

A MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WAS HELD IN 100 AT NEW ALBANY CITY HALL ON TUESDAY, MARCH 10, 2026 AT 10:00 A.M.

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

OTHERS PRESENT: Fire Chief Juliot, Police Chief Bailey, Phil Aldridge, David Heeke, Brad Fair, Mike Wallace, Brad Ramsey, Ryan Hensley, Krystina Jarboe, Larry Summers, Councilman Dickey and Vicki Glotzbach

CALL TO ORDER:

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

PLEDGE OF ALLEGIANCE:

BIDS:

NEW BUSINESS:

- 1. Dylan Garrison for CenterPoint Energy re: Request to install new gas mains in the areas of Grant Line Rd., Hausfeldt Ln., St. Joseph Rd., and Klerner Ln., that will involve boring under City ROW**

Mr. Jeremy Bolduc presented the above request for CenterPoint Energy and explained that they have four crossings where they will install a gas main and he is sure that it is going to be in the right-of-way.

Mrs. Cotner-Bailey asked if they are all borings.

Mr. Thompson replied yes and stated that there are pictures from the site visit with the application.

Mrs. Cotner-Bailey asked when they want to do the work.

Mr. Bolduc stated June 18. He explained that it will take 2-3 months to complete the project and each intersection should take a couple of weeks each.

Mr. Thompson explained that the bore pit will be off the road and the receiving pit would be on the other side. He asked if they will use flaggers instead of shutting down the road if they find that they do have to pothole for something.

Mr. Bolduc stated that is correct.

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

- 2. Adam Paris re: Dumpster request at 1496 State Street (Sloemer Street Side)**

Not present

- 3. Todd Donahue, Duke Energy re: Encroachment permits to replace exiting pole near 2233 Budd Road and to upgrade overheard wiring near 772 Captain Frank Road**

Mr. Donahue presented the above encroachment permit request for 772 Captain Frank Road. He stated that they will be upgrading the existing wire crossing to energize a new service and they will use traffic flaggers for the work.

Mr. Thompson stated that the board recently approve the installation by the water company at the edge of Captain Frank and this is Duke running the overhead.

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

Mr. Donahue stated that the next project is for the Westgate Subdivision on Budd Road where they have previously worked to relocate the utilities from the left side to the right side. He explained that they have decided to replace an additional pole that will require the closure of the road and they will be using the same maintenance of traffic (MOT) plan that was previously submitted. He added that they will also need to bore across the road for this work and the adjacent road.

Mr. Thompson stated that the MOT plans are in the packet and show the houses that will be affected by the work but they will maintain access. He asked when they would like to do the work.

Mr. Donahue stated that he was anticipating the week of April 6.

Mr. Brewer asked if this would create issues for school buses and garbage pickup.

Mrs. Cotner-Bailey asked if this is a one-day closure.

Mr. Donahue replied yes. He stated that they should be able to flag traffic during the boring work.

Mr. Thompson asked if they could close the road after 9:00 a.m. to allow bus traffic and he can reach out to Ecotech to coordinate the work with them.

Mr. Donahue replied yes.

Mr. Thompson asked if they would be able to accomplish the work between 9:00 a.m. and 3:00 p.m.

Mr. Donahue replied yes.

Mr. Brewer moved to approve subject to the work being done between 9:00 a.m. and 3:00 p.m., Mrs. Cotner-Bailey second, motion carries.

COMMUNICATIONS – PUBLIC:

Mr. Dave Dunn, stated that he is the union president representing Communications Workers of America Local 4703 and the representative for the employees of the 911 Dispatch Center. He explained that he brings before them is a wrongful termination grievance as per the contract this board is the second step of the grievance process. He stated that the grievance is three parts which include a violation of due process, termination that was ununiform and indiscriminately administered, and Just Cause. He explained that what you have in their hands is the grievance and email that he sent to Police Chief Bailey and his response back as a denial, the grievance details, the suspension letter that was administered to the employee prior to termination, the letter that the employee sent requesting a meeting, and the termination letter. He stated that the other handout has to do with Loudermill rights covered by a collective bargaining agreement (CBA),

that require certain actions before a suspension or termination can be administered. He explained that it is in-part to ensure that the employee has due process, and these rights aren't a suggestion, but a Constitutional requirement to ensure that the due process has played out. He added that any change in an employee's work life that causes loss of pay falls under these Loudermill rights and three things have to happen which includes submitting a Loudermill letter stating what the charges, the employee has to have the opportunity to respond, and a hearing must be held with her and the union representation. He reiterated that all three of these things have to happen before suspension or termination can happen and again they aren't a suggestion but a Constitutional right. He added that it gives them the opportunity to lessen the impact it has to the employee. He explained that in this instance due process was violated and those three requirements did not happen before the suspension or before the termination. He stated that the termination was not uniform or indiscriminately administered and he believes the following examples will explain why. EXAMPLE 1: Ms. Moody was essentially terminated for a misdemeanor arrest (which is the same for a DUI arrest) during a traffic stop where the employee was the passenger and was found to be in possession of marijuana and paraphernalia. He added that under the eyes of the law, it is a misdemeanor, and Ms. Moody has a co-worker that has been arrested multiple times on a DUI arrest resulting in a misdemeanor that has not been fired. EXAMPLE 2: Ms. Moody has a coworker that was field tested by a police officer and found to be under the influence of marijuana while at work, she was sent home, and is still employed. He moved on to the final item, Just Cause, explaining that there is nothing in the employee handbook or the CBA that says anything about a misdemeanor being a terminating event. He added that it mentions felonies, but a misdemeanor arrest (without conviction at this point) is not a terminating offense. He stated that a CBA supersedes the at-will employment that is stated in the employee handbook and when you have a CBA, you are governed by Just Cause, and because Chief Bailey didn't have a reason to fire Ms. Moody, other than the arrest, he did not meet the burden of Just Cause. He stated that essentially Ms. Moody was wrongfully terminated and they are looking to have her reinstated without any loss of time, pay, title, or time of service. He added that he understands this board will need to discuss this but he is open for questions if they have any and explained that contractually, they have 15 calendar days to respond to him. He added that his contact information is provided and they are welcome reach out if they have any questions or if they want to set another meeting for further discussion.

Mr. Brewer moved to take this item under advisement, Mrs. Cotner-Bailey second, motion carries.

Ms. Sarah Hughes, 701 E. Spring Street, stated that they are replacing soffit on a five-story building on Spring Street and she was told that they need this board's permission to place a pumpjack on the sidewalk. She added that they aren't sure when they will be getting to the 7th Street side.

Mr. Thompson stated that they are currently on the alley side and aren't impeding anything.

Mr. Brewer asked if they would need to close the entire sidewalk.

Mr. Thompson stated that he would prefer it that way for safety reasons.

Mr. Brewer suggested that they make approval contingent upon contacting Mr. Thompson when the work will be done because someone will need to come out and put up barricades.

Mr. Thompson stated that there will also need to be advanced signage.

Ms. Hughes stated that they will also have two guys at the bottom at all times.

Mrs. Cotner-Bailey asked how long the work will take.

Mrs. Hughes stated that she isn't sure.

Mr. Brewer moved to approve subject to contacting **Mr. Thompson** regarding when the work will take place, **Mrs. Cotner-Bailey** second, motion carries.

UNFINISHED BUSINESS:

TABLED ITEMS:

COMMUNICATIONS – CITY OFFICIALS:

1. Krystina Jarboe re: Special Event Permits

- **Friday, April 3 – Kentucky Derby Festival: FamFest**
- Same permit requests as in the past
- Request to use YMCA parking lot (8:00am to 10:00pm)
- Event will be from 4:00pm to 8:00pm
- Request to close State Street from Black Avenue to Jeanette Way (12:00pm to 9:00pm)
- Request to close Jeanette Way from W 1st Street to Pearl Street (12:00pm to 9:00pm)
- Will have music/DJ, inflatables
- No yards signs this year
- Security = D.R.H. Professional Services, LLC – Dennis Henry
- Porta Potties – Waste Now
 - Drop = Friday, April 3 @ 10:00am
 - Pick Up = Friday, April 3 @ 9:00pm
- Will have food vendors on site
- If inclement weather, event will be moved to inside YMCA

Ms. Jarboe stated that Lauren with the Kentucky Derby Festival could not be here this morning so she will present this permit request at the next meeting.

- **Saturday, May 9 – Parks: Touch A Truck**
- Same permit requests as in the past
- Request to close 4th Street, as well as alleyway next to NAFD, from Market to Spring (7:00am to 1:00pm)
- Request to place 3 porta potties in the NAFD parking lot
 - Drop = Friday, May 8
 - Pick-Up = Monday, May 11
- Request “no parking” signs to be places along E 4th Street from Market to Spring

Mr. Thompson asked if there any changes from previous years.

Ms. Jarboe replied no.

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

- **Sunday, September 13 – River City Races: Downtown Doubler**
- Same permit requests as in the pasts
- Request to use amphitheater (6:00am to 11:30am)
- Event will be 7:30am to 10:30am
- Request to use amphitheater restrooms (6:00am to 11:30am)
- Request for road closure on Water Street from amphitheater to E 18th Street (7:15am to 8:00am)
- Porta Potties – A1 Porta Potties

- Drop = Friday, September 11 @ 8:00am
- Pick Up = Monday, September 14 @ 8:00am
- Request to place 3-yard signs along the Greenway on 09/06/26 (1 wk before) notifying the public that a race will be taking place the following week.
 - Start/finish line (behind amphitheater), 6th Street at Water Street, 18th Street trailhead
- Will have volunteers at railroad

Mr. Thompson asked Mr. Fair if flood control's work will be done by September 13.

Mr. Fair replied yes.

Mrs. Cotner-Bailey stated that this group advertises for the event before this board's approval and asked Ms. Jarboe to remind them of that. She asked if they all stay on the Greenway path.

Ms. Jarboe explained that because there are so many people at the start the road is closed for 45 minutes to accommodate them until they start to spread out.

Mrs. Cotner-Bailey stated with this large number of participants, she would ask that they monitor all parking lots for trash including the YMCA parking and the city hall lot.

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

2. Vicki Glotzbach for Thelma Brown re: Handicap parking at 1415 Vance Avenue

Mrs. Glotzbach presented a request for a handicapped parking space at 1415 Vance Avenue. She stated that the traffic division has done a site visit and recommends approval by this board.

Mrs. Cotner-Bailey asked if these expire in one year and if the residents get a copy of the permit.

Mrs. Glotzbach replied yes to both.

Mrs. Cotner-Bailey moved to approve subject to this expiring next year on today's date, Mr. Brewer second, motion carries.

3. Vicki Glotzbach for Melissa Zink re: Dumpster permit for 520 Drawbrook Circle

Mrs. Glotzbach stated that her office was contacted by Ms. Melissa Zink to request a dumpster permit for 520 Drawbrook Circle. She said Ms. Zink would like to have the dumpster placed today after the meeting and have it for two weeks. She said she is using Gotta Go for the dumpster.

Mrs. Cotner-Bailey stated that it looks like there is room in the drive way and asked why it cannot be placed there.

Mr. Thompson stated that the dumpster company indicated that the driveway has too much of a slope to place it there.

Mrs. Cotner-Bailey stated that it doesn't look that in the images she is looking at

Mr. Summers provided a Google map photo of the location that shows a significant slope that wouldn't allow for the placement of a dumpster.

Mrs. Cotner-Bailey revised her motion to approve, Mr. Brewer second, motion carries.
4. Mickey Thompson for CenterPoint re: Encroachment permit for an emergency repair at 114 East Main Street (Black Street)

Mr. Thompson presented the above encroachment permit request and stated that photos are attached for review.

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

5. Larry Summers re: Paving Project Update 2025

Mr. Summers stated that with the slightly better weather this week they had contractors and subcontractors working on striping.

6. Linda Moeller re: Bank Reconciliation Worksheets for January 2026

Mrs. Moeller presented the Bank Reconciliation Worksheets for January 2026 and asked that the record reflect that she provided copies to the board for review.

APPOINTMENTS:

CLAIMS:

Mrs. Moeller presented the BOW Claims Docket for 02/24/26 to 03/09/26 in the amount of \$1,838,574.62:

General Claims (Bank 1):	\$53,234.71
Fire Department:	\$21,796.01
Police Department:	\$43,707.13
Street Department:	\$11,436.96
Parks Department:	\$33,488.61
Medical/Drug Fund (Bank L):	\$ -
Payroll Claims (Bank 2):	\$1,458,849.64
Sanitation Fund:	\$ -
Thursday Utility Claims:	\$216,061.56
Bank Service Fee:	\$ -
Total:	\$1,838,574.62

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

Mrs. Moeller presented the following ARP claims for the period of 02/24/26 to 03/09/26 in the amount of \$437,896.90:

ARP Claims (Bank 6):	\$437,896.90
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Mr. Brewer moved to approve the above ARP claims, Mrs. Cotner-Bailey second, motion carries.

APPROVAL OF MINUTES:

Mr. moved to approve the Regular Meeting Minutes for March 3, 2026, Mr. second, motion carries.

ADJOURN:

There being no further business before the board, the meeting adjourned at 10:54 a.m.

Mickey Thompson, President

Vicki Glotzbach, City Clerk