

**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, FEBRUARY 6, 2017
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. Duggins, Police Chief Bailey, Mrs. Moeller, Mr. Hall, Mr. Wilkinson, Mr. Wood and Mrs. Glotzbach

Mr. McLaughlin called the meeting to order at 7:00 p.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Regular Meeting Minutes for January 19, 2017, Mr. Coffey second, all voted in favor.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

Ms. Wendy Helterbran stated that she is present as a housing advocate. She said she has lived in New Albany for 20 years in one of the poorest neighborhoods in New Albany on purpose. She explained that she is speaking on behalf of the families and children who stand to be negatively impacted by this community's comprehensive plan. She stated that in 2013 she was commissioned as an independent consultant by the Homeless Task Force and paid with funds secured by the Community Foundation of Southern Indiana to partner with IUS and to conduct research on the homeless in Clark and Floyd counties. She said that for five years she collected data and directed the HUD mandated point and time homeless census. She provided the data to IUS and it serves as the backbone of the resulting months of focus group discussions, planning and the creation of the Coalition for the Homeless in this community. She said that the comprehensive plan is in direct conflict with the goals set forth in the evidence based and community constructed strategic plan that was designed to address, prevent and end homelessness in this community. She stated that our community has already invested over \$100,000.00 in addressing homelessness and the comprehensive plan could compromise these efforts. She said that the plan calls specifically for one-third reduction of the number of public housing units without replacing the housing stock demolished in the process so that means that over 300-350 public housing units will be eliminated. She explained that families will not have anywhere to go and that homelessness and the risk of it will increase in the community. She said that primarily single parent families headed by a working female will be impacted by this and currently 890 children constitute nearly 50% of the residents in the New Albany Housing Authority. She also said that 333 of those children are under the age of 5 and there are 704 families headed by a single parent and all but 17 of those single headed families are working. She stated that these are families that live and participate in our community and the children attend our schools. She explained that they pay an average rent of \$216.00 per month for a three bedroom unit and the average rent they face paying in private rental without subsidy is over \$1,000.00

per month. She stated that last year the New Albany Housing Authority placed 102 homeless individuals in housing and those individuals received priority but in the same year they were unable to house 620 eligible applicants. She said that the comprehensive plan suggests that Section 8 vouchers will address this displacement but currently the vacancy rate in rental housing is 3.2% and we are already unable to use the Section 8 vouchers that we have due to lack of affordable housing. She asked that before a plan is made and a decision is passed, please postpone until further discussions allow us to think about the immediate and long-term impacts that this plan will have and how it is going to promote homelessness in this community.

Mr. Roger Baylor stated that ever since he received his copy of the comprehensive plan he has been thinking about how these goals of beauty and function are going to be achieved at least in part at the expense of the people of the community who are least able to cope with that. He said it is an outrage to read that. He also said that there is a move afoot to cripple and dismantle the housing authority which is the only thing we have taking interest in this section of the community. He stated that everyone in this town seems to have this totem that the only thing holding us back from being some wealthy community is the project which is totally untrue. He also stated that the Democrats on the council to him are complicit in this because there is no one in the political community right now taking an interest in protecting these people.

Ms. Cathy Hinko stated that she is with the Metropolitan Housing Coalition which is an advocacy organization focused on fair and affordable housing in the metropolitan statistical area. She said that their 2015 report is cited in the comprehensive plan because they gather a lot of information and she provided the council with some of their 2016 report to review. She asked that R-1702 be tabled because certain recommendations within it will have a draconian effect on people in New Albany and on the workforce. She explained that one specific recommendation is to tear down public housing without any commitment to replacing the physical units which will create a disparate impact that it is negative on people in protected classes under the fair housing laws leaving the city vulnerable to a fair housing claim. She also explained that it would displace workers needed for the very jobs that the city seeks to create within this comprehensive plan. She stated that would violate the most basic principles of sustainability which are claimed to be upheld within the plan and leave New Albany unprepared for the predicted significant increase in senior citizens over the next 20 years. She said that the drafter suggests that they will magically get vouchers to replace the units and with a 96% occupancy rate in New Albany for rental housing, the influx of hundreds or more renters with the decrease of hundreds or more units will create chaos. She stated that the proposed plan calls for more restaurants and retail but the wages for these jobs do not support being able to pay for modest rental housing. She then reviewed the information that she provided on housing wage fair market rents, Louisville MSA with the council and stated that 42% of all jobs pay a wage that will not support renting a modest two bedroom rental unit without significant burden to the household. She stated that seniors will be displaced and it is predicted nationally as well as locally that the number and percentage of seniors will double in the next 20 years yet you plan to potentially eliminate their housing and hope for the best in the private market. She added that the city should be adding units to accommodate people not subtracting units. She also added that 42% of seniors have a disability compared to 14% of non-seniors so again they are another protected class under fair housing. She stated that New Albany does not have a great history of approving and forwarding low income housing tax credits at the lowest rent levels for workforce housing. She said that the basic tenant of sustainability in the plan is that destroying a building is a major cost which is rarely factored into the equation so a commitment to

sustainability when you figure in the waste of materials, labor and actual cost violates the sustainability that is supposed to be implemented in this plan. She stated that the data in the comprehensive plan is outdated and inaccurate because the plan claims a vacancy rate of 8.9% which they had to go back to 2014 to get. She said that the current vacancy rate is 3% so one might say it was almost deliberately misleading and there is no excuse for the numbers that are so off. She encouraged the council to table this resolution so they can have more scrutiny of the proposed plan and the impact on this community.

COMMUNICATIONS – COUNCIL:

Mr. Blair stated that he met with the engineer that the council engaged for the Mt. Tabor Road project and he drove him through the area to show him the problem areas. He said that the engineer was then scheduled to meet with the city engineer earlier this week to go ahead with the storm water study and should have a report back to the council in about six weeks. He stated that he is on the annexation committee and he didn't catch the other members who were appointed to that committee. He said that he is going to go ahead and call a meeting with Mr. Wood to have a committee meeting on annexation to move forward with that.

Mr. McLaughlin stated that the appointments to the committee were Mr. Blair and Mr. Phipps.

Mr. Blair told Mr. Phipps he would send him an email to get some dates that they could meet with Mr. Wood. He then mentioned that he does think that Mr. Irvin R. Stumler is right on the sewer rate increase in that we should annually project out what our expenses are expected to be in the future. He said that Mr. Gibson did a great job of preparing that economic model for the council and he thinks they should incorporate that model into the decision making on what the rate increase should be.

Dr. Knable stated that he believes that is the council's intent to have the CPI but also an annual meeting with the sewer board and hopefully they would have information as part of that but agrees that you can't assume anything so he thinks that would be a specific key point of data that the council would want them to bring to the table at those meetings.

Mr. Blair stated that there was a lot of effort and thought that went into the way the model is put together and he feels they should continue to use it going forward.

Mr. Barksdale stated that he checked with Mrs. Glotzbach today and she said that the website is up and running with the minutes and he appreciates her hard work there. He then stated that with the reconfiguration on Spring Street from the creek to Vincennes Street, he has a constituent that is still concerned about the parking spaces because people are confused since there are no markings. He said he mentioned that some people are now parking up on the grass easement between the curb and the sidewalk so we might want to ask Police Chief Bailey if he would keep an eye on that. He said that he also mentioned that the noise level has gone down because of the drag racing so he was pleased to hear that.

Mr. Phipps stated that if you look at the other areas of the urban grid, Spring Street in particular, individual parking spaces are not marked and it is either general parking or no parking.

Mr. Barksdale stated that for 40 years or so there has never been parking on that side so he thinks it wouldn't hurt to put something there.

Dr. Knable thanked everyone for speaking tonight and stated he would like to formally request from the public utilities committee that we either summarize those questions to answer them publically at our next meeting or that we have representation from the sewer board to do that.

COMMUNICATIONS – MAYOR:

Mr. Hall stated that Mayor Gahan wanted to pass on his appreciation to everyone for their help on the comprehensive plan. He said there were public meetings and they had over 750 online responses to the comprehensive plan along with the steering committee members, members from the community and the council's input.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

Mrs. Moeller passed out the financial reports for December 2016 to the council and stated that it took a little longer since it was the end of the year. She also stated that they will receive the report for January 2017 at next month's meeting.

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

Mr. Barksdale reported that the tree board went after a \$20,000.00 grant from Indiana Department of Natural Resources and they received it in early January. He said that it will be used to get together a public tree inventory and an urban forest management plan. He also said that the members of the tree board are very appreciative of the council and the support that you have given so far.

Mr. Blair asked if they have selected a company yet to develop the plan and the inventory.

Mr. Barksdale stated that he doesn't believe so but they are having a tree board meeting on Wednesday and he is sure that will be brought up.

Mr. Blair stated that he was just curious if that have already selected the company.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

G-17-01 Ordinance Prohibiting Littering within the City of New Albany

**Knable/
Barksdale 1&2**

Dr. Knable introduced G-17-01 and moved to approve the first and second readings, Mr. Barksdale second,

Mr. Barksdale withdrew his second,

Dr. Knable tabled this item.

Dr. Knable stated that he continues to get complaints about trash within the city particularly dumping in some of the alleys downtown because evidently there is a little common practice of going through garbage and collecting it in the back of trucks then sorting through it and dumping it here and there. He also stated that this is not to go after people who inadvertently drop a gum wrapper but people who are caught in the act of dumping larger amounts of refuse. He said that we have no freestanding ordinance on it so we rely more on state statutes which sometimes don't carry the weight of these penalties that he and Mr. Barksdale are proposing to carry. He thinks it needs to be a matter of consideration and discussion but will not force a vote tonight. He stated that he would really love public and council input because he thinks the ordinance needs some tweaking. He also stated that he and Police Chief Bailey discussed enforcement issues.

Police Chief Bailey stated that the city and the police department of course support a clean community and he would like to ask that this be placed into a committee so that other components can be looked at that might need to accompany this. He said that a strong education component with any legislation is important. He also said that when he looks at the state statute and this proposed ordinance, the two documents are very similar but he thinks if we are going to make an effort to make a positive change for the future then there needs to be a little more in this.

Ms. Lewis stated that she works for the city and helps with a variety of volunteer and outreach issues and explained that this will be their second year for our City of New Albany Neighborhood Beautification Day. She mentioned that last year Mr. Phipps had a great showing from his neighborhood. She then stated that the education component is what they really focus on and reaching out to everyone making sure they are aware that this is their community and hopefully they will be more inclined to keep it tidy and feel a sense of pride. She said she would love for everyone on council to come out and help on Saturday, April 22nd at 8:00 a.m. She also said that they are focusing on downtown, midtown and uptown but she welcomes any suggestions on areas or things that the council would like to see cleaned up as well.

Mr. Coffey stated that he thinks the whole council should meet on this ordinance in a work session because he believes that there are unique situations in different areas.

Dr. Knable stated that he is happy to do that because he and Mr. Barksdale need to press the issue and bring it to the table for discussion. He said that he will leave it to President McLaughlin's as to where it falls but he is just tired of it falling between the cracks over the years.

Mr. Caesar thanked Dr. Knable and Mr. Barksdale for bringing this forward and suggested that it go to committee and then have a work session with the council as a whole.

Dr. Knable stated that he would propose that it be tabled tonight and create an ad hoc committee and he would be happy to chair that. He said that he would take Mr. Barksdale on the committee and would like two other volunteers.

Mr. Coffey stated that he would volunteer.

Mr. Nash stated that he would volunteer.

Dr. Knable said that anyone that wants input into this to contact one of the committee members and he will be getting with the committee and the council attorney to put together a meeting on this. He then explained that they talked about enhanced penalties for people throwing things from moving vehicles and want to take a look at the signage issue which continues to plague the city as well as anything that would violate our free flowing waterways. He also explained that he knows it comes down to enforcement and that there are state statutes that duplicate some of this but what we have on the books right now is not working.

Mr. Caesar stated that he thinks the education component on this is key.

Mr. Coffey stated that he would like for them to take a look at getting people in the public involved and that's who we have to get going on this. He also stated that in some areas of town people literally dump garbage cans out and go through it.

