

THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA, HELD A PUBLIC HEARING IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING ON MONDAY, APRIL 3, 2017 AT 6:45 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: Ms. Stein, Police Office Korte, Mr. Wood, Mr. Duggins, Mr. Gibson and Mrs. Glotzbach

Mr. McLaughlin called the public hearing to order at 6:45 p.m. and asked if anyone was there to speak on the following:

**X-17-01 An Ordinance Annexing Territory into the
City of New Albany, Indiana on Petition by all
of the Owners of Such Territory Pursuant to the
Provisions of IC 36-4-3-5.1**

Mr. John Kraft, Young, Lind, Endres & Kraft, stated that he is representing the applicant and as the council is aware, this public hearing is on the annexation of the Stonecrest Development, LLC, project which is a planned unit development district and contains 15.17 acres. He also stated that Mr. Wood passed out to the council the ordinance as it relates to the planned unit development district and he is here this evening because the annexation ordinance is on tonight's agenda and to answer any questions that the council or the public may have. He said that he also has Mr. Steve Thieneman with him who is the owner of Stonecrest Development, LLC and is the primary only member of that entity.

Dr. Knable asked if Mr. Thieneman is still the 100% owner of the entity.

Mr. Kraft replied yes, that is correct.

Dr. Knable asked if this is being handled as a super voluntary or voluntary annexation.

Mr. Kraft stated that he is the 100% owner of the entity and it is voluntary. He then said that he is not certain that he understands the super voluntary request.

Dr. Knable stated that it is his understanding when he looked into this that there is a different timeline for super voluntary versus voluntary.

Mr. Kraft stated that Mr. Thieneman is the 100% owner of the entity which is a 100% owner of all of the real estate that is included within the request.

Dr. Knable then asked if it needs to be handled as a super voluntary to make sure that all of the I's are dotted and the T's are crossed and follow that timeline rather than the voluntary which he understands is slightly different with regards to public notification and having to wait 14 days from tonight to have the secondary vote.

Mr. Kraft stated that the annexation ordinance is on the agenda for the regular meeting to be voted on by the council for first and second readings tonight, but likewise, it will carry forth to the second meeting of this month for the passage of the ordinance based upon the time period in order to pass the ordinance in full.

Dr. Knable asked if the 30 day remonstrance will be thereafter.

Mr. Kraft stated that they have the capability of doing that but normally we can tell by virtue of the public hearing whether or not any of that will occur.

Dr. Knable stated that he just wanted to make sure that we are in line on the 14 days because sometimes the meetings fall closer together.

Mr. Kraft stated that it will be after that time period based upon the date of the next meeting.

Dr. Knable stated that technically he thinks under the basis that this was brought together it is a super voluntary but we are within guidelines.

Mr. Kraft stated that we are within the statutory confines of what we need to be in for the voluntary request.

ADJOURN:

There being no further business before the board, the meeting adjourned at 6:50 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk