

CITY COUNCIL MINUTES
December 8, 2014

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, December 8, 2014 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President John Friend presiding and conducting the following business.

These minutes do not represent a verbatim transcript. Audio recordings of this meeting are on file in the City Clerk's Office.

President Friend: The Honorable Council of the City of Evansville is hereby called to order. Madam Clerk, please call the roll.

ROLL CALL:

Present: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: With nine (9) present and zero (0) absent, I hereby declare this a quorum and this session is officially opened.

PLEDGE OF ALLEGIANCE

President Friend: Hey Russ (*Lloyd*), how about doing the Pledge of Allegiance for us?

Welcome fellow Councilmembers and those in the audience of this December 8, 2014 meeting of the Common Council.

RECOGNITION OF SCHOOLS

President Friend: Do we have any Recognition of Schools? Anybody in the audience on that?

TEEN ADVISORY COMMITTEE:

President Friend: Yeah, okay Teen Advisory. I think you can see a couple here.

Councilwoman Robinson: I think North High School is in the house tonight.

President Friend: Is North High School in the house.

Multiple Speakers Speaking Simultaneously: Yes!

President Friend: Go North man! Huskies forever. There we go.

What about up here?

Judy Beyer: Judy Beyer, Ivy Tech.

Jess Marcrum: Jess Marcrum, Reitz.

President Friend: Thank you so much. Thanks very much.

Councilwoman Brinkerhoff-Riley: Whoa, whoa, whoa, we've got one more.

President Friend: Oh, we got one more. Excuse me, I didn't see her.

Councilman Adams: A shy rosebud from North.

President Friend: Yes.

Katie Sarchenko: Katie Sarchenko, North.

President Friend: Okay, anybody else? Boy, North's well represented tonight.

COUNCIL ATTORNEY

President Friend: I'd like to thank Mr. Danks for joining us tonight. He's our City Attorney; our City Council Attorney, excuse me.

SERGEANT AT ARMS

President Friend: Thank you Lieutenant Kirby. He's going to be our Sergeant at Arms this evening.

APPROVAL OF MINUTES

President Friend: Is there a motion to approve the minutes of the November 10th and November 17th minutes of our meeting?

Councilman Adams: So moved.

Councilwoman Mosby: Second.

President Friend: I had a motion made by Dr. Adams, seconded by Councilwoman Mosby. Ayes? Nays? (*Unanimous ayes*) Goes forth.

REPORTS AND COMMUNICATIONS

IN YOUR DECEMBER 5th PACKET:

- * City Council Meeting Agenda and Committee Meeting Schedule for December 8, 2014
- * Ordinances F-2014-23 Amended, G-2014-30, G-2014-32, G-2014-33, G-2014-34, G-2014-35 and G-2014-36
- * Resolutions C-2014-41, C-2014-42 and C-2014-43
- * Weights and Measures October - November Monthly Report
- * Evansville Redevelopment Commission Meeting Minutes from November 5, 2014 and November 18, 2014
- * Area Plan Commission Reports and Meeting Minutes dated November 13, 2014

EMAILED MATERIAL:

- * City Council Meeting Minutes for November 10, 2014 and November 17, 2014
- * Letter from Barry Russell concerning Ordinance G-2014-30

ORDINANCE R-2014-24

APC

R-1 to C-2 w/UDC

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 5401 E. Lloyd Expressway; 5403 E. Lloyd Expressway; 34 Fielding Court

Petitioner: Jr. Food Stores, Inc.
Owners: The Church of the Cross of General Baptist, Inc.
Representative: Krista B. Lockyear
District: Dan McGinn, Ward 1

This petition comes forward with a recommendation for denial from the Area Plan Commission, having 3 affirmative votes, 7 negative votes and 2 abstentions.

President Friend: With regard to Ordinance R-2014-21 as Amended, I need a motion for the amendment.

Councilman Lindsey: So moved.

Councilwoman Mosby: Second.

President Friend: I had a motion made by Councilman Lindsey and seconded by Councilwoman Mosby. Ayes? Nays? *(Unanimous Ayes)* Goes forth.

I need a motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report?

Councilman Adams: So moved.

Councilman O'Daniel: Second.

President Friend: I had a motion made by Dr. Adams and seconded by Councilman O'Daniel. Ayes? Noes? *(Unanimous Ayes)* Okay, goes forth.

Council now stands at the Third Reading of Zoning Ordinances, which is the final action.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2014-20

APC

R-1 to C-4 w/ UDC

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 3401 Stocker Drive

Petitioner: Charles and Lynn Stocker

President Friend: Yes. Please state your name, address for the record please.

Justin Schoffstall: Justin Schoffstall with Easley Engineering.

This rezoning is part of an effort to clean up some of the issues that are out there with the original Stocker parent parcel. The original family parcel, including the Stocker family

landscaping, the residence, and also all that portion that is known as Pine Haven Estates...Pine Haven Nursing Home/Rehabilitation Center.

We are in an effort with the APC; this is the last hurdle to take care of, which is to make the landscaping business conform with the zoning ordinance and uses. There's a UDC with that and we request that vote for approval of the rezoning.

President Friend: Exactly what was the Use & Development Commitment?

Justin Schoffstall: The Use & Development Commitment was pretty consistent with the landscaping business and those facilities associated with landscaping business.

President Friend: Do we have questions from members of Council? Wow. Okay, anybody in the audience for or against this particular ordinance...rezoning?

Okay, with that I entertain a motion to adopt Ordinance R-2014-20.

I had a motion made by Councilwoman Brinkerhoff-Riley and seconded by Councilman Lindsey. Madam Clerk, please call the roll as it relates to Ordinance R-2014-20.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: With nine (9) ayes, zero (0) nays, the Ordinance R-2014-20 is hereby declared adopted.

Thank you so much for coming out.

Justin Schoffstall: Thank you.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2014-21 AMENDED APC C-4 to C-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 5011 Washington Avenue

Petitioner: Krishna Holdings, LLC

President Friend: Yes, come on up Joe. We all know who you are but state the name, your name.

Joe Kiefer: Hi, I'm Joe Kiefer and I represent HK Partners, which is the owner of the Washington Square Mall and we're hoping to move ahead with this rezoning, this downzoning on that portion of the grounds to C-2 and I'm here to answer any questions that anybody might have.

Councilman Adams: Could you tell us what you're going to do with the land?

Justin Schoffstall: Pardon?

Councilman Adams: Could you tell us what you're going to do with the land?

Joe Kiefer: Oh, I...we're thinking about putting some housing on there, some multi-family housing, just like a single story multi-family housing.

Councilman Adams: Thank you.

Councilman McGinn: Yeah, I have...I have...this is...the information I got Joe, Amy provided me with copies of some of the diagrams and drawings and the apartments that you're contemplating are similar to the ones directly across the street...

Joe Kiefer: Exactly.

Councilman McGinn:...also prepared by this gentleman.

Joe Kiefer: Yes, same person would be owning and operating those.

Councilman McGinn: Okay, and I've heard nothing from anyone concerning this. I did have my usual discussion with the attorney for the developers in these zonings to put a restriction on there as to the adult usages but there're so many residences all around here within the limit that I...it would be impossible to put an adult usage on this neighborhood...on this corner without violating the distance from a residence so that's why I did not insist on the Use & Restriction to prevent an adult use on this property. I believe its protected by geography.

Joe Kiefer: Right.

Councilman McGinn: Yeah.

Councilman O'Daniel: *(Off Mic)* The school's right there too so...

Joe Kiefer: Yeah.

President Friend: Yeah.

Councilman McGinn: Yeah, it's covered; pretty covered.

President Friend: Do we have any other comments from any members? Okay, anybody in the audience that...for or against this particular ordinance?

Well, with that I entertain a motion to adopt...

Councilwoman Mosby: So moved.

Councilman Adams: Second.

President Friend:...this particular ordinance.

I had a motion made by Councilwoman Mosby and seconded by Dr. Adams. Please, Madam Clerk, call the roll as it relates to R-2014-21 as Amended.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: Nine (9) ayes, zero (0) nays, Ordinance R-2014-21 is hereby law.

Joe Kiefer: Thank you and wish they were all this easy.

