linda Moeller, Larry Summers, Jessica Campbell, David Rake, John Rosenbarger, Councilman Dickey, David Hall, Tonya Fischer and Vicki Glotzbach

CALL TO ORDER:

Mr. Thompson called the meeting to order at 10:04 a.m.

PLEDGE OF ALLEGIANCE:

BIDS:

Mr. Thompson opened the following bids for the 2023 Citywide Paving Project:

Hall Contracting of Kentucky	\$5,316,981.00
Libs Paving	\$4,541,901.15
MAC Construction	\$4,418,800.00
Louisville Paving	\$4,833,213.33

Mr. Summers stated that as in past years, he would ask that the board approve the apparent low bidder contingent upon engineering and legal review to ensure that the bidders are responsive and responsible.

Mrs. Cotner-Bailey moved to approve the bid from MAC Construction contingent upon legal and engineering review, Mr. Brewer second, motion carries.

NEW BUSINESS:

1. Evan Thie, NAHA re: Final Plat Approval for Beechwood Court Redevelopment

Mrs. Cotner-Bailey stated that she would prefer that he be present with documentation before the board takes any official action.

Mr. Thompson stated that he will contact him and see if he wants to be added for next week.

2. Evan Fowler re: Sign approval for The Spice and Tea Exchange

Mr. Thompson stated that there is an area circled on the drawing that was submitted and asked if the sign will be higher than that.

Mr. Fowler replied yes and stated that it will be at 9' minimum from the bottom of the sign.

Mrs. Cotner-Bailey asked where this is located.

Mr. Thompson stated that it is at the corner of Market between State and Main Streets.

Mr. Fowler stated that it is at 115 East Market Street.

Mr. Brewer moved to approve, Mrs. Cotner-Bailey second, motion carries.

Mr. Fowler stated that he has another sign permit for Rainbow Blossom on Charlestown Crossing and asked if they wanted him to wait for the communication from the public.

Mr. Thompson explained that he saw the email between him and the clerk and he spoke with planning and zoning. He stated that since they didn't have the permit yet it needs to go through them for a sign permit. He added that since it is on the face of the building and not overhanging the public right-of-way, he doesn't need approval from this board.

COMMUNICATIONS – PUBLIC:

Mr. Jeff Mayott stated that he is a downtown business owner and he watched the last board of works meeting where Mr. Summers explained that any business could make a reasonable request to stop construction. He explained that it was never communicated to him that they could do this and he spoke with 60-70% of the businesses affected on Main Street and none of them were aware of this either. He asked if there is some type of formal documentation that was required so that as a business owner, he can see that the city is not being biased. He stated that it is something that would put their mind at ease to know that no one has asked for this vs. it has only been granted to the oyster bar. He added that a city council member mentioned something around the Derby Sip & Shop time about how that was going to affect their business, and his response was "well that business it looks like will be the only one affected". He stated that they are still a small business and do a lot to try to support other local businesses so that was a stab in the back.

Mr. Summers stated that he can speak directly to the Wine Sip & Shop event. He explained that during that time he worked with Develop New Albany and other staff members to ensure the sidewalks on both sides of Main Street remained open. He stated that the south side sidewalk was finished with construction and the north side remained untouched until after that event. He explained that they removed the north side of the road bed on Main Street, but they were required to have Pearl Street opened and the crosswalks at Bank Street were required to be opened. He stated that they did make accommodations for the businesses during that particular event and they worked with specific businesses on the south side that asked for certain days for concrete pours which were accommodated, and that includes Sew Fitting, as well as the chiropractic office next door. He stated that while folks may have not made formal requests in any way, they have gone above and beyond to reach out to the businesses so there is no bias.

Mr. Mayott asked if there is any documentation if there ever was an audit.

Mr. Summers stated that it is the construction company that has taken the efforts to ensure that they have made accommodations and he never decreed that they had to keep certain areas open. He added that they talk with the businesses and if they can accommodate something they request they do.

Mr. Mayott asked if it is all at MAC Construction's discretion.

Mr. Summers stated that if anyone came to the city to make a request he would discuss it with MAC about the accommodation, but the majority of the requests have been done directly with them or the inspector to ensure that they were able to maintain access for the most amount of time possible.

Mr. Mayott stated that he only mentioned the Sip and Shop because for people to walk on Market and cross, there was dip almost as tall as his toddler. He added that he thought the plan was to put some kind of assistance there. He stated that he wants to know now more for the future as construction moves forward.

Mr. Summers stated that when they handed out the original letters it had all the contact information for the inspectors and the foreman for MAC Construction, and either of those can be used to make a reasonable request. He added that if something were to happen and he wasn't able to get a hold of them, he is free to reach out to his office as well.

Mr. Jacob Bir presented a request on behalf of Hugh E. Bir, Jr. for the 57th Anniversary Block Party on June 11. He stated that in the past years, they have received road closure permits and set up stages for bands, cornhole tournaments and tables/chairs on 4th Street. He added that this end of Market is already closed with a no-thru traffic but he wanted to request a barricade for the event.

Mr. Thompson asked if it is the same as in the past which is to close 4th Street from Main Street to Market Street.

Mr. Bir stated that is correct.

Mr. Thompson asked what the times are.

Mr. Bir stated that they would like to have it early enough to get the stages set up because they were scrambling last year to get it all done.

Mr. Thompson asked if 8:00 a.m. would work and what time they would be ending.

Mr. Bir stated that 8:00 a.m. would be great and they would have everything wrapped up and taken down by 10:00 p.m.

Mr. Brewer moved to approve, Mrs. Cotner-Bailey second, motion carries.

Mr. Thompson stated that he will get with the street department to get the barricades dropped off.

UNFINISHED BUSINESS:

1. Dumpster permit at 404 Parkline Drive

Mr. Thompson explained that he did a site visit and the issue with the driveway is the incline and where it flattens out likely isn't enough room to place the dumpster.

2. Handicapped Space 232 Sloemer

Mr. Thompson stated that there were some questions and it was revisited by traffic. He explained that they talked to the resident that made the request and now he is possibly looking at applying for a residential parking permit.

Mrs. Cotner-Bailey asked if they need to revoke their approval.

Mr. Thompson stated that he came into the clerk's office today to request a residential permit instead of the handicap space, so he would say that this board needs to revoke approval of the handicap space and let him go through the review process for residential parking.

Mr. Brewer moved to make an addendum to the request at 232 Solemner and cancel the handicap parking space as it is being reviewed for residential parking, Mrs. Cotner-Bailey second, motion carries.

3. Amenities request for 201 E. Market Street (Mr. Nice Guy)

Mr. Thompson stated that he did do a site visit and discussed some ADA compliance concerns with the bike rack he proposed, so he is looking at a different type of bike rack. He added that he did get a photo of the watering station today as well as the picnic tables. He asked that this remains under unfinished business until he can get the information to the board for review.

Mr. Brewer asked if he has spoken to Mr. David Hall about the water station.

Mr. Thompson stated that he doesn't think so but he will get it to him as well.

TABLED ITEMS:

COMMUNICATIONS – CITY OFFICIALS:

1. Larry Summers re: Main Street Project Update

Mr. Summers reported that the work this week is substantially similar to last week as they continue to remove the existing road bed and installing subgrade treatment. He stated that crews will be removing the sidewalk from Pearl to State Streets and removing a section of the sidewalk in front of Outcast. He reported that they will continue installing electrical conduits starting at 5th Street working west and continue blocking/filling coal shoots as needed.

2. Mickey Thompson re: Emergency water main break repair at Locust Street and McCaffry Drive

Mr. Thompson presented an encroachment permit for a watermain break repair at Locust and McCaffry. He stated that O’Mara has since made the repair and completed restoration work to a 30X50 section of the street from curb to curb in front of Hazelwood.

Mrs. Cotner-Bailey moved to approve, Mr. Brewer second, motion carries.

APPOINTMENTS:

CLAIMS:

Mrs. Moeller presented the following claims for the period of 04/25/23 to 05/08/23 in the amount of \$2,174,605.11:

General Claims (Bank 1):	77,754.58	
Fire Department:	16,624.09	
Police Department:	10,550.99	
Street Department:	16,922.50	
Parks Department:	43,616.22	
Medical/Drug Fund (Bank L):	623,871.75	
Payroll Claims (Bank 2):	1,185,818.16	
Sanitation Fund:	-	
Thursday Utility Claims:	199,446.82	
Service Charge/Fees:	1,819.66	
	Grand Total:	2,174,605.11

Mr. Brewer moved to approve the above claims, Mrs. Cotner-Bailey second, motion carries.

Mrs. Moeller presented the following ARP claim for 05/09/23 in the amount of \$2,364.00:

ARP (Bank 6) \$2,364.00

Mr. Brewer moved to approve the above claim, Mrs. Cotner-Bailey second, motion carries.

APPROVAL OF MINUTES:

Mrs. Cotner-Bailey moved to approve the Regular Meeting Minutes for May 3, 2023, Mr. Brewer second, motion carries.

ADJOURN:

There being no further business before the board, the meeting adjourned at 10:33 a.m.

Mickey Thompson, President

Vicki Glotzbach, City Clerk