

**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, APRIL 3, 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: Ms. Stein, Mr. Duggins, Mrs. Moeller, Mr. Warren Nash, Mr. Wood, Mr. Hall, Police Officer Korte, Mr. Gibson and Mrs. Glotzbach

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

MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE:

ROLE CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Caesar moved to approve the Work Session Meeting Minutes for March 16, 2017, **Mr. Phipps** second, all voted in favor.

Mr. Phipps moved to approve the Regular Meeting Minutes for March 16, 2017, **Mr. Barksdale** second, all voted in favor.

COMMUNICATIONS – PUBLIC (AGENDA ITEMS):

COMMUNICATIONS – COUNCIL:

Mr. Blair stated that he passed out the Mt. Tabor Road Drainage Review Report and that he really appreciates the council's support in funding the review. He also stated that he didn't pass out the entire package but if anyone wants it, just let him know. He explained that the engineer reported that there will be an additional .2 acres of impervious surface because of the reconstruction of the road which will not be significant enough to cause additional flooding in the Farmgate and Meadowview neighborhoods. He said that issue can now be put to rest. He then stated that in part two of the study we asked for other options to alleviate some of the flooding in that area and they did identify a potential site on the IUS property. He explained that it is on Hausfeldt Lane between the baseball field and tennis courts where the small creek runs in. He said that they said their study showed that area could potentially solve a lot of problem issues in those neighborhoods. He is going to pursue this with the storm water board to raise that issue because we have a storm water plan but this area was not identified as in immediate need of storm water relief so it is not a priority. He said that IUS could be approached to see if they will work with us in some capacity in order to put a detention basin there. He added that there are about a dozen or so houses that do experience flooding and he would like to try to help them.

Mr. Nash asked if they identified exactly what it would take to remedy the problem.

Mr. Blair stated that it would be a fairly large basin (1.5M cu. ft.). He said they feel that is the size that would be needed in order to reduce the flooding substantially.

Mr. Aebersold stated that he thinks we should make this report available to the residents that have been here several times and let them know that the reconstruction of road will not cause more flooding.

Mr. Blair stated that he has been in communication with some of the residents but wanted to share the report with the council first. He added that he may get in touch with the Tribune to see if they will run something on it.

Dr. Knable asked if it has been shared with storm water yet.

Mr. Blair replied no, but he plans to.

Mr. Caesar asked if he wants any support from the council as a vote of confidence for the report to take to storm water.

Mr. Blair replied no and stated that he wants to pursue the IUS option and see where that takes him.

Mr. Barksdale asked if this is something that could go up on the website.

Mr. Blair replied yes and stated he would provide Mr. Gibson with a copy.

Mr. Aebersold stated that he has received several calls on striping on numerous roads as well as stop bars at intersections and asked if there is a plan in place for striping.

Mr. McLaughlin stated that he has too and the council should possibly have a work session with the street department to discuss this and see what their plan is going forward.

Mr. Caesar stated that he knows there is a lot of paving to take place this summer and asked the council members to write down some of the areas, especially around schools, that need to be restriped and give them to the street department.

Mr. Barksdale stated that he has had several constituents come to him about several streets as well so he called Mr. Ham and he took care of one area for him. He suggested that Mr. Aebersold call him.

Mr. Phipps stated that the warm weather is here so the yard sales are starting and the yard sale signs are being posted on the public utility poles and he just wanted to remind people that is illegal and some people are known to take those down. He also stated that with the conversion of the streets taking place, the new stop lights at Pearl Street and Market Street are galvanized poles which are hideous in the center of our downtown so he thought that maybe we could replace those with something a little more decorative or possibly convert that intersection to a 4-way stop. He added that he knows it is simply aesthetics but sometimes aesthetics are important particularly when we want our downtown to look inviting. He also added that maybe the city or the council could find some funds to do this so he just wanted to throw that out there to see if anyone else would be interested in it and he may pursue some numbers on it.

Dr. Knable suggested that he speak with Mr. Ham and Mr. Thompson on that matter and stated that he would be happy to try to help find funds for that. He also stated that he has been in contact with them regarding lighting in front of The Exchange which was

plumbed for two fixtures and the fixtures were ordered but there is a search being done on them because somewhere between the ordering and the warehouse they have become unaccounted for.

Mr. Caesar stated that he did bring it up at redevelopment the other day and will follow up on it again.

Mr. Barksdale stated that he has been approached by three different property owners, two in the downtown area, regarding discarded syringes and possible drug dealings going on so he called Police Chief Bailey today and he said that they would get right on it. He also said that chief told him if you see a drug transaction going on right in front of you to call 911 or the direct line into the police department and you can keep it anonymous.

COMMUNICATIONS – MAYOR:

Mr. Hall stated that Mayor Gahan wanted to thank The Horseshoe Foundation for their generous gift of \$5M and look forward to implementing into some projects downtown and on the greenway. He said that the mayor also wanted to express his thanks to all of those who worked on those projects through city council, redevelopment or The Horseshoe Foundation.

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

G-17-04	An Ordinance Regarding Approval of an Amended and Restated Lease Agreement and A 2017 Lease, Each Between The New Albany Redevelopment Commission and The New Albany Redevelopment Authority; Approval of the Issuance of Bonds Approved by The New Albany Redevelopment Commission; Approval of the Issuance of Bonds by The New Albany Redevelopment Authority; Pledge of Local Income Tax and Certain Other Funds	Caesar 1&2
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Mr. Caesar introduced G-17-04 and moved to approve first and second readings, Mr. Barksdale second, all voted in favor with the exception of Mr. Blair who recused himself.

Mr. Caesar stated that in 2006 we issued bonds in this same manner when money was coming from The Horseshoe Foundation to the redevelopment authority and the redevelopment authority gets the money and then tells the redevelopment commission that they can spend x amount of dollars. He also stated that the redevelopment authority and redevelopment commission have already voted on this and they are okay with so tonight the council has to vote on it because there is a pledge of EDIT money and local income tax money that was there for the 2006 bond issuance also. He explained that we

will be doing away with that lease and bonds but we will be issuing new bonds to carry forward until 2029. He then turned it over to Mr. Duggins.

Mr. Duggins stated that it is exciting and is a big day for the city and the partnership that we have with The Horseshoe Foundation. He said that everyone will agree that everything that downtown and the region began with this board partnering with The Horseshoe Foundation in building the YMCA and now 10 years have gone by. He explained that there was a savings that was possible through the reissuance and refinance of that original debt so he approached the mayor and asked if we are going to ask to refinance why we don't ask for some more to keep that momentum going. He also explained that once the refinance happens there will be a \$5M project pool that will be issued in a project fund. He said that all of the language is exactly the same and we are just carrying that forward and The Horseshoe Foundation has agreed to pay what they have before which is 5/8 of all the amounts due for the yearly payment. He stated that the renderings of all of the projects are for discussion and the important thing to remember is that these projects are not set in stone and are works in progress. He started with the greenway because it is the largest project. He said that a big thank you goes to Mr. Brad Seigel who is the CEO of Horseshoe and has been going over this for the last six months. He then said that the \$5M was broken down and the board discussed how we would spend it and how the projects would flow. He stated that \$2.5M will go to the western portion of the Ohio River Greenway Project. He explained that the east portion is under construction and is the final portion with New Albany and Clarksville per the original greenway conception that was done by the Corp of Engineers 25 years ago and we are now almost to completion. He said that the western portion which is basically from the amphitheater all the way to Falling Run Creek has always been something that we wanted to do but was outside of that original conception. He stated that once this funding became available along with the purchase of the QRS property, we are on the verge of being able to do something that is truly transformative to that area of town. He presented a rendering and reviewed it with the council and stated that it was actually in the park's masterplan and a lot of amenities seen are still conceptual but they all came from the 162 responses to the park's master survey. He said that we will basically be taking over a much blighted area of our riverfront and incorporating it back into green space. He explained that Falling Run Creek creates a natural border and we are in discussions about the properties that surround it because they are also blighted and damaged but the main focus is to reconnect the citizens and the region back to the river and also the creeks. He said that some of the amenities include a new boat ramp, parking for the boat ramp, family picnic areas, play areas, bathrooms, etc. He added that some of the things that came up in the park's survey were kayaking, camping sites, RV parking, etc. He stated that it is all green space and will continue on the six mile tract with walking paths that connect to the Ohio River Greenway and is a project that enables us to heal that area of town. He also stated that Falling Run Creek is beautiful in that area but is just surrounded by a lot of junk. He has also approached the Tourism Bureau for \$1M for this section and he will know about that by the end of April.

Mr. Nash asked about the timeframe.

Mr. Duggins stated that it will take the remainder of this year to design then bid out at the first of next year and completed by the end of 2018 or the first part of 2019.