Dr. Knable stated that this came from his discussions with folks primarily in the 1st district and parts of the 3rd district because it is systematic. He explained that people are taking trash from other districts, sorting it out and throwing it out in the alleys.

Mr. Coffey stated that he thinks if we let the public know that we will have a public meeting on it then people will come and could be helpful with giving ideas.

Mr. Barksdale stated that Mr. McLaughlin and he have discussed advertisements in plastic bags and he counted nine of these this morning actually on the public right-of-way between Silver Street and Beharrell Avenue which is only a three block area.

Mr. McLaughlin stated that he has done some walking and has noticed that Styrofoam cups and the Saturday flier in the blue plastic are what he most often picks up.

A-17-01 Ordinance for the Appropriation of Riverboat Barksdale 3
Funds for Blessings in a Backpack

Mr. Barksdale introduced A-17-01 and moved to approve the third reading, Mr. Coffey second, all voted in favor. Bill A-17-01 becomes Ordinance A-17-01.

Mr. Barksdale stated that there were several speakers at the last meeting talking about this and it will be the council's second year to appropriate \$35,000.00 to Blessings in a Backpack.

INTRODUCTION OF RESOLUTIONS:

R-17-02 Resolution of the Common Council of the City of Caesar
New Albany Adopting the City of New Albany and
Unincorporated Two Mile Fringe Area
Comprehensive Plan Year 2036

Mr. Caesar introduced R-17-02 and moved to approve, Mr. Coffey second, all voted in favor.

Mr. Caesar stated this has been a long time in the making and after the 1937 flood the city plan commission was formed and they developed a really good and responsible plan to help us get through those tough times. He then stated that a master comprehensive

plan was developed in 1960 and updated again in 1999. He explained that this plan will take into consideration the City of New Albany as well as two mile fringe area and has been vetted through public hearings. He also explained that the plan commission has placed a lot of time and effort into the plan and there have been a lot of people from the business community involved in it. He said that it covers land use, transportation, public facilities and more than 688 people responded to survey on what should and shouldn't be in the plan.

Mr. Wood asked Mr. Chris Hamm to give a presentation on the plan and answer any questions that the council may have.

Mr. Chris Hamm, Senior Planner, HWC Engineering, stated that it has been his pleasure to work on this plan in collaboration with Beam, Longest and Neff. He also stated that there have been many individuals who have participated in the process including the steering committee and thanked them all as well as the citizens that provided input and feedback. He explained that the plan deals with all of the issues that the council mentioned and a wide variety of topics from land usage to economic development and from infrastructure components to housing and neighborhood development. He stated that it is, by its nature, a 40,000' level view of a community so while there are recommendations made within the plan, those recommendations tend to be general in nature and broad in an effort to achieve the goals and objectives that are identified. He said that it went to the plan commission and received feedback so they revised the plan based on that feedback. He said that it then went back to the steering committee who unanimously recommended it to the plan commission for consideration so it went before the commission earlier this month and achieved a recommendation to forward for the council's consideration. He then highlighted a few of the amended items. He said on page two the vision statement was amended to reflect some different thinking with regards to verbiage in the long-term growth perspective. He said that they also added language in it about the importance of understanding the community's compassionate nature and that it cares about its citizens and different groups within the community. He stated that the implementation plan has been completed with responsible parties being added and included to those areas. He said there was also language added with regards to neighborhoods and the importance of engaging neighborhood associations and having partnerships with those associations. He said that they also focused on short-term and long-term sustainability not just financially but also quality of place and how you can create yourself as a destination. He explained that they cleaned up the community resources component piece because there were a few items missing and mislabeled. He also explained that on page 47 they talked again about sustainable development and how the city can lead that sustainable development component piece. He said that on page 52 they talked about compassion and outreach to the community and building on that character to be sure that no one gets left behind in the community. He stated that on page 66 they talked about annexation and ordinances and that annexation is not necessarily a growth policy but is about sustainable implementation of representation and financial management from a community perspective and those strategies need to be approached accordingly. He also stated that they added the Vincennes Street corridor as a commercial area of focus and again talked significantly about neighborhood engagement and creation of neighborhood associations and partner with them.

Mr. Aebersold asked if there was anything at all discussed about city and county coming together to be more efficient in the 20 year plan because the city keeps annexing out and there are many services that are being duplicated.

Mr. Hamm noted that New Albany has a rather confined development envelope within your pieces because hills constrain you in on direction, community boundaries that constrain you in other directions and the river to your south so much of the plan is focused on redevelopment opportunities, infill development opportunities and reinvestment component opportunities within the community. He said that they do look at the county and city relationship specifically from an economic development perspective and the importance of collaboration on those pieces. He noted that the plan does not go to the detail of how you might reorganize resources but it does clearly identify that when you can find those areas to create efficiencies and when you can create opportunities to be sustainable long-term, you should do that. He added that maintaining an active collaboration between local resources and regional resources is a critical key to sustainability and economic development.

Mr. Barksdale stated that under the responsible parties whenever the New Albany Redevelopment Authority is listed they would like the New Albany Redevelopment Commission listed as well so each time either or is mentioned, they would like to have both.

Mr. Hamm stated that is an excellent change given the jurisdictional component pieces as they often work hand in hand and he thinks collaboration between the two entities is very important.

Dr. Knable stated that he is going to vote for this because there are a lot of good things in it and things that some people are apprehensive about as we saw tonight. He thinks it is important to acknowledge that there are some things some people don't like off the bat with it and that's okay because this is a 20 year plan so nothing in the document happens without someone in the government or public championing that project. He said that nothing that the public doesn't like will happen without somebody leading a charge against it and that's all good. He said that between now and 2036 we will have four more municipal elections with four more councils and four more mayors so that is four more opportunities for people to get excited and get engaged with their government. He also said that nothing is written in stone and he thinks it is a good plan because unless you have a plan and a target, you aren't going to get anywhere. He stated that it does reach for a better version of the city than what exists today.

Mr. Coffey stated that there was mention about the housing authority, vouchers, etc. and at the time that he sat on the housing authority Indianapolis wanted them to take some of these units down to provide more green space for the people and put people in neighborhoods. He also stated that what is going on over there now is nothing more than warehousing people and putting them in situations that are just one cycle after another. He feels that this plan has an opportunity to work and instead of people attacking it, he hopes they would get on board to see how to make it work. He added that these people deserve a fair shake and they are not getting it from all housing authorities. He also added that if you want to see a child do better then put them in a neighborhood because breaking the cycle will start at home.

Mr. Phipps stated that any decision about eliminating public housing would have to be approved by the housing authority board; it is not a council decision. He also stated that there were valid points made because if we do eliminate public housing then we do need to make affordable housing available in other areas of the community. He said that he feels that sometimes people are reluctant about programs like that because they don't

want it in their neighborhood but we have to make sure there is adequate affordable housing.

Mr. Coffey stated that 20 years ago they were ready to move on tearing some of these down and put affordable housing up and help people. He then said the leadership changed right before Mr. Bob Lane and people got scared because the occupancy rating was so low and they were tearing them down in Indianapolis and Gary and advertising for people to come here. He added that he would not send someone out there because it is not safe there.

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Mr. Mark Cassidy stated that he agrees with Mr. Coffey on that is not a pleasant place but what was not addressed is that it talks about doing away with a third of the project and not replacing it. He said that you can't scatter everyone out because there is something to be said for a support system when you still have some people around that are still like you. He then said it doesn't make sense to him to do away with housing for poor people when the council voted to subsidize Breakwater.

Mr. Brad Bell stated that he wanted to invite everyone to the quarterly meeting of Southern Indiana Equality on February 20th at 6:00 p.m. at Culbertson West. He said they are taking an educational road with this meeting and educate the general population as to what government does. He also said that Dr. Knable has volunteered to be their spokesman and Mr. Dan Cannon as well as the Smith Brothers Law Firm will be there to answer any type of questions that someone may have. He stated that at their last meeting they had roughly 50 people there and the number one question that was asked was where are the city council members and the only one that was there was Dr. Knable. He added that what the people want to see at these meetings are the people that can develop change and he would love to see representation of the council there.

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:10 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk