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# Work Session

The Common Council of New Albany, Indiana, will be having a Work Session to receive an update on the Sewer Utility by the Sewer Board on Thursday, June 16, 2016 at 6:00 p.m. in the third floor Assembly Room of the City County Building. Should you have any questions regarding this meeting please see the City Clerk in Room 332.

Vicki Glotzbach, City Clerk.

# NOTICE OF PUBLIC HEARING

The New Albany City Council will hold a Public Hearing to discuss A-16-04 Ordinance Amending the Appropriation of EDIT Funds for the Homeless Coalition and A-16-05 Ordinance for Appropriation of EDIT/River Boat/Rainy Day Money for Self-Contained Breathing Apparatus on Thursday, June 16, 2016, at 6:45 p.m. in the Assembly Room on the third floor of the City-County Building. Should you have any questions regarding this hearing, please see the City Clerk in Room 332.

Vicki Glotzbach, City Clerk.

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WILL HOLD A REGULAR COUNCIL MEETING IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON THURSDAY, JUNE 16, 2016 AT 7:00 P.M.**

**INVOCATION: To be given by ministers of different faiths, if present. If none are present, then a moment of reflection.**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Work Session Meeting Minutes for June 6, 2016  
Regular Meeting Minutes for June 6, 2016**

**COMMUNICATIONS – PUBLIC (AGENDA ITEMS):**

**COMMUNICATIONS – COUNCIL:**

**COMMUNICATIONS – MAYOR:**

**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**

<b>A-16-04</b>	<b>Ordinance Amending the Appropriation of EDIT Funds for the Homeless Coalition</b>	<b>Blair 3</b>
<b>A-16-05</b>	<b>Ordinance for Appropriation of EDIT/River Boat/Rainy Day Money for Self-Contained Breathing Apparatus</b>	<b>Nash 3</b>

**INTRODUCTION OF RESOLUTIONS:**

**BOARD APPOINTMENTS:**

**COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):**

**ADJOURN:**

**INDIVIDUALS WITH DISABILITIES WHO MAY REQUIRE SPECIAL ASSISTANCE TO ATTEND THE ABOVE MENTIONED MEETINGS MAY MAKE THEIR REQUEST KNOWN BY CONTACTING THE CITY CLERK IN ROOM 332 OF THE CITY/COUNTY BUILDING OR BY CALLING 948.5336**

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,  
INDIANA, HELD A COUNCIL WORK SESSION IN THE THIRD FLOOR  
ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON MONDAY, JUNE  
6, 2016 AT 6:30 P.M.**

The meeting of the **New Albany City Council** was called to order by Mr. McLaughlin at 6:30 p.m.

**PRESENT:** Council Members, Mr. Coffey, Mr. Caesar, Mr. Phipps, Mr. Nash, Mr. Blair, Mr. Aebersold, Mr. Barksdale and Dr. Knable and President McLaughlin.

**OTHERS PRESENT:** Mr. Lorch, Mr. Gibson, Mr. Hall, Mr. Duggins, Officer Davidson and Mrs. Glotzbach

**Dr. Knable** apologized to the public for thinking that they would be allowed to speak during a council work session. He read a prepared statement and questions by Mr. Aaron Hellems. Said statement/questions are on file in the city clerk's office. He said that in summary they are asking that the council require that the developers follow the PUDD stipulations as well as to challenge any city officials who feel they can choose which ordinance they follow. He stated that his intent was to create a forum tonight where their voices could be heard and to allow the city the opportunity to lay out their time line.

**Mr. Coffey** asked how the judge came to his decision of the ruling.

**Mr. Gibson** replied that the decision was made based upon the evidence that was presented to them.

**Mr. Coffey** asked if at any time in the past has the planning & zoning department or anyone else took it upon themselves to change the rules after it was approved and if this question came up during the judge's decision.

**Mr. Gibson** stated that he isn't sure what Mr. Coffey is asking. He explained that the court looked at depositions, testimony, the ordinance that was passed by the council as well as other evidence and made the decision based on that material. He stated that if he would like to see the judge's decision he could supply that to him.