Mr. Phipps asked what road is on the right.

Mr. Duggins replied W. 10th Street. He added that flood control controls all of that area which is another benefit to our greenway because we have a built in financial ability to maintain it through our ability to mow and do other things.

Dr. Knable stated that in previous mockups there was more green space rather than forestry and asked who will make the final determination.

Mr. Duggins replied redevelopment, the administration and costs of course.

Dr. Knable asked if they will do any type of tree survey to salvage any mature specimen type trees.

Mr. Duggins replied yes and stated that they will work closely with the tree board on all of that and want to keep as many of the mature trees as they can.

Dr. Knable stated that the money came from The Horseshoe Foundation Floyd County asked if it will be New Albany City Parks or Floyd County Parks.

Mr. Duggins stated that it will be controlled by the New Albany Parks Department. He also stated that it is the city's and redevelopment's debt only and the county's portion is still on the old debt from the YMCA but not on this. He added that in 2023 the old debt rolls off.

Mr. Blair asked what the funding for the property was.

Mr. Duggins replied that a portion of the 30 acres was purchased through the sewer board for possible expansion of clarifiers.

Mr. Blair asked if there are sewer facilities there.

Mr. Duggins replied no and stated that the discussions included expansion of the clarifiers and some other things.

Mr. Blair asked if the sewer department purchased land for recreation.

Mr. Duggins replied no and stated that they purchased property on the riverfront for possible expansion in the future. He then moved on to the Loop Island Wetlands and explained that they are going to continue the semi-surface walking paths to get people down there because it is a very beautiful part of town that no one knows is there. He stated that concludes the \$2.5M portion of the funds.

Mr. Caesar stated that many of the council members would like to see these concepts as they are being developed just so we really know what is going on.

Mr. Duggins stated that he will be happy to do updates. He also stated that they have an agreement with The Horseshoe Foundation for monthly updates and quarterly live interviews so maybe he can do that presentation for the council as well.

Dr. Knable stated that when he was on The Horseshoe Foundation Board last year, they really never talked about Loop Island being part of this and he knows that a couple of days after the announcement last week, there were a few individuals that said they were

surprised to see that in the press release. He asked if that came back to redevelopment in January and February as being one of the projects.

Mr. Duggins stated that 99% of the \$2.5M will go to the western portion of the Ohio River Greenway Project but it will cost very little money to do what they want to do to the Loop Island Wetlands so if they get the money from tourism, some of it will go to that.

Dr. Knable stated that it just caught the folks from The Horseshoe Foundation off guard that it was in the press release.

Mr. Duggins stated that The Horseshoe Foundation has allowed \$1M to be spent on the façade improvement program for the downtown historic district. He explained that this discussion began four or five years ago and has been near and dear to his heart. He stated that when a new business comes in the city does a lot of things to help them with things like tax abatements but doesn't have a lot of lead way in helping an established business. He explained that the façade improvement program did \$50,000.00 of work last year with this program which was a 50/50 match of up to \$2,500.00 and now they will offer at a \$.25 match on the dollar. He added that the facades will take longer because of all the details that have to be taken into account but the whole goal is to help the larger buildings and this money will go a long way to solidify the downtown corridor. He explained that when they come back to the board they will do before/after and they will track the assessed values and how many companies were pre/post which will be a good way to justify the spending.

Mr. Coffey stated that he is talking pre-YMCA and post-YMCA and asked what that means.

Mr. Duggins explained that they kept a running tab of how many new businesses have come in since the YMCA moved to the downtown corridor.

Mr. Coffey stated that infers that the YMCA brought but it was the liquor license that did that.

Mr. Duggins stated that he would definitely agree that the liquor license by far drove the businesses but they just use it as a reference point to track.

Mr. Duggins explained that they have directed \$1M for Market Street and they will be looking at the sidewalks, lighting, medians and crosswalks. He stated that they are very lucky to have big sidewalks but they also need to figure out how to make those nice to look at.

Mr. Barksdale stated that he wants to mention all the other trees as well that they will be looking into.

Mr. Duggins stated that the entire tree canopy on Market Street needs to be completely analyzed.

Mr. Aebersold asked if there is anything on State Street.

Mr. Duggins stated that in the block of State from Market to Main they will address uses like lighting. He added redevelopment is doing decorative crosswalks and bump out sections on West 1st to increase safety in that area. He explained that the last project is the

overlook project and presented renderings for the council to review. He explained that there is \$500,000.00 that has been set aside to either make it look nice or to figure out the cost to take it down. He stated that they will contract this out and bring renderings with the cost or the cost to remove it but that is a discussion that will happen at a later date.

Mr. Coffey asked if any of this money is going to fund the YMCA again.

Mr. Duggins replied no.

Mr. Coffey stated that he understands that it is putting them on the hook for more time but asked if it is putting the city on the hook to pay any more.

Mr. Duggins explained that if they didn't do this project their commitment of \$137,000.00 would end in 2023 this extends that payment to 2029 so

Mr. Coffey stated that he just wants to make sure that the money is going to this project and nothing else.

Mr. Duggins stated that the language is in the bond document and clarifies that they are extending it out for 6 years but they are paying 98%.

Mr. Gibson referred back to Dr. Knable's earlier question about the green space and explained that it was purchased through the sewer utility because it came up at that time. He explained that the sewer department identified the QRS property as the most reasonable place for the clarifiers. He stated that the buyer approached the city before a lot of this came about and the questions seems to be how they insure that it is still there. He explained that the corner space is being specifically reserved for green space but as far as ownership he anticipates that it will stay in the hands of the sewer board because it is being designated to the parks department as a right to use the certain areas but if they need it in the future the space is theirs.

Dr. Knable asked if it is 10 years or 20 years.

Mr. Gibson replied 10 years.

Mr. Phipps asked if the clarifiers are something that will be disruptive to the park that they create there or would they just landscape around them.

Mr. Duggins stated that they would buffer between the spaces.

Mr. Blair stated that he is not in favor of the sewer rate payers funding a recreational facility.

Mr. Gibson stated that the property will still be in the sewer board's name and if/when an expansion is needed it will be theirs to use as they see fit.

Mr. Blair stated that he said that they will only be using a small section.

Mr. Gibson stated that they will only be using a small section at this point but they purchased the entire property to use if/when they need it.

Mr. Blair stated that they can split up the property now.

Mr. Gibson stated that they could but he doesn't see the benefit of it.

Mr. Blair stated that they are going through a sewer rate increase and part of that is because of the cash flow to the sewer department and suddenly they will have this additional expense. He said in essence they are asking the sewer users to pay for this park space.

Mr. Gibson stated that they are paying for land that the sewer utility has identified as needed and it was available. It will stay in their ownership so that it can be used for that purpose when they need it but they are giving the parks department the right to use it in the meantime.

X-17-01 An Ordinance Annexing Territory into the Knable 1&2
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

Dr. Knable introduced X-17-01 and moved to approve first and second readings, Mr. Barksdale second, all voted in favor.

Dr. Knable stated that in fulfillment of their duties they presented a petition of annexation. He explained that they discussed it as a body back during the approval of the PUDD but that isn't to say it isn't worthy of further discussion. He explained that they will see by state statute there is a companion resolution and they will discuss that later in the evening. He recommended that they make sure this is proceeding under the timeline and provisions of the annexation and Mr. Kraft has satisfied him of that.

Mr. Caesar spoke in favor and stated that he sees this as a benefit to the city and to the subdivision.

G-17-02 Ordinance Amending the City of New Albany Blair/
Code Chapter 30 Section 15 Concerning Caesar 3
Submitting Items to the City Clerk for the
Common Council Agenda

Mr. Blair tabled this item until next meeting because he and Mr. Caesar are going to meet with the administration.

G-17-03 Ordinance Amending the City of New Albany Blair/
Code Chapter 30 Section 15 Concerning Caesar 3
Special Meeting Procedures

Mr. Caesar introduced G-17-03 and moved to approve the third reading, Mr. Phipps second, all voted in favor. Bill G-17-03 becomes Ordinance G-17-03.

Dr. Knable explained that he didn't get a restated version of this and asked if it was changed to include electronic communication.

Mr. Caesar replied yes.

INTRODUCTION OF RESOLUTIONS:

R-17-05 A Resolution Adopting a Written Fiscal Plan as Knable
the Definite Policy of the Common Council of the
City of New Albany, Indiana, with Respect to the
Provision of Municipal Services to Areas that
are Proposed to be Annexed into its Corporate
Boundaries

Dr. Knable introduced R-17-05 and moved to approve, Mr. Coffey second, all voted in favor.

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:00 p.m.

Pat McLaughlin, President

Vicki Glotzbach, City Clerk