

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,  
INDIANA, HELD A REGULAR COUNCIL MEETING VIA ZOOM.COM ON  
MONDAY, JULY 6, 2020 AT 7:00 P.M.**

**MEMBERS PRESENT:** Council Members: Mrs. Collier, Mr. Phipps, Mr. McLaughlin, Mr. Turner, Mr. Blair, Mr. Aebersold, Mr. Applegate, Dr. Knable and President Caesar.

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

**CALL TO ORDER:**

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

**MOMENT OF REFLECTION:**

**Mr. Caesar** stated that thoughts and prayers go out to everyone who have experienced COVID-19 which has so devastated our country as well as to all of the first responders who have just done a fantastic job giving their all to make sure that all of us are as safe as we can possible be.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

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

**Mr. Phipps moved to approve the Regular Meeting Minutes for June 18, 2020, Mr. McLaughlin second, all voted in favor.**

**COMMUNICATIONS – COUNCIL:**

**Mr. Phipps** stated that he wanted to encourage everyone to wear masks when out in public, not only for your protection, but also for the protection of others. He said that last week our school board wisely decided to require masks for this school year and IUS has mandated masks for all face-to-face classes this fall. He also said that Marion County, Elkhart County, LaGrange County and St. Joseph County have all implemented masks when you are in public and he just read today that Bloomington and Monroe County are also going to debate that. He stated that a growing number of cities have put that into law. He also stated that we want to make sure that our communities stay safe if this virus comes back in full force and we may have to shut down again, which would have a devastating effect on our local businesses. He said that whatever we can do as citizens to keep one another safe and to keep this virus under control, we need to do because it is in our economic best interest as a city. He stated that he was considering at the next meeting to at least have a resolution encouraging people to wear masks in public. He added that if someone else wanted to come forth with an ordinance to mandate it, he would support that and vote for it. He said he just wanted to throw that out there to get the public thinking about the safety of others and what the council can do to promote that within our community.

**Mr. Caesar** thanked Mr. Phipps and said that he thinks a resolution might be in order because if we did an ordinance, we would have to have some kind of fine or something to go with it. He stated that the whole point of these masks is for the other person; it is not for yourself and there is a good deal of people who refuse to do it or don't understand that.

**Mr. McLaughlin** stated that he thinks masks are getting a little easier to access and after doing the education of safety for employees in his line of work that he did for years, it kind of coincides with this so he concurs with Mr. Phipps.

**Mr. Aebersold** asked if everyone received an email from the New Albany Redevelopment Commission regarding the TIF Districts.

**Mr. Caesar** stated that he thinks that was an old one.

**Mr. Aebersold** said that it also had to do with the budget and he feels they need to look at it when the council starts to do the budget this year. He also said that just from reading it, it looks like certain monies from certain TIF areas are going to be set aside and will definitely be designated for certain projects in certain areas and cannot be used for anything else. He then stated that he is still working on that situation on Vincennes Street on code enforcement but hasn't gotten anywhere with that yet. He asked if everyone in the city is in their office or if they are working from home.

**Mr. Caesar** stated that there are only a few people working. He said it is mainly department heads and if there are things that need to be done then they might come in on a limited basis.

**Mr. Aebersold** said that is probably why he hasn't heard back on anything but they can get to that later.

**Dr. Knable** stated that if the council wants to make a statement, he thinks Mr. Phipp's resolution is the way to go because if we start asking law enforcement to enforce a proposed ordinance, we will see that would be very difficult. He said for those who don't feel that a resolution carries much weight, he wants to remind them of the resolution that went to INDOT that they did for the bridge closure. He has it on good authority that they took the previous council's resolution very seriously when they were debating that and he thinks because of that we minimized the total closure during that repair process. He then stated that he has received some complaints about a cemetery that has been seeing quite a bit of dog traffic. He said that he ran that by Ms. Stein and he still needs to clarify with her what the city can do with those being private property. He also said that if a dog uses the restroom in his yard, he feels that he would have some sort of recourse on that but didn't know if the city would get involved with that or not. He stated that it is a privately owned cemetery so his first piece of advice was for them to post a "No Trespassing" sign along with any rules they would like to have as far as animal traffic or people using the grounds for exercising. He said then we could probably help with enforcement but he needs some direction on that because he doesn't know if we can enforce on private property. He also said that if we do, we can consider increasing some already hefty fines that are on the books. He then asked Mr. Caesar to please invite our trustee to come before the council when we have a live meeting so we can ask how we plug in the less fortunate and those in need in our community. He said he had that come up this weekend and wasn't sure how to access that after hours over the 4<sup>th</sup> of July weekend.

**Mr. Phipps** asked which cemetery is having these problems.

**Dr. Knable** replied St. Mary's at Charlestown Road and Silver Street. He said that part of it is unfenced so if they are going to try to enforce some of that, they may have to fence the area off of Silver Street. He stated that evidently some dogs are tearing into some grave areas and relieving themselves but there is nothing posted about no trespassing.

**Mr. McLaughlin** said that is in his area and it has been an ongoing problem but he has never seen a sign that says "No Pets Allowed" or anything like that. He said that it seems posting rules would be their first inclination.

**Mr. Caesar** stated that all of the cemeteries in the city are pretty much handled by the trustee so maybe there is something that he could do but he is not sure that he could at St. Mary's because we don't own that. He said that when he has the conversation with him on the other issue, he will see what he can find out.

**Dr. Knable** then asked Ms. Stein if he would have recourse if his neighbor's dog relieved himself in his yard.

**Ms. Stein** replied yes and stated that it falls under trespassing, littering and permitting your animal to run at large. She stated that you can get animal control or the police involved for trespassing or code enforcement for littering.

**Dr. Knable** stated that he asked them to consider posting their rules and then maybe have some trail cams or something. He said it is going to be very difficult to catch somebody. **Ms. Stein** stated that they definitely need to have signage posted for their rules so she thinks that was good advice.

**Mr. McLaughlin** stated that he went out of town but heard that the fireworks went late into the evening. He said considering that they are now discounting them, they will probably go on for some time now.

**Mr. Applegate** stated that he received the same complaint that Dr. Knable did about St. Mary's and he ran into the same thing with private property and so forth. He said that it is summertime right now so he thinks it is a good idea to tell all humans to take care of their animals or pick up after them to be a good dog owner. He also said that he reached out to Mr. David Hall from the animal shelter and he is on the call. He stated that he wanted to make a public service announcement about making sure your pets are registered in New Albany. He said that it is very easy to do and very inexpensive and is \$5.00 per year if your dog or cat is spayed or neutered or you can get a lifetime registration for \$35.00. He also said that it is good to have them microchipped so if they get lost, it is easy to get them returned. He stated that he wanted to remind everyone of the dog park and what a great dog park we have in New Albany and that people come from all around because it is such a good avenue to be able exercise your dog versus the cemeteries and places like that.

**Mr. Blair** stated that he was going back through the May budget to actual and there is a \$500,000.00 line item for equipment under an amendment for the new city hall and there have been no expenditures. He said that he looked back at previous budgets and at year end in 2019, there was actually \$0.00 budgeted for equipment. He stated that in October 2019, it was shown as an amendment and in the December 2018 budget, it was shown as adopted. He explained that we actually budgeted the \$500,000.00 as a capital outlay in 2017 for the 2018 budget. He asked Mr. Gibson how we are handling that because obviously it has transpired over several years in the budget. He also asked if there have been any expenditures for the equipment at all.

**Mr. Gibson** stated that it has been allocated but we just haven't had to pay the bill. He said they have made selections on furniture, desks and those things that fall into that category. He said they just haven't received the bill from Denton Floyd on that so that's why you are seeing no money out of it yet, but there will be as we get closer.

**Mr. Blair** asked if we are allowed to transfer that budget from one year to the next. He said he thought that it had to be approved by the council for that next budgeted year and if it is not spent, you have to get it reapproved every year until it is spent.

**Mr. Gibson** stated that if you have invoices and things of that nature for expenditures allocated, that is basically an amendment carried forward so yes is the answer.

**Mr. Blair** asked if he has invoices from 2018 and if it has been that far back that we ordered the equipment.

**Mr. Gibson** stated that he would have to go back and look because he wasn't expecting any questions on city hall tonight. He said that he will research it.

**Mr. Caesar** stated that we approved that in 2019 for the 2020 budget and asked if that was correct.

**Mr. Gibson** stated that there has been a lot happen since then and he will have to check into it.

**Mr. Blair** stated that he saw where we approved it in 2017 for 2018 but doesn't know if we reapproved it in 2018 for 2019 or in 2019 for 2020.

**Mr. Caesar** stated that he really wanted to have a live meeting this time but the governor put us back to 4.5 again so it was just an easy decision to have this as a Zoom meeting.

He said that he does want to have a live meeting but he still wants to respect social distancing and there is just not enough room on the third floor to get everyone in so he guesses that they are just going to have to go to Griffin Street or the park. He said that he is going to work on that and will let everyone know in plenty of time what we are going to do for the next meeting.

**COMMUNICATIONS – MAYOR:**

**COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:**

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

**TRAFFIC AND SAFETY – Mr. Applegate**

**Mr. Applegate** stated that the committee did meet and they are awaiting some information to further look into how the process should be made.

**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 7:27 p.m.

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Bob Caesar, President

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Vicki Glotzbach, City Clerk