President Friend: Yeah!

Joe Kiefer: Thanks a lot.

President Friend: I sure would; it would be nice.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2014-23

APC

C-4 to M-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 2400 N. First Avenue

Petitioner: Chaos Machine Division, Inc.

Krista Lockyear: Good afternoon Mr. President, members of Council. Krista Lockyear on behalf of the petitioner and landowner.

We come to you with a unanimous recommendation for approval from Area Plan Commission. This is to rezone to industrial zoning use for a machine shop here at this location. As you can see from the map, the surrounding properties are already commercial and industrial. This is consistent with the comprehensive plan and we have had no remonstrators that I'm aware of and would appreciate your approval of this rezoning.

President Friend: By the way though I want to make a note: I do not think this is the 5th Ward. I think it's your ward Stephanie, I believe.

Councilwoman Brinkerhoff-Riley: I wasn't sure because, you know, the change that took effect in '12 but I went out and looked at it and it seems perfectly appropriate and I know you had the votes on the Area Planning and you don't have any remonstrators and I like machinists. My son is one as well as my husband, although I do...I do like the name, Chaos, you know, that's kind of...

Krista Lockyear: For a machine shop.

Councilwoman Brinkerhoff-Riley: Yeah.

Krista Lockyear: I bet it's noisy in there.

Councilwoman Brinkerhoff-Riley: Yeah, well they can be. They can be chaotic, yeah.

President Friend: Do we have any other members on Council with question? Do we have anybody in the audience for or against?

With that, I entertain a motion to adopt Ordinance R-2014-23.

Councilwoman Brinkerhoff-Riley: So moved.

President Friend: I had a motion made by Councilwoman Brinkerhoff-Riley and seconded by...?

Councilman McGinn: I'll second it.

President Friend: Okay, thank you Dan...by Councilman McGinn. Madam Clerk, please call the roll as it relates to R-2014-23.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: Nine (9) ayes, zero (0) nays, Ordinance R-2014-23 is hereby declared adopted.

Thank you for coming out.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2014-24

APC

R-1 to C-2 w/UDC

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 5401 E. Lloyd Expressway; 5403 E. Lloyd Expressway; 34 Fielding Court
Petitioner: Jr. Food Stores, Inc.

Krista Lockyear: Again, Mr. President, members of Council, Krista Lockyear on behalf of the petitioner and property owner.

We would like to ask for a continuance of this decision to allow our clients more time to meet with the neighbors. We did have a couple of meetings before the Area Plan Commission. I think there were quite a bit of concerns still expressed. Well, I know there were quite a bit of concern still expressed at that Plan Commission members. Our clients have got their engineers tasked with coming up with better answers than what we had at that point in time and we're

just not quite there yet. We're working, continuing on the traffic plans as well as the drainage plans and having additional meetings with the neighbors, so I've spoke with...most of the neighbors that I've had direct contact were aware that we were going to ask the continuance tonight and aren't here. I apologize if there are any that are here that I did not know to notify them in advance.

But I would appreciate a motion and a vote to allow us to continue this to your January hearing.

Councilwoman Brinkerhoff-Riley: Can I just ask a question? I know you're...I sit on the EMPO and they had recommended that you talk to INDOT...

Krista Lockyear: Yes.

Councilwoman Brinkerhoff-Riley:...and INDOT wanted the traffic study. Is that done or I mean I guess you think you'll be done by our January meeting.

Krista Lockyear: I hope it's by January. We're...we've got a 90-day deadline that we're up against from the Plan Commission vote.

Councilwoman Brinkerhoff-Riley: Right, so...

Krista Lockyear: If it's not by Jan...I'd like to keep everybody's feet to the fire.

Councilwoman Brinkerhoff-Riley: Okay.

Krista Lockyear: The last email I saw relative to the traffic count from INDOT was that they were considering allowing us to use their existing traffic information 'cause not a lot has changed...

Councilwoman Brinkerhoff-Riley: Right.

Krista Lockyear:...but I don't have a final decision on that. Our engineers, after the meeting with MPO and City Engineer and Plan Commission about a week and a half ago, have come up with various options that City engineers are reviewing now so we're getting close to having those ideas. I'm not certain about the timing of the traffic count yet.

Councilwoman Brinkerhoff-Riley: Right, and there's already a deceleration and I heard...I saw your email about the blister and there's a...I mean there's a lot of ways to...

Krista Lockyear: Passing...

Councilwoman Brinkerhoff-Riley:...make that less...

Krista Lockyear: Correct, correct.

Councilwoman Brinkerhoff-Riley:...stressful.

Krista Lockyear: Yeah, we want try and not have the concern that somebody turning right off of the Lloyd onto Fielding would have to back up because of someone trying to turn left into this property. That was an absolute concern of the City Engineer and we are working on that plan as well as anything we can do to alleviate the right out onto the eastbound Lloyd Expressway. So we've got...

Speaking Simultaneously

Councilwoman Brinkerhoff-Riley: When you talk...

Krista Lockyear: Sorry.

Councilwoman Brinkerhoff-Riley: Sorry. Go ahead; I don't want to interrupt you.

Krista Lockyear: We've got land there to work with. It's a little tight 'cause there's a big utility pole right there at the corner but we still do have some room to move back and widen that area.

Councilwoman Brinkerhoff-Riley: All right, and when you talk about taking down the hill, it's my understanding it'll move to the next property and actually some of the drainage issues...

Krista Lockyear: We really should improve the drainage because...

Councilwoman Brinkerhoff-Riley: I drove by and I thought, "Oh my God, that's a tremendous amount of earth to move".

Krista Lockyear: Right, it is, it is.

Councilwoman Brinkerhoff-Riley: We meet three times in January. Which...maybe I missed it. Which January are you...which date are you trying to move to?

Krista Lockyear: The later in January would be the better; it would be your preference. If you don't mind taking a zoning at a non-zoning night, I would appreciate it.

Councilwoman Brinkerhoff-Riley: We meet the first, the second, and the fourth Monday, right, in January?

President Friend: I'm thinking...what...do you have the...

Councilman O'Daniel: *(Off Mic)* So the 5th is the first, *(Inaudible)*.

President Friend: Yeah, good *(Inaudible)*.

Councilwoman Brinkerhoff-Riley: I'm willing to make a motion, depending on where they...do you want the second Monday?

Krista Lockyear: If we could even...so you meet the first...

Councilman Adams: I think that's too close.

Councilwoman Brinkerhoff-Riley: We meet three times in January based on statute.

Krista Lockyear: If we could go to the very last meeting in January. That would be ideal.

Councilwoman Brinkerhoff-Riley: Is that, Laura, is that...I mean I haven't seen our schedule.

City Clerk Windhorst: We typically meet three times in January. I know last year you guys decided to meet twice in January.

Councilwoman Brinkerhoff-Riley: So we're going to meet the second and the fourth Monday?

City Clerk Windhorst: No, we have to meet the first Monday so...

Councilman Adams: Ms. Lockyear, do you...

Krista Lockyear: Yes sir?

Councilman Adams: You asked for delays. Do you want a date or would you just like to keep that open til you get your reports in and you meetings in?

Krista Lockyear: I think in all fairness let's go ahead a keep a date so the neighbors have an idea of when this will be decided...

Councilman Adams: Okay.

Krista Lockyear:...and then if we do have to continue we could do that in another public meeting.

Councilwoman Brinkerhoff-Riley: I haven't seen a calendar come from you yet so I'm going...

City Clerk Windhorst: It's a...

President Friend: Yeah, you sent it out I believe. I don't have it on me.

City Clerk Windhorst: I sent it to you to look at it so yes, we'll send that out to you guys tomorrow.

Councilman O'Daniel: *(Off Mic)* So the 26th will be the last Monday?

City Clerk Windhorst: The 26th, yeah.

Councilwoman Brinkerhoff-Riley: Are we going to meet the first and the fourth Monday? I mean do you...what's the calendar say in terms of January.

Councilman Adams: It's the 5th and 19th, isn't it?

Unidentified Speaker: *(Off Mic) (Inaudible)*.

Councilman Adams: Yeah, you're right.

Councilwoman Brinkerhoff-Riley: Yeah, so we're either meeting the second or the fourth as I...

City Clerk Windhorst: It will be the fourth one.

Councilwoman Brinkerhoff-Riley: Okay, so I make a motion to move it to January 26th, which is the...should be our second meeting in January.

Councilwoman Mosby: *(Off Mic) Second.*

President Friend: I think we have a third meeting.

Councilman O'Daniel: Potentially the third...potentially third.

President Friend: Potentially third, yes because we usually have a meeting on the last Monday of the month, yeah.

Councilwoman Robinson: *(Off Mic) (Inaudible)*

President Friend: Yeah, yeah.

Okay, I had a motion made by Councilwoman Brinkerhoff-Riley to postpone this til the 26th of January. Do I have a second?

Councilwoman Mosby: Second.

President Friend: I had a mot...I mean seconded by Councilwoman Mosby. Ayes? Nays? *(Unanimous ayes)* Well, see you on the 26th.

Krista Lockyear: Thank you very much.

President Friend: Thank you.

Councilman O'Daniel: Yes.

APC Zoning Administrator Greenwell: I thank you for setting a specific date. We have a zoning on our agenda for December that should be coming forward to you in January. Might we put that zoning...it doesn't have a date because your date hasn't been set. We need to have the day to put them on so that they get advertised. Could we put them on the same day or would you...typically we meet...

President Friend: Yeah.

RESOLUTION C-2014-37

FINANCE

O'DANIEL

A Resolution of the Common Council of the City of Evansville In Support of Economic Development Incentives Offered to Mead Johnson & Company, LLC by the City of Evansville to Expand Operations in the Facility at 2404 W. Lloyd Expressway, Evansville, Indiana 47710

RESOLUTION C-2014-39 AMENDED PUBLIC WORKS

LINDSEY

A Resolution Renaming a Certain Section of a Street/Roadway "Rick Davis Way"

COMMITTEE REPORTS:

FINANCE COMMITTEE:

CHAIRMAN O'DANIEL

Chairman O'Daniel: Mister President, your Finance Committee met this evening hearing *Ordinances F-2014-22, F-2014-23 Amended, F-2014-24 and Resolutions C-2014-36 and C-2014-37* and all come forward with a do-pass recommendation.

President Friend: Thank you for your report.

PUBLIC WORKS COMMITTEE:

CHAIRMAN LINDSEY

Chairman Lindsey: Mister President, your Public Works Committee met this evening to hear *Resolution C-2014-39 Amended* and it comes forward with a do-pass recommendation.

President Friend: Thank you Chairman.

Is there a motion to adopt the Committee Reports and move the Ordinances and Resolutions to Third Reading?

Councilman O'Daniel: So moved.

President Friend: I had a motion made by Councilman O'Daniel and seconded by Councilwoman Mosby. Ayes? Nays? (*Unanimous ayes*) Moves to Second...Third Reading.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE F-2014-22

FINANCE

O'DANIEL

An Ordinance to Amend the Sewer Rates and Charges for the City of Evansville, Indiana

President Friend: Okay, is there a motion to adopt Ordinance F-2014-22?

Councilwoman Robinson: So moved.

Councilman O'Daniel: I'll second that.

President Friend: I had a motion made by Councilwoman Robinson and seconded by Councilman O'Daniel. Please Madam Clerk, call the roll as it relates to Ordinance F-2014-22.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver

Nays: Friend

President Friend: With eight (8) ayes and one (1) nay, the ordinance passes. F-2014-22 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE F-2014-23 AMENDED FINANCE O'DANIEL

An Ordinance of the Common Council of the City of Evansville Authorizing Transfers of Appropriations, Additional Appropriations and Repeal and Re-Appropriation of Funds for Various City Funds

President Friend: Is there a motion to adopt Ordinance F-2014-23?

Councilwoman Mosby: So moved.

President Friend: Motion made by Councilwoman Mosby and seconded by...?

Councilman McGinn: Second.

President Friend:...by Councilman McGinn. Madam Clerk, please call the roll as it relates to Ordinance F-2014-23.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: Nine (9) ayes, zero (0) nays, Ordinance F-2014-23 as Amended is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE F-2014-24 FINANCE O'DANIEL

An Ordinance of the Common Council of the City of Evansville Authorizing Appropriation of Funds within a City Department (DMD)

President Friend: Is there a motion to adopt F-2014-24?

Councilman O'Daniel: So moved.

Councilwoman Brinkerhoff-Riley: Second.

President Friend: Motion made by Councilman O'Daniel and seconded by Councilwoman Brinkerhoff-Riley. Please call the roll as it relates to F-2014-24.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: Nine (9) ayes, zero (0) nays, Resolution C-2014-37 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION C-2014-39 AMENDED PUBLIC WORKS

LINDSEY

A Resolution Renaming a Certain Section of a Street/Roadway "Rick Davis Way"

President Friend: Is there a motion to adopt Resolution C-2014-39 as Amended.

Councilman Adams: So moved.

Councilman Lindsey: Second.

President Friend: Had a motion by Dr. Adams and seconded by Councilman Lindsey. Madam Clerk, please call the roll as it relates to Resolution C-2014-39 as Amended.

Comment made prior to casting her vote:

Councilwoman Brinkerhoff-Riley: I see some of the family. Denise, can you stand up? Can we just thank you for your...thank you so much Julie. You have a wonderful family.

Julie Davis: *(Off Mic)* Thank you.

Denise Brucken: *(Off Mic)* We appreciate everything...everything...prayers, name, concerns. It's an honor, it's a privilege and we do thank you.

Comments made prior to casting their respective votes:

Councilman Lindsey: I'd like to say I'm honored to be able to do this. I'm glad the voters put me in a position to do things like this. Sometimes this job is kind of thankless. I didn't know how rotten it was til I got elected but I'm happy to be able to do this and I'd like to thank Jordan Baer again for initiating this, and I'm proud to vote yes on this.

Councilman Adams: A really dear friend of mine, and I thank Councilman Lindsey for making the effort to make this go. Dear family, I vote aye.

Councilman O'Daniel: And again, he was a good man and I see a lot of people that were out working tirelessly out on his campaign three years ago and so I appreciate their support tonight and with that I vote aye.

President Friend: Yes, I will say that Rick loved his community and I think he'd do anything for any of us and he was a great individual. I've always enjoyed him. He was a great guy. With that I vote aye.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: Nine (9) ayes, zero (0) nays, Resolution C-2014-39 as Amended. I am pleased to declare its so adopted.

MISCELLANEOUS BUSINESS

There will be a meeting next Monday night on the 15th at 5:30 p.m. in this room. Committee Meetings will begin at 5:00 p.m.

*** Renewal of the City Council Attorney's Contract**

President Friend: I like to make a motion see to renew that contract. Before we do, do we have any comments.

Councilwoman Brinkerhoff-Riley: Has the contract changed?

President Friend: No, same thing.

Councilwoman Brinkerhoff-Riley: It's the same as last year?

City Council Attorney Danks: *(Off Mic)* Yes.

Councilwoman Brinkerhoff-Riley: Okay, thank you.

President Friend: Yes. I think there was a 3%...2% raise 'cause you're employee, right? That's the only thing that changed.

City Council Attorney Danks: *(Off Mic)* I did not change the contract. *(Inaudible)*

President Friend: You left it way it is?

City Council Attorney Danks: *(Off Mic)* *(Inaudible)* the compensation is based up 2014 *(Inaudible)*.

President Friend: Oh, okay. Good deal. Any other questions from members?

Councilman Adams: Second.

President Friend: Okay, I had a motion made by...who? Who made...

Councilman Adams: You made the motion.

President Friend: Oh, I made the motion, didn't I?

Councilman Adams: *(Inaudible)*
Speaking Simultaneously

President Friend: Usually I don't make those motions, do I?

Councilman O'Daniel: *(Off Mic)* It's alright, go ahead.

President Friend: Okay, I've made the motion. Okay seconded by Dr. Adams.

Councilman Adams: *(Off Mic)* Is there any *(Inaudible)?*

President Friend: Voice vote. Ayes? Nays? You're on for another year.

Okay, is there any other additional miscellaneous business? Anybody like to bring anything to the...yes Connie, come up.

Connie Whitman: Good evening members of City Council and everybody. I'm Connie...

President Friend: State your name.

Connie Whitman: Connie Whitman.

President Friend: Yeah.

Connie Whitman: 1780 S. Norman, here in Evansville, and I just wanted to weigh in on recent proposals to handle the cost of water meter replacements due to a plumbing issue with some of the older homes and some of the comments and proposals ya'll have made recently got me to thinking and I appreciate Councilpersons Mosby and Weaver's suggestion that the City pay up front and allow homeowners to make payment arrangements or even apply for financial aid but Johnson Controls and their subcontractors are getting 43.5 million. If Johnson Controls wants to install a particular meter and encounters issues, like Councilman John Friend suggested they should have anticipated at a recent meeting, then Johnson Controls and their subcontractors ought to be able to give up a little of that 43.5 million dollars to prep their work surface and pay for that 30 to 40 feet of pipe and trenching themselves, in my opinion.

And with all due respect to Dan McGinn, who was quoted in the paper recently in November, he said that's the breaks. That's the cost of home ownership when you run into things like that, but we didn't ask for this expense and this...it's also apparently a questionable change too. I'm still not sure smart meters are all that smart.

But as an alternative to homeowners being...making payment arrangements to the City later on added to additional bills, later bills, I thought maybe have prisoners dig trenches, maybe give 'em extra time for...good time for doing that, or create some of those part-time jobs I suggested recently. I don't know if Johnson Controls gives out million-dollar Christmas bonuses or not but 43.5 million is a lot of money coming in. It's a fat government contract and I think they should show some appreciation; maybe give a little of it back and on those few

homes we're talking about, handle any issues on those properties themselves; just do what needs to be done.

I know a couple on Chandler Avenue who got one of those letters. They're in their 70s. His wife code-blued last week. He got pass-maker surgery, re...whatever you do to update your pacemaker last week and I just, I don't know, it just seems like there are people laughing all the way to the bank and then people living like that and I just really appreciate Councilwoman Robinson's comments about how this is unfair to poor people and Councilwoman Brinkerhoff-Riley explaining what a waiver means to people and I just think this is a regressive tax on older homes and regressive means that hits the poor harder than the rich and there're just so many regressive taxes in this world. It just seems like almost all of 'em are. If you're rich enough you can get a tax break, but I think a City that subsidizes the kind of things that we do: arenas and hotels and demolitions and whatever, I just think maybe they could subsidize a few feet of pipe and I'm sorry if I don't know the right words for plumbing or high finance or any of that but I'm just trying to make a point and hopefully think outside the box.

So I hope you all have a blessed Christmas and thank you.

President Friend: Thank you Connie. I will say this...I will add this, my father-in-law's property received one of those letters as well and I had a certified union plumber outfit review the pit. The pit was dry; the pit was functioning. I'm a little confused.

Connie Whitman: It was dry but what?

President Friend: The pit was not leaking. It was dry and the meter was functioning.

Connie Whitman: Oh, and they said it wasn't?

President Friend: I had a letter said it wasn't.

Connie Whitman: Oh my God. Why am I not surprised?

President Friend: So I'm just pointing that out. I got the report in my email, so...so I'll be happy to show that to anybody.

Connie Whitman: Yeah.

President Friend: Anybody have any other questions about this?

Councilman Adams: I'll just make the comment I think this is still under review. I don't think we know how many...how many actual houses are under the Decrepit Pipe Act, if you will, but I think, I really think if they see something that looks fragile, they ought to just leave it alone.

Connie Whitman: I think they ought to just do it themselves. Just keep...quit complaining and keep on going; don't even tell it...don't even tell anybody just deal with it. That's what I think.

President Friend: Is anybody else in the audience like to bring anything to our attention? Any...show of hands.

I just like to make one comment. As you probably well know, we have out on the expressway, we have that four...we have the cloverleaf going in. I just want to point out there's a...those businesses out there that have been landlocked and since I've been here in Evansville years, thirty-some-odd years, the Pub has always been a place of...we've all been there. And I just wanted to say is that that place is really being affected by what's going on out there so we all need...be...notice that and they're not the only one. They're not the only one that's happening to out there. There's some other businesses too being sorely affected. And I know these things happen, they just do but we need...it's Christmastime. If you're out, you might want to go out there and patronize those folks whenever you can.

Councilwoman Brinkerhoff-Riley: Mr. President?

President Friend: With that, that's my commercial of the evening. Yes?

Councilwoman Brinkerhoff-Riley: Just that I've reached out to some of those businesses. I know the Iphone Todd is closing at that location, Exna's, India, the seamstress, is struggling. I've met with the Pub. I've talked to Mr. Stevens at Southern Business Machines and we are grouping to see what we can do, kind of gearing up for a meeting potentially with GAGE to see what's available in terms of incentivizing some investment into not just Division but North Weinbach, similarly to how we have done Washington and Walnut and working on that commercial district so.

President Friend: Well thank you Stephanie, appreciate that. Any other questions? Okay. Let's move on.

COMMITTEE MEETING SCHEDULE for DECEMBER 15, 2014

A.S.D. COMMITTEE:

CHAIRMAN H. DAN ADAMS

Re: **Ordinance G-2014-36**

Amending Chapter 5.25

Time: 5:00 pm

Street Vendors

Notify: Kelley Coures

Re: **Ordinance G-2014-31**

Amending Title 17, the Subdivision

Time: 5:05 pm

Control Ordinance and Chapter 15.05

Notify: Ron London

Pertaining to Building Requirements of the Evansville Municipal Code

Re: **Ordinance G-2014-35**

Requiring Audio and Video Streaming

Time: 5:10 pm

of Public Meetings

Notify: Scott Danks

Re: **Ordinance G-2014-32**
Time: 5:15 pm
Notify: Dave Goldblatt

Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2015 - Dave's Taxi Service

Re: **Ordinance G-2014-33**
Time: 5:15 pm
Notify: Heather Williams

Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2015 - River City/Yellow Cab Co., Inc.

Re: **Ordinance G-2014-34**
Time: 5:15 pm
Notify: William Kramer

Granting Certificates of Convenience and Necessity for the Operation of Taxicabs for the Year 2015 - Unity Taxi, LLC

Re: **Ordinance G-2014-30**
Time: 5:20 pm
Notify: Scott Danks

Restricting Eligibility of Non-Residents of Evansville, Indiana from Serving on Governing or Advisory Bodies

FINANCE COMMITTEE

CHAIRMAN CONOR O'DANIEL

Re: **Resolution C-2014-43**
Time: 5:25 pm
Notify: Chris Kinnett, Growth Alliance

Declaring an Economic Revitalization Area for Property Tax Phase-In for the Construction of Real Property and Installation of New Equipment (Sigma Packaging, LLC ~ 3001 Maxx Road and 2000 Lynch Road)

Re: **Resolution C-2014-41**
**Date: January 5, 2015*
Time: 5:20 pm
Notify: Chris Kinnett, Growth Alliance

Confirming the Declaration of an Economic Revitalization Area for Property Tax Phase-In for the Acquisition and Installation of New Equipment (Fisher & Company 2301 Saint George Road)

Re: **Resolution C-2014-42**
**Date: January 5, 2015*
Time: 5:25 pm
Notify: Chris Kinnett, Growth Alliance

In support of Economic Incentives Offered to Fisher & Company by the city of Evansville to Expand Operations in the Facility at 2301 Saint George Road

City Clerk Windhorst: Actually, just a clarification: Resolutions C-2014-41 and C-2014-42 will be on January 5th.

Councilman O'Daniel: Oh, I'm sorry. It' is January 5th. You're right. Thank you.

President Friend: Thank you for correction.

ADJOURNMENT

President Friend: Well, with that I entertain a motion for adjournment.

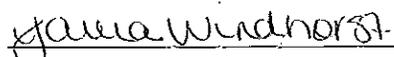
Councilwoman Mosby: So moved.

President Friend: I have a motion made by Councilwoman Mosby and seconded by...?

Councilman Lindsey: Second.

President Friend:...Councilman Lindsey. That, for me, is adjourned at 6:30.

Meeting adjourned at 6:33 pm .



Laura Windhorst, City Clerk



John Friend, President