**Mr. Coffey** asked when did the city went from being in a lawsuit against them to a partnership with them.

**Mr. Gibson** stated that when the lawsuit ended and the court ruled that they could continue to develop as the council approved it.

**Mr. Coffey** stated that hillside is no different from Spring Street Hill and this is the third time they are going to be fixing that so why would the city take on that responsibility. He asked if there was a letter of intent or if anyone knew what actually happened with this project.

**Mr. Gibson** stated that he was asked to give a chronological history of events and that is all he will be doing tonight but he is welcome to go to the Redevelopment Commission and ask them these questions.

**Mr. Caesar** stated that he was never informed of the 18-month change and that is the biggest problem he has with this. He explained that when he first came to the council it was very strict and he is not sure why or when that changed.

**Mr. Gibson** stated that the courts explained that if that language had been in the ordinance it would have made a difference.

**Mr. Caesar** stated that the language wasn't any different from PUDDS that they have seen in the past but they just assumed that 18 month stipulation was still there.

**Mr. Gibson** explained that is what they argued but the judge disagreed.

**Mr. Coffey** stated that the developer thought that too and they chose to pull the second reading.

**Mr. Gibson** stated that they chose to file a lawsuit instead.

**Mr. Coffey** asked why they came for another reading on it if the law states that it is good for an indefinite amount of time.

**Mr. Gibson** stated that the development of this site goes back to 2001 when the Kelly's owned a majority of it. He explained that for about 5 years off-and-on there were various renditions brought to the Plan Commission for review. He stated that in 2008 they brought what is now the current PUDD and what the lawsuit is about. He explained that they were told that they needed to bring the PUDD back to the council and they did file for one, but decided to withdraw that and file a lawsuit. He stated that they filed suit in February of 2013 and after about a year the judge granted them a summary judgement to allow them to proceed under the 2008 PUDD.

**Mr. Coffey** asked if they were allowed to do the original 2008 PUDD.

**Mr. Gibson** replied yes.

**Mr. Coffey** stated he saw the PUDD and one thing they were not allowed to do was go in and clear-cut.

**Mr. Gibson** stated that Mr. Wood explained his reasons for his decision.

**Dr. Knable** asked if this decision sets a precedent as far as no expiration.

**Mr. Gibson** stated that it is not a precedent but a local court ruling so he does not see it reaching a state level. He explained that going forward they will want to review the language they use in future PUDDs. He stated that this PUDD is an anomaly and is nothing he has seen in his 12 years working for the city.

**Dr. Knable** stated that he would like to make sure to protect the interest of the citizens going forward and what recourse they as a council have for this situation.

**Mr. Gibson** stated that he suspects that any future PUDD will need to be cleaned up in the ordinance.

**Dr. Knable** asked if we can mandate that on there.

**Mr. Gibson** replied yes that can be put into the ordinance and would probably carry much more weight.

**Dr. Knable** asked what their best recourse at this time is for the residents in the area.

**Mr. Gibson** replied the Plan Commission would be the ones that ultimately sign off on the plans.

**Mr. Blair** asked if the agreement and partnership with the current developer was made after the lawsuit.

**Mr. Gibson** stated that he doesn't know when that happened.

**Mr. Caesar** stated that he believes that the council needs to sit down and do an ordinance that gives them a little more teeth in this. He stated that they had the first and second readings on this 3/7/16 and the third reading was on 3/17/16 for the Thornton's on State

Street. He explained that on the legal description it read speed tables on Coyle Drive and that is how it was sold to the community and part of the reason he voted for it. He stated that after the council unanimously approved this it went back to the Plan Commission and they eliminated the speed tables. He stated that this is a very busy section of roadway and something needs to be done for these people on Coyle Drive. He asked if they need to create a stipulation that requires the PUDD to come back to the council if there are any changes after they have voted to pass it once it goes back to the Plan Commission.

**Mr. Blair** asked if the Plan Commission has the authority to override their vote essentially.

**Mr. Coffey** stated that once they vote on the PUDD it doesn't come back to the council for review.

**Mr. Aebersold** asked why it even comes before the council for a vote if it can be changed after.

**Mr. Coffey** stated that there is no way these things should be done like this and they need some added oversight and the council needs to step up to the plate.

**Mr. Phipps** stated that as a representative of the Plan Commission he doesn't remember any discussion regarding removing speed tables.

**Mr. Caesar** stated that there probably wasn't a discussion.

**Dr. Knable** stated that he feels this is another example of why Mr. Blair's idea of for them to get together and discuss what they want individually and as a group to take place is a good one.

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 7:00 p.m.

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Pat McLaughlin, President

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Vicki Glotzbach, City Clerk

**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, JUNE  
6, 2016 AT 7:00 P.M.**

**MEMBERS PRESENT:** Council Members Mr. Coffey, Mr. Caesar, Mr. Phipps, Mr. Nash, Mr. Blair, Mr. Aebersold, Mr. Barksdale, Dr. Knable and President McLaughlin.

**ALSO PRESENT:** Mr. Lorch, Mr. Gibson, Mr. Warren Nash, Fire Chief Juliot, Mr. Thompson, Officer Davidson, Mr. Hall and Mrs. Glotzbach

**Mr. McLaughlin** called the meeting to order at 7:15 p.m.

**MOMENT OF SILENCE:**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Caesar** moved to approve the Regular Meeting Minutes for May 19, 2016, **Mr. Phipps** second, all voted in favor.

**COMMUNICATIONS – PUBLIC (AGENDA ITEMS):**

**Barbara Burke-Fondren** explained that Community Montessori is a public charter school and they are refinancing some bond work which they have asked the council permission to do before. She stated that she is available to answer any questions that they may have.

**Barbara Anderson**, Executive Director of Haven House, stated that there has never been a shelter in New Albany and she isn't sure that there is a need for one. She explained that she was very torn about all of this because she read in the paper about the money going to the newly formed coalition in December and the article stated that there would be no other services funded. She explained that when you run the only shelter for the homeless in the region it is very troubling to hear something like that. She stated that she doesn't come to them very often for money but when she does it is because she needs help. She explained that plans need to be made to service the poor in this community so she applauds them for being willing to fund this organization but not at the expense of other organizations. She asked that the council to revisit and possibly consider funding a year at a time and make sure that it doesn't exclude other organizations from receiving funding.

**Bruce Paul** spoke on behalf of Community Montessori and explained that he is here to answer any questions about the resolution that they may have.

**COMMUNICATIONS – COUNCIL:**

**Mr. McLaughlin** stated that Ms. Moeller contacted him and she would like to start the budget workshops and they are attentively set for August 24<sup>th</sup>, August 31<sup>st</sup>, September 7<sup>th</sup> and September 14<sup>th</sup> at 6:00 p.m.

**Mr. Blair** stated that he may potentially have a conflict with Wednesday nights but he may be able to work around it and he will let them know as soon as possible.

**Mr. Phipps** stated that he thought that they usually started in July.

**Mr. McLaughlin** stated that he thought they started earlier in the past as well.

**Mr. Blair** stated that the median at Castlewood Drive is really overgrown and there are some pine trees in there that have died. He explained that he spoke with Greg Mills who was going to get back with him about the landscaping but he hasn't heard anything back. He stated that it is an eyesore and asked if they could look at the whole corridor and work with Echotech to put in some new trees.

**Mr. Thompson** stated that he can try to get in touch with Mr. Mills and explained that there is a retired officer that lives on the other side that didn't want anything done with the trees because it acted as a buffer. He stated that they have been out there a couple of times to trim them back.

**Mr. Blair** stated that he would like to do something to beautify that area and maintain it.

**Mr. Barksdale** stated that may be a project that could be put forth to the Tree Board because there would be the possibility of installing new trees and Mr. Mills is on the board.

**Mr. Blair** stated that he would be happy to go to a Tree Board meeting.

**Mr. Barksdale** he asked Mr. Thompson if he knew that they lost another decorative street lamp downtown.

**Mr. Thompson** stated that they have a quote on the one at 5<sup>th</sup> Street and Main Street but not on the one at the YMCA. He stated that the one by Community Bank is Duke's and they told him that they ordered parts for it.

**Mr. Phipps** asked if there is a long range plan for the dip on 5<sup>th</sup> and Elm Street and if they can get a sign in the meantime that notifies drivers of the dip.

**Mr. Thompson** stated that they put a sign out and it turned up missing but he will get another one put up. He explained that hat he was hopeful that the work that was done on the Breakwater would encompass that dip but it didn't. He stated that storm water is currently looking into it to see what can be done.

**Mr. Coffey** stated that he received a call from some residents on Main Street that said they would be happy to take care of the island in the middle as long as they could plant whatever they wanted.

**Mr. Thompson** stated that it is currently under a contract because it is new.

**Mr. Coffey** stated that when you put that much mulch around a tree or shrub it is going to kill it. He explained that some of the residents would like to speak to whoever they need to speak to about them coming in and making it a neighborhood project. He added that they had a work session before the meeting regarding Summit Springs and there are some serious issues that need to be dealt with especially regarding questions about when the city entered into a public-private agreement. He stated that this isn't an issue of us against them but what is good for the community and the citizens and they are going to have to work together on this.

**Dr. Knable** stated that they feel like the body here has be emasculated over the years and so many things that the community believes that are under their collective purview really isn't. He explained that they need to get that back because they are the ones that face elections every four years and many of these decisions are being made my unelected officials.



**Mr. Caesar** stated that under the previous administration the road was always part of the deal and that was the reason that the deal went through at all. He explained that there will be other economic development on that road besides the hotel so there will be a lot of money involved in it.

**Dr. Knable** stated that it would be nice to get a warranty on the road.

**Mr. Blair** stated that they can with the bond.

**Mr. Coffey** stated that those performance bonds are going back just as soon as the projects are done and sometimes before.

**Dr. Knable** asked who issues those bonds.

**Mr. Coffey** stated redevelopment.

**Mr. Barksdale** stated that he and Mr. Caesar sit on the board so he would definitely like to see the bond extended another 10-20 years.

**Mr. Coffey** stated that you really have to watch what direction they try to take you on that board.

**Mr. Blair** stated that there is a redesign and reconstruction of Mt. Tabor Road from Grantline to Charlestown and he has a real interest in meeting with the design team. He explained that they are in the second phase of the design and he would like to keep updated with the project and to discuss the issues with flooding along Slate Run Creek. He asked if anyone else would be interested in meeting with them to let him know.

**Dr. Knable** stated that there will be a public meeting on Thursday, June 23<sup>rd</sup> from 3:00 p.m. – 5:00 p.m. to discuss the Housing and Rental Code.

**COMMUNICATIONS – MAYOR:**

**Mr. Hall** reminded everyone that the Bicentennial Park Summer Concert Series starts Friday, June 10<sup>th</sup> from 6:30-9:30 p.m.

**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**

<b>A-16-04</b>	<b>Ordinance Amending the Appropriation of EDIT Funds for the Homeless Coalition</b>	<b>Blair 1&amp;2</b>
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**Mr. Blair** introduced A-16-04 and moved to approve first and second readings, **Mr. Coffey** second, all voted in favor with the exception of **Mr. Caesar** and **Mr. McLaughlin** who voted no.

**Mr. Blair** stated that the council passed this ordinance and appropriated \$75,000.00. He explained that the reason that he is bringing it back is because the first ordinance was to appropriate the money to the Homeless Coalition when it should be distributed to the Community Foundation which is acting as the fiscal agent.

**Leslie Townsend-Cronin**, chair for the Homeless Coalition, explained that they want to be a one-stop front door where homeless families can go versus bouncing around from agency to agency. She stated that they have worked on making a clear mission and purpose, community buy-ins, and hiring an executive director. He introduced Dawn Kelmm.

**Dawn Klemm** stated that she has over 15 years of experience of service to homeless through agencies in Louisville, KY. She explained that they have been meeting with stakeholders to find out how they want the coalition to function and what she found was that there was an incredible need for this type of entity. She stated that they are working on a budget and marketing plan and their goals for the future is to create a front door for the homeless with a coordinated effort of all the different service providers. She explained that they hope to hire a case manager in the next couple of months and will be working on fund raising as well as board development and a strategic plan. She thanked the council for investing in this effort.

**Mr. Aebersold** asked where they are located.

**Ms. Klemm** stated that as of Friday they have some space in Jeffersonville and she is looking for a space in New Albany.

**Dr. Knable** asked if Ms. Anderson's organization is part of this coalition or if they have been approached.

**Ms. Townsend-Cronin** explained that they got together with six different organizations to put together resources and Ms. Anderson was not a part of that at the time because she wasn't formally part of the study.

**Dr. Knable** asked if there are plans to incorporate her and other independent agencies.

**Ms. Townsend-Cronin** stated that their plan is to get community wide and to have one central place for everyone to coordinate services.

**Dr. Knable** asked what else has transpired other than hiring a coordinator.

**Ms. Townsend-Cronin** stated that it took over two months of interviews to hire the executive-director which was time consuming and it took time to get the funding secured.

**Dr. Knable** asked how often to organization meets.

**Ms. Townsend-Cronin** replied one a month.

**Mr. Phipps** asked if the Community Foundation is providing any funds.

**Ms. Townsend-Cronin** replied not at this time but they plan to ask for those once they are no longer the fiscal agent.

**Mr. Phipps** asked if the \$75,000.00 that is provided by the city is going for administrative cost.

**Ms. Townsend-Cronin** stated that they are going to use it to hire a case manager.

**Mr. Caesar** asked if Clarksville contributed any funds.

**Ms. Townsend-Cronin** replied no but they are working with them.

**Mr. Caesar** asked if they have collected any other private funds.

**Ms. Townsend-Cronin** replied not at this time.

**Mr. Caesar** asked if they have by-laws

**Ms. Townsend-Cronin** replied yes and stated that they are registered with the state and have filed for the 501C status. She explained that they haven't had any staff dedicated to the work that has been done thus far and has been all volunteer hours.

**Mr. Caesar** stated that he understands that there is a homeless problem and it gets bigger every year but he is not comfortable with this because there are too many unanswered question.

**Mr. Nash** asked if they are going to be coming back to ask for another \$75,000.00 for this year.

**Ms. Townsend-Cronin** stated that she is not going to promise that they will never come back but they are working to become self-sustaining and that is what their fundraising goals are.

**Mr. Nash** stated that they asked for this money at the end of last year and asked if they would be asking again this year and if they would have answers to Mr. Caesar's questions of they do.

**Ms. Townsend-Cronin** they will definitely have Mr. Caesar's questions at that time because they have a full-time staff member that can develop all the plans but she doesn't know if they will be coming back to ask for more money at this time.

**Mr. Nash** stated that the reason he asked because if they do that will equal out to about \$300,000.00 they have put towards helping the homeless but they haven't really done anything to solve homelessness.

**Ms. Townsend-Cronin** replied that the answer is yes because there will be a front door where they go in the next 2-3 months.

**Mr. Nash** stated that he can vote for this tonight because this was the intention of a previous council but she is talking about what is going to happen and unless he knows for a fact that it does he can't image voting for this type of appropriation again.

**Mr. Blair** stated that he expressed those same concerns to Ms. Townsend-Cronin and he thinks that there has to be performance and results for their funding or there won't be a continuation of that, but that is the same with any program. He explained that they have to give them time to get the program together.

**Ms. Townsend-Cronin** stated that they didn't receive their funding from Jeffersonville until February and they started at that time to look for an executive director. She explained that it was time consuming because they wanted to find the right person for this community and all the ground work has now been laid for this program and they can continue on.

**Mr. McLaughlin** stated that they do have a facility in Haven House and he would hate to put that in jeopardy while trying to incubate this one, especially when winter is coming. He added that they need to challenge the Community Foundation to help fund this project.

**Mr. Coffey** stated that technically that is something that they cannot request right now. He asked them to imagine if they were homeless and you don't have what you need to find these services and you are getting sent from one place to another. He explained that this is the first coalition that has been put together that is talking about getting these people out of the cycle and urged this council to give them a shot. .

**Mr. Barksdale** stated that he agrees with Mr. Coffey and looks at this as a long range solution instead of a band aid. He explained that he was for this when it was voted in with the previous council and he wants to give them a change.

**Mr. Aebersold** asked where else they would go to get funding.

**Ms. Townsend-Cronin** stated that they are going to look for grants, fundraising, and private donations.

**Mr. Phipps** asked if they have approached the counties.

**Ms. Townsend-Cronin** replied no and stated that they want to figure out where these people are coming from so that they can go to those communities and go meet with them about what they can do to provide services there.

**Mr. Phipps** stated that he is definitely have his vote but if they come back for future money he would like to see some progress in terms of other funds that were raised or some data showing that they have made a difference. He explained that he would just like to see some degree of progress.

**Mr. Caesar** stated that he just doesn't see enough money going to the source and in New Albany they have approximately 1100 unites for low-income housing, Jeffersonville has 300-400 and Clarksville has zero. He explained that the City of New Albany is doing as good a job as a city can be doing and he thinks that some of the other communities need to step up to the plate.

**Ms. Townsend-Cronin** stated that she sees this money as going towards making sure those unites get filled.

**Dr. Knable** stated that he thinks that the council should expect some metrics and he is happy that they are doing an annual review.

**A-16-05      Ordinance for Appropriation of EDIT/River      Nash 1&2**  
**Boat/Rainy Day Money for Self-Contained**  
**Breathing Apparatus**

**Mr. Nash introduced A-16-05 and moved to approve first and second readings, Mr. Barksdale second, all voted in favor.**

**Fire Chief Juliot** stated that they received the grant last July from FEMA which is a 10% match and they were awarded \$249,000.00. He explained that they put it out into committee with the Fire Department to extensively text what types of packs that were out there. He stated that the committee met with all the different manufacturers and once they trained at the tower with the packs themselves they wrote up a report on their findings. M and put it out to bid. He presented the council with an example of their current gear and stated that is 16 years old.

**Firefighter Jones** passed around an old pack for the council to see.

**Fire Chief Juliot** explained that they have been spending a lot of money on the old packs to have them testing every year and have them repaired and they are getting so outdated that it is getting harder to have them repaired.

**Firefighter Jones** passed around a new pack for the council to see.

**Fire Chief Juliot** explained that the new pack has a 15 year warranty and if anything goes wrong the company will replace it. He stated that battery packs are rechargeable and are not near the electronics of the apparatus so the designs is a lot better. He explained that the pack swivels with the movement of the firefighter which increases mobility.

**Mr. Blair** asked if only one company met the specs.

**Fire Chief Juliot** replied yes. He explained that they had three companies picked up packets but only had one company turn in a bid.

**Mr. Blair** stated that he is concerned that

**Dr. Knable** asked who came up with the specs.

**Fire Chief Juliot** stated that the committee of fire fighters.

**Dr. Knable** asked where the manufacturer is located.

**Fire Chief Juliot** replied Pennsylvania.

**Mr. Phipps** asked if OSHA changed the standards if they would be required to upgrade.

**Fire Chief Juliot** stated that it would be required when they go to update them.

**Mr. Barksdale** asked how many new packs they want to purchase.

**Fire Chief Juliot** replied 44 and explained that it will come with two bottles and two masks per pack as well as the software and adapters.

**Dr. Knable** stated that he spent some time at Station 4 today and his concern is that in the future it would be nice to be part of the decision process before it hits the whole group.

**Mr. Caesar** asked what the total number on what he is asking for.

**Fire Chief Juliot** stated that there are two parts to this. He explained that the first part is air packs and the other is for turnout gear.

**Mr. Caesar** asked if we just did those.

**Fire Chief Juliot** stated that they are required to have two sets and their back up set is 10 years old and per OSHA requirements they have to be disposed of.

**Dr. Knable** asked what becomes of the secondary gear.

**Fire Chief Juliot** explained that they aren't allowed to wear it and it is turned into the department.

**Dr. Knable** stated that this is something that the council can give to the rank and file personnel safety in their day-to-day jobs.

**Mr. Blair** asked if they have looked at the balances and what is projected out.

**Mr. Gibson** stated that with the appropriations factoring in and the encumbrance they are looking at about \$1.6M in Rainy Day at the end of the year, \$781,000.00 which makes it approximately \$4M in total.

**Mr. Nash** asked if there is a preference on which fund it should come out of.

**Mr. Caesar** stated that traditionally they have done equipment out of Riverboat but it really doesn't matter.

**Mr. Blair** stated that it doesn't matter to him he just wanted to make sure they had the money to buy it and he would like to see these types of expenditures in the actual budget.

**Mr. Coffey** stated that our fire and police department service TIF areas and therefore they can use money from the TIF areas for expenses and that is an avenue that they need to start looking at.

**Fire Chief Juliot** informed the council that the Crusade for Children finished yesterday and they collected \$21,000.00 and he is very proud of all the hard work.

**Mr. Phipps** asked if the absence of roadside collections hurt them at all.

**Fire Chief Juliot** replied no. He stated that they went out and parked at Walmart as well as the farmer's market and other events around the city.

#### **INTRODUCTION OF RESOLUTIONS:**

**R-16-07**            **A Resolution of the Common Council of the**            **Caesar**  
                         **City of New Albany, Indiana Consenting to the**  
                         **Issuance by the Town of Utica, Indiana of an**  
                         **Economic Development Revenue Note for**  
                         **Community Montessori, Inc.**

**Mr. Caesar** introduced R-16-07 and moved to approve, **Mr. Barksdale** second, all voted in favor.

**Mr. Duggins** stated that this is the third time that they has been done and explained that it is allowing Community Montessori School to seek funding from other entities.

**Bruce Paul** stated that Community Montessori on three occasions has gone to Sellersburg and this time they are just refinancing under IRS terms to get a better deal. He stated that it is going to another community and Utica has welcome the opportunity and they need the council's permission under the statute to move forward.

#### **BOARD APPOINTMENTS:**

#### **COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):**

**Mark Cassidy** explained that he is concerned that they really didn't get any answers during the work session regarding Summit Spring. He stated that to the best of his knowledge the majority of the boards that make these decisions are appointed by the administration and we have the executive branch saying they don't have any answers. He added that he thinks that the turnout gear used to come out of the clothing allowance until OSHA stepped in so maybe that might be something they want to look at.

**Roger Baylor** stated that the idea of TIF going for fire department needs is okay with him. He explained that over the weekend Fest of Ales was at the New Albany Amphitheater for the first time and he mentions it because it seemed to be a success and there was a lot of support for an event like that be at the amphitheater. He stated that is important tonight to note that they couldn't get answers about Summit Springs and asked Mr. Caesar again for the Bicentennial finances.

**Mr. Caesar** stated that he believes it is all online now.

**Aaron Hellems** thanked the council for the work session. He asked if they want to step up and enforce the ordinance of the PUDD or do the citizens need to do that themselves.

**Mr. Coffey** stated that he thinks that they need to meet and have an attorney present and it should be someone separate from the council attorney.

**Mr. Phipps** asked if they are overstepping their bounds because they are a legislative body, not an enforcement body.

**Dr. Knable** stated that he thinks they can create ordinances that they have the power to enforce going forward.

**Mr. Coffey** stated that there was something wrong done here and they need to be held accountable.

**Mr. Hellems** stated that the council is capable of enforcing the PUDD if they choose.

**Mr. Lorch** stated that this body appropriates money and writes the laws but they are not the enforcement body.

**Mr. Aebersold** stated that he agrees that they need to do something because they are elected to represent these people and he thinks it is their job to get together with these other boards and figure it out.

**Dr. Knable** stated that his advice to the citizens would be to hire their own legal counsel and the council will do what it can. He added that those that are calling for another step from the council need to propose what that step would be

**Mr. Caesar** suggested putting it into a committee.

**There was a lengthy discussion regarding how the issues with Summit Spring would be investigated, if the council has the authority to do so, and what their next step should be.**

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 9:25 p.m.

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Pat McLaughlin, President

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Vicki Glotzbach, City Clerk