

**THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY,
INDIANA, HELD A REGULAR COUNCIL MEETING IN THE COUNCIL
CHAMBERS AT NEW ALBANY CITY HALL ON THURSDAY, JANUARY 5,
2023 AT 7:00 P.M.**

MEMBERS PRESENT: Council Members: Mrs. Collier, Mr. Dickey, Mr. Phipps, Mrs. McLaughlin, Mr. Turner, Mr. Blair, Mr. Aebersold and President Applegate.

ALSO PRESENT: Ms. Stein, Mr. Gibson, Ms. Johnson, Mrs. Moeller, Police Chief Bailey, Major Popp and Mrs. Glotzbach.

CALL TO ORDER:

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

INVOCATION: Given by Pastor Burks.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT:

Mr. Applegate stated that he appreciated being in the presidency seat this past year.

Mr. Dickey nominated **Mrs. Collier** for President, **Mrs. McLaughlin** second, all voted in favor with the exception of **Mr. Turner** and **Mr. Blair** who voted no.

Mr. Applegate nominated **Mr. Aebersold** for Vice President, **Mr. Phipps** second, all voted in favor with the exception of **Mr. Turner** and **Mr. Blair** who voted no.

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Regular Meeting Minutes for December 15, 2022, **Mr. Aebersold** second, all voted in favor.

COMMUNICATIONS – COUNCIL:

Mr. Dickey stated that he wanted to wish everyone a Happy New Year and congratulated Mrs. Collier on being elected Council President. He said that in the history of this council, there have been very few women to lead this body and he thinks that she will do an excellent job and he looks forward to a productive year.

Mr. Phipps stated that he would like to concur with what Mr. Dickey said and he would like to thank former President Applegate for the year of service and congratulated Mrs. Collier on being elected the Council President for 2023. He said that they have not had a female council president since 2012, which was his first year on the council so it has been over a decade. He stated that he also wanted to thank the council for being civil tonight in that they were able to elect officers in one vote and the House of Representatives still has not done that. He also stated that their vote was bipartisan because they have a democratic president and republican vice president so he thinks that says something about our local government working together. He then wished everyone a Happy New Year as well as a Merry Christmas because today is the 12th day of Christmas and the Christmas season closes today.

Mrs. McLaughlin stated that she concurs with her other council members and wanted to wish everyone a Happy New Year. She said that it was a joy working with former President Applegate this past year and she appreciated his leadership. She then congratulated President Collier and stated that she looks forward to working with her.

Mr. Turner stated that he was approached by the Jeffersonville Township Trustee's Office to invite the other council members and himself to Catalyst Mission. He said that they presented to the council at the beginning of this term and they would like to give them a tour to see everything that they are doing with Pastor Moon there. He stated that if anyone would like to join him, they can text him because he intends to go and would like to get back with Pastor Moon tomorrow at some point.

Mr. Dickey asked if there is a specific date?

Mr. Turner stated that it is wide open and told Mr. Dickey to send him some dates and they could figure it out. He then said with this new year, he would like to see something happen that he hasn't seen happen beyond council. He stated that he would like to see our council have some proactive initiative. He said that he would like to see each council member get three items that are an issue in our community, and maybe we can find a way through this year to tackle those and actually have a proactive agenda and make some real changes in each one of their districts. He stated that it seems that they are always just so reactive because they are given things to present and rarely do they do things for the community in a proactive manner and he would like to see that done this year.

Mr. Aebersold stated that he wanted to wish everyone a Happy New Year. He said that as part of the Caesars Foundation, the leadership of the city invited the foundation yesterday to come for a presentation to show the foundation what they have done with their money for the years that they have been working with the city. He stated that they presented before and after pictures of new streetscapes that they put in with some of that money and then they toured city hall. He said that they then got into vehicles and toured some of these places such as E. Market Street, the riverfront, the skate park, Loop Island, Silver Creek Landing, the facades on State Street buildings and all of the different places that they did things with help from Caesars. He stated that it was really good and he thinks they were really impressed with it, they really enjoyed it and a lot of information was given which is good for us. He said it is great to have someone like that to help our community because not everyone has that. He then said that he is going to mention this next item every meeting until something gets done. He stated that he noticed the other day that a New Albany/Floyd County Consolidated School Corporation van was parked right where you couldn't see the pedestrian crossing and caution light. He said that he goes down that street everyday around 8:30 a.m. and it is parked there all of the time. He stated that one day it was parked a few spots back and you could see the caution light then. He said that his idea originally was to eliminate the parking spot close to the intersection so drivers can see those lights flashing and let people cross the street.

Mr. Applegate congratulated Mrs. Collier and stated that it was an honor to sit in that seat and he expects great things to come. He wished everyone a Happy New Year and said that he wanted to give kudos to the snow crew, road department, police department and fire department because he knows there were a lot of calls when it was cold and he thought everyone did an excellent job. He stated that he wanted to thank all of the other organizations that helped people as well. He said that he knows the white flag staff did a great job with making sure all of the needs of people were met during those cold times.

Mrs. Collier stated that she just wanted to thank everyone because she is so proud to sit in the president's seat to lead the council this year and that it was an absolute pleasure working with Mr. Applegate during the past year. She said that she is looking forward to working with Mr. Aebersold in the upcoming year and she is so thankful that they have some bipartisan leadership and it shows that they can work together. She then wished everyone a Happy New Year.

COMMUNICATIONS – MAYOR:

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

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

Mr. Applegate stated that he was a part of two different committees that met since the last council meeting. He said that one was the public health and welfare committee and they talked about the funds from the opioid settlement and found that a big priority is making sure that if our police department or any other department wants to carry Narcan or anything like that, we will cover those expenses if there are any costs for storage or modification. He stated that would be an ongoing thing and they also talked about groups that are in New Albany that help people and possibly giving them small grants, but they would still need to talk to legal to make sure that can be set up. He said that they looked at the potential of working with other groups, such as the health department or another group that would have the potential for volunteer group therapy one or two nights per week. He stated that the folks that would run that group therapy, and the place where they would hold the group therapy, is all up in the air right now and they don't have those details, but it would be a place where people who are trying to stay off opioids could get help and support. He said that if the budget goes well, they would be able to add a night or two depending on the need at that time.

Mr. Turner clarified that this is the Purdue Pharma grant money for the overdose stuff, so it has to be designated to that type of stuff in our city. He stated this is not tax derived and is something that they have to use funds for this reason, and these were the best ways that they could come up with together.

Mr. Applegate stated that they set up the accounts when they did the budget and some money will go to administration because they know there will be some costs, but they are trying to make this where is it cost neutral to the city. He said that this money will go directly to the purpose and if they see that something is working, they can add to it and if other organizations sees that something is working, they can contribute to it. He then stated that the second meeting was regarding the resolution for the ARP funds. He said that when they did have that ad hoc committee meeting, the main thing that they did talk about last time was the legal use for ARP funds. He said that they did talk with their attorneys, and their attorneys talked with the ARP attorneys that have looked over every single expense that was used out of the ARP funds, and their opinion was that these funds could not be used for the reason that the resolution stated. He stated that their attorney also reached out to State Board of Accounts and they received a similar reply from them. He said SBOA said that there is no fund that a city or town has that could fund revenue or profit for this type of situation. He then stated that they have a program that is not completely set up yet and they are working with Isi on the specifics, but without the final details, he didn't want to put something further out there in case they can't get that process closed. He said if they can't, they have other options that they are looking at. He stated that they are looking at all of the business district downtown because they know a lot of people are having trouble with all of the updates that are happening as well as the bridge and other items. He stated that they will have another meeting and they are waiting for a couple of things to fall into place, and if they do, then they will know within a couple of weeks if this can happen. He said with that, looking at the resolution, since they can't legally do it, he would recommend pulling it instead of voting on it because they just can't use the funds for it.

Mr. Turner asked if this is open for discussion now or are they waiting?

Mr. Phipps stated that in light of the legal advice that they received, he would recommend that they just pull the resolution.

Mr. Turner asked if that would have to happen when the resolution comes up on the agenda? He said that you have to table something when it comes up for introduction.

Mr. Phipps stated that they have done it ahead of time so that if there are people here to speak, they don't have to.

Mr. Turner stated that they are here to speak.

Mrs. Collier stated that they will have a chance to speak if they choose to do so, even if it is at the end of the meeting if Mr. Phipps pulls the resolution.

Mr. Phipps asked if procedurally he should pull it now or wait until it comes up on the agenda?

Mr. Turner asked if they are open for discussion on this now because this resolution hasn't been introduced?

Ms. Stein stated that as the sponsor, he can pull it.

Mr. Turner asked if they can discuss it or if it is just pulled?

Ms. Stein stated that it is pulled.

Mr. Phipps stated that legally they can't do it based on the advice of their attorneys, the ARP attorneys and the people of the outside firms that have been consulted on this so they can't engage in something that illegal. He said to all of the business owners that they do have his sympathy and he tried his best, but they can't do something that is illegal. He also said that as Mr. Applegate did point out, they are working on something with a charitable organization and they will have some information, if not by the next meeting, then at the first meeting February.

Mr. Turner stated that they could have just let them speak and did this all at one time.

Mr. Dickey told Mrs. Collier that they are under council reports and if they want to move on and discuss this at the time that it comes up on the agenda, that would be appropriate but they are getting outside of their bounds by the agenda.

Mr. Turner asked when does the committee speak on the resolution that was brought forth at the last meeting? He asked if it is during the time that the resolution is introduced?

Ms. Stein stated that she was interpreting it as after committee reports.

Mr. Turner asked if the committee members researched INDOT? He asked is it just because this is an INDOT project that they can not do this funding? He is just wondering what was looked at, because he made a call to Indiana American Water which was the project before INDOT got involved, and he is curious to see if their maintenance was delayed due to Covid, which is impacting the businesses, not INDOT. He said that if it was looked into and it's still not legal, that is okay but that is something that he was just curious about because Indiana American Water was the first project. He also said that he has questions about the project itself and who manages it and if it was INDOT or the city. He stated that he would like to have the opportunity to speak in depth about that, and he is sure that the people that signed up to speak about this tonight would like to speak, because it was on the agenda. He asked if it was to be pulled, why did it get put on the agenda?

Mrs. Collier stated that everyone that would like an opportunity to speak will be given an opportunity to speak.

Mr. Turner stated that normally at the end, it is just one-way communication to the council and asked if the council will be able to speak more and discuss it?

Mrs. Collier said maybe not this evening, but in a future meeting.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES:

READING

COMMUNICATIONS PUBLIC: G-23-01 New Albany Building Corporation Lease

COMMUNICATIONS PETITIONER: G-23-01 New Albany Building Corporation Lease

**G-23-01 AN ORDINANCE OF THE COMMON COUNCIL Dickey 1&2
OF THE CITY OF NEW ALBANY MAKING A
PRELIMINARY DETERMINATION TO ENTER
INTO A LEASE BETWEEN CITY AND NEW
ALBANY BUILDING CORPORATION, APPROVING
FORM AND EXECUTION OF LEASE,
AUTHORIZING ADDITIONAL APPROPRIATION,
APPROVING THE ISSUANCE OF LEASE RENTAL
REVENUE BONDS BY THE BUILDING CORPORATION,
AND OTHER MATTERS RELATED THERETO**

Mr. Dickey introduced Bill G-23-01 and moved to approve the first and second readings, Mr. Phipps second, all voted in favor with the exception of Mr. Turner and Mr. Blair who voted no.

Mr. Dickey stated that before them they have the ordinance that completes the packet of legislation that they have been discussing for the better part of six months in different forms and fashion. He said that includes discussions over the last couple of months in which our city staff has been diligent in working to present a finance and funding package. He stated that what they have before them would provide for the new, New Albany Police Department, and it includes a finance agreement, the lease and the general fund appropriations that they have discussed in their budget and finance committee. He said that this essentially would leverage our general fund and a portion of our ARP funds and allow us to construct this new police station, which would eventually be owned by the city, with no lease arrangement and without any tax increases or additional impacts on fees to our taxpayers and citizens. He stated that he thinks that is a tremendous piece of this and really makes it possible and this would also, more importantly, ensure our public safety. He said that it gives the NAPD a facility that is suitable and capable of housing the administrative functions, the training, the evidence storage and the related policing needs. He stated that it also, as the chief has testified, will provide for an assist with regards to recruitment and retention of staff and officers. He said that they have had tours of the current facility, and he knows that all of them has spoken about how the facility is really insufficient for the needs. He stated that when you have taken closet space and converted it for officers' use, and when you have divisions of your department that are forced to utilize space elsewhere, this is not acceptable and is not functional. He said that he is very proud of the fact that this would allow us to provide them a much more comprehensive space to do their work and to keep us safe. He stated that he wanted to make a few more points on how they have arrived at this decision and he wants to be clear with the public on this, because they have looked at other options. He said that in one of the meetings they mentioned the Ekin Avenue property and discussed how retrofitting that facility would be more costly than constructing a new one. He stated that he knows Mr. Blair has talked about other lease space options, and the staff principally lead by Ms. Johnson, has done an additional level of review looking at lease options. He said that very few locations meet the parameters of what is requested and required by the police department, and they also present new problems with regards to access and response time throughout the city. He also said that several of them would also add to the cost to outfit them. He stated that the other thing that he would point out is that if they chose one of those options, at the end of whatever term that we had, our city would not have any facility to show for the money that was invested in it; we would not own it. He said he thinks that would be a fundamental flaw for a city of our size not to be able to have a facility that it owns and operates, can add to or rearrange or work with in the future. He stated that the cost comparisons from other cities that have done similar projects have been presented to the council, and those comparisons have been on par with what they are showing here. He said that there is nothing there that indicates there is some new way that we could do some additional saving, or that our costs are out of line with what these other communities have run into in the last few years. He said that he thinks this is the right thing to do to move our city forward and this is a vote, in his

opinion, that supports our police department and officers and gives them the appropriate house to do their business. He can't think of anything that is more fundamental to a city government than providing for these basic services.

Mr. Applegate stated that this first came about early-to-mid year last year and they have had quite a few meetings by the police committee and the safety committee about it. He said that there were some ongoing conversations that involved redevelopment with looking at the different areas and investigating Ekin Avenue and other options. He stated that they had the needs assessment done by the police department, and he agrees that the police department is a fundamental piece of our city, as well as the fire department and the street department. He thinks this is only available because of the work that has been done with our sewer utility, and getting our ducks in a row, and that is exciting. He said that they have the opportunity to put this into play and not have to raise taxes or anything like that. He also said that you see a lot of areas around us that are going through sewer issues now and having to spend quite a bit of money. He stated that he thinks they are getting a quality project for a quality department and it's needed.

Mr. Aebersold stated that he agrees and he wasn't crazy about going through another building corporation to handle all of this, but after looking through all of this, he sees why it has to go that way and that's fine, he agrees with it. He said that as a small business owner he wouldn't do it, but as a city, you have to do things like this and if you stop to think about how much money we have put into the city/county building for the police department, we have nothing to show for it. He stated that for some businesses or groups, that may be fine, but he doesn't think it is good for the city and if we have money to do the bond issue, in 15-20 years, we will have something. He said that after looking at some other areas and repurposing other building and so forth, it is a waste of time and money. He stated that it may work for a while, but there is a lot more to that kind of stuff, after you get into it, than what you think there would be. He said that they can just build what they want and what the police department wants as far as size and different areas and not have to operate out of a closet, so he thinks this is a great idea. He stated that in 5-10 years from now, you will still have what you want and if it has to go bigger, that is another issue, but for now, this is a smart way to go for the city of New Albany.

Mr. Phipps stated that he concurs with what Mr. Applegate and Mr. Aebersold said and that he was on the committee as well. He said that he knows they started early last year talking about this and they looked at a couple of different sites and originally, he thought that Ekin Avenue would be a good one because it is centrally located, close to New Albany High School and literally on the edge of his council district. He stated that the more they started looking at the logistics of moving the offices around town to that location, it really became not feasible and when you get into old building renovations like that one, the costs can escalate and it can take a lot longer to get the project done. He said that the location that was chosen makes sense because it is right next to the sheriff's department, the jail and the courts. He also said that it is close to the expressway so they can literally get to anywhere in New Albany within a short period of time, and it is in our downtown and he thinks those types of buildings should be in the commercial district of downtown. He stated that he hears the arguments that people make for leasing space, but government buildings need to be owned by the people and he doesn't think that at any time in the history of New Albany we ever leased a fire station. He said that we've always built fire stations for the crew and the equipment and we have never had a free standing, city owned police department and he thinks it is time that we do that. He stated that when you build it from scratch, you can make it efficient and cater it to specific needs, but if you have to go retrofit into another area, it becomes more difficult and if we are leasing, at the end of the lease, you have pretty much wasted it and you don't own a building. He said that he concurs with what Mr. Applegate, Mr. Aebersold and Mr. Dickey has said and he is excited to move forward with this.

Mr. Turner stated that he does respect everyone's opinion and he does believe that the state of the police station as it currently stands is in a state of disrepair, and it was eye opening to go in there and see what they have to work in and he was shocked. He said, however, they did see options for Ekin Avenue but it seems like it was an option to redo the whole entire thing, and he would like to see options like meeting space at Ekin Avenue and training space at Ekin Avenue. He then asked if we could we move admin to city hall because this is a massive building? He said that option was never brought

forward to them and he doesn't believe that he has seen the lease stuff and he would like to see that before their final vote if he could. He stated that we are going to pay \$12.7M and then after interest it will be another \$4.5M by the time 15 years is up, so that is \$17M just to shift it across the street. He then said that all governments have a really bad track record on how they maintain their buildings and he can think of a few buildings in our city and county that are in disrepair and are being torn down now. He asked if they were going to be doing this again in another 50 years? He also thinks that this is the worst time to build something new because inflation is near an all-time high but beginning to come down. He stated that building material costs are almost at an all-time high, but it is also trending down now, so he asked if it would hurt to delay another six months or a year? He said that a big issue that he also has is that he knows the relationships between the city and county are probably never going to be repaired and it doesn't really matter who is to blame. He stated however, we have a sheriff who was a 30-year police officer in the city and we have a city councilman who is now a commissioner, so if there is ever a time to repair the relationship, this is a very good time. He stated that it is a good time to be optimistic and if it takes a little time and doesn't work out, inflation is going down, building material costs are going down, and this could save the city of New Albany some money. He said from an ethical standpoint, the people out in the fringe do bother him, because they are paying for sewer rates and they are not getting full-time police service, but they are going to pay for a police station through their sewer. He stated that there is something wrong about that, and that is a dilemma that he has because he can not imagine making someone pay for services that they are not going to be rendered unless there is a real emergency and a mutual aid situation. He said that as for when people come to the city and use our services, a good police department is something that you want to be safe in a community that you are visiting, but that is not something that should be footed by the sewer service to the people that live in the fringe area. He stated as far as the building increasing public safety, buildings are just buildings and they are not intrinsically policing neighborhoods. He also stated that the comment that Mr. Phipps made about fire departments is a great comment, but he would wonder if it is easier to make office space for a police department, because a fire station is a very specialized building. He said that our police do need something and he would like to see them have their own facility if it is right. He stated that there is nothing wrong with waiting right now, it is trending that they should wait, and at the end of the day, he would definitely like to see options A, B, C, D and E and see what they would get with each option, but he hasn't seen these options that the other members are talking about except for the packet that they received. He then said that city hall is already secure and it would be a great place for some police department admin because it is three times the size than we had with the county. He stated that none of these options might be the right one, but the fact that they haven't seen those and decided is scary to him because he doesn't just take anybody's word when it comes to taxpayers' dollars.

Mr. Blair asked if we have the ability to refinance the bond issue?

Mr. Zoeller stated that there will be redemption provisions in the bond resolution that the building corporation will pass and that will depend on the pricing and the prevailing market conditions at the time that they price. He said that typically Mr. Berry from Crowe can give you an indication of what he has seen in the market, maybe on call features for refinancing.

Mr. Tim Berry, Crowe, stated that they anticipate that the bonds would be issued for not-to-exceed 15 years with a call provision typically around the seven-year mark. He said that typically, if you have a call provision earlier than that, you will be paying additional costs and interest, but that is certainly something that they will continue to monitor within the marketplace as they get closer to pricing.

Mr. Blair stated that if interest rates go down, which historically they have been lower than what they are now unfortunately, it will probably be seven years out before we can lower our interest rate.

Mr. Berry stated that actually, interest rates right now are very competitive with historical rates and what we have come out of in the last five to ten years is unprecedented low interest rates that are typically not normal within the marketplace. He said that we are in a more normalized market interest rate period at this point in time but

it may seem high for many because of what we came out of, but it certainly is normal compared to what we have seen in the municipal marketplace.

Mr. Blair stated that unfortunately in the last six months, rates have drastically increased because he calculated them asking for a maximum interest rate of 6% and that would have been about \$4.6M over the 15-year period and that is a lot of money to borrow \$9M. He said that we talk about expenses that we will never recoup; we will never recoup that \$4.6M.

Mr. Berry stated that what they are seeing now within the marketplace today is much more competitive, and the interest rates have been more competitive over the last few months than before that, but it is uncertain what will happen within the marketplace between now and the time they would price. He said that is why you have the higher not-to-exceed within the bond ordinance. He also said that typically it is a much higher advertised rate that they would expect to see because of the uncertainty between the time that you adopt the bond resolution and the time that they actually price the bonds.

Mr. Blair stated that he understands, but by passing this ordinance, they are giving the authority or approval to go up to 6% interest rates so that is what they have to assume because that is what is in the ordinance. He said that the second question that he has is around the cash funding. He stated that when they did the work session, we had \$1M coming from the PILOT and he noticed that was changed to \$2M coming from the city's general fund and \$2M coming from ARP and \$0 upfront cash from the PILOT. He asked what the reason was for that change?

Mr. Berry stated that according to the statute with respect to the PILOT 36-9-23-25d9, the amount of money coming from a PILOT is required to be deposited into the municipal's general fund and so those are general fund dollars that would then be making that contribution directly to the bond payment. He said certainly it is anticipated that the PILOT will be making up to \$1M payment over the next 15 years annually, but the actual PILOT payment must go into the general fund of the municipality.

Mr. Blair stated that \$1M is coming from our approximately \$3M cash balance and the other \$1M is actually coming from the sewer department.

Mr. Berry stated that you are making a \$2M contribution of available funds from the general fund of the city.

Mr. Blair asked if we are dropping the cash fund of \$3M down to \$1M?

Mr. Berry stated that he doesn't have the general fund balance right now.

Mr. Blair stated that is a pretty important point because we have a cash reserve and we have commitments. He asked if anyone has done a short-term cash flow to make sure that we can meet our obligations over that period with \$1M? He said that as he recalls at the last meeting, you all are concerned about dropping it to \$2M and now you don't know if it will go down to \$1M or not.

Mr. Gibson stated that is not correct. He said that the PILOT money that they have referred to goes into the general fund and \$1M of what you are seeing there is part of that next year. He also said that \$1M is using the general fund cash balance and funds that they have been able to accumulate, which is actually about \$3.5M at the end of the year, so that will make the cash balance in the general fund about \$2.5M.

Mr. Blair stated that he understands and just wanted to get clarification on that. He then said that he does agree that we do have a need for a new police station, but he feels that we owe it to our taxpayers and to the citizens of New Albany to get the best value. He stated from his understanding, we didn't look at any other options until the last two weeks and that is because he mentioned, so we ran out and looked at a couple of different facilities around the city. He said that we never made a conscious effort to see what is available, what are the costs associated with it and really do our due diligence to make sure that we got the best purchase for the citizens. He stated that we settled on one project and one site, which was someone's pet project and we never took the opportunity

to see what was available and we had a whole year to do that and he just thinks that is not the way you are being a good steward of taxpayers' money. He said second of all is the enormous cost of this project because when you add interest to the \$13M cost of the project, that is \$17.6M over a 15-year period and that is almost twice of what city hall cost us. He stated that he gets it because materials have gone up and interest rates have gone up, but still \$17.6M is a lot of the citizens' money to spend without doing some due diligence to make sure that we are spending it wisely. He said that we are looking at about a \$900,000.00 bond payment and right now we are paying \$125,000.00 in rent, so that's \$775,000.00 per year for 15 years in additional costs. He stated that is a lot of money and if you look at what we could do with that, it is pretty substantial and we don't have to put all of our money into that building and should look at alternatives or ways to reduce the cost of the building and reduce our commitment per year. He then said that as far as the sewer utility goes, he hates to mess with something that is already working because it is doing well and sustainable and now, we are going to put a \$1M commitment per year upon the sewer utility. He asked if we are doing that well in the sewer utility, why don't we simply just lower sewer rates? He stated that our rates are high so let's just give it back to the sewer users because we don't have to take their money and we sure don't have to use it to spend on brick-and-mortar real estate for something that is not in the sewer works. He said that when he looks at the facility, he only sees about 15 permanent offices in that building, so that is a pretty expensive building for only 15 people to have permanent work spaces. He stated that most of our officers are on the street, making their rounds and working out of their cars. He said if we are thinking about retention and recruitment, let's make sure that we have good equipment, they are safe, they have good cars, they have appropriate training, possibly a retention bonus or maybe a sign-on bonus, etc. He said to him, those are the kinds of things that you look at if you are looking at recruiting officers, not a building that may take up to two years to build because to him, that is just a long timeframe and lot of money. He also said that to him, when you look at the enormous cost of it and the fact that it is coming out of the sewer utility, it is just a bad deal for the citizens of New Albany.

Mrs. Collier stated that after Police Chief Bailey took them on a tour of the current police station, some of the conditions of what our officers, that are protecting our citizens and our city, have to operate out of is really concerning. She said that this does have some urgency in her opinion and at the end of the day, when this is all done and paid for, it is a building owned by the taxpayers of the city and an asset to them. She then stated that she plans to go with Mr. Applegate's suggestion to have things go on to committee between readings and she wants to send this to the police committee.

Mr. Turner asked if we are tabling it or sending it to committee without a vote?

Mrs. Collier stated that they will still, vote but she is just saying that in between votes she wants it to go to the police committee. She said that they will have the first and second readings and then go to committee before the third reading at the next meeting.

INTRODUCTION OF RESOLUTIONS:

COMMUNICATIONS PUBLIC: R-22-13 "Main Street Revival – Survival Fund"

Mr. Dan Hardesty, 2306 Frederick Avenue, stated that much like this agenda, his notes are pretty well shot too, so he will be winging it off of the cuff. He said that one of the words that enters his brain here is shoehorn, because we are looking at shoehorning a lot of these things in that you guys want done. He stated that you are giving up \$4.6M in interest to get a new police station that you are not even sure that you really have to have. He said that everyone says that their eyes were really opened when they toured the current station and saw it. He then asked everyone if they have walked Main Street or shopped Main Street? He told them to open their eyes on that. He added that it seems kind of tone deaf. He stated that as a citizen of this city, we gave a \$52M tax abatement to a business last meeting when we only asked for \$500,000.00 and at this meeting, we are talking about spending \$17M on a police station. He said that 2023 is an election year in New Albany and he is thrilled, because everyone needs to hear what this council says and what these citizens have to say. He stated that people want to take credit for businesses being created and jobs being created but the reversal of that is also true. He

said that you have got to be able to take the criticism for businesses being shut down and jobs lost. He stated that people get really creative when it is a project that they want to see done and they will find ways to get it done. He said legally, it's all about how you word things and how you figure out avenues. He stated that they were told that the council looked into the ARP funds and was told that they couldn't use those but what about other ways to fund these businesses? He said that everyone has talked about that we can't do this, but what ways have you looked into? He stated that he just looks at the optics here and he thinks to himself, I work with these folks and I see them on a daily basis, but aside from these meetings, he really hasn't seen hardly any of the council members. He said that no one has come down and talked to them to find out how things are going. He stated that he has seen Mr. Turner, Mr. Applegate and Mr. Phipps but no one has asked what they can do to help, or to help ease some of these struggles. He said that he is at a loss for words which is rare for him and he has written a lot of stuff down but none of it matters right now. He stated that the only thing that he can keep coming back to is that 2023 is an election year in New Albany, and whether that is a positive outcome on this or a negative outcome, he hopes everyone remembers which side you were on, because you had the opportunity to do what is right or the opportunity to turn your back on these people. He said that if you want it done, you will find the money, he promises.

Ms. Stevie Carper, New Albany Sugar Shop, 56 Pearl Street, she stated that she is kind of in the same boat as Dan because she had a bunch of stuff written down that she planned to talk about but it all got shot tonight, so thank you very much, not really. She said that it is an election year and she would like for the council members to keep that in mind too. She stated that they are suffering in downtown New Albany. She said that she did her numbers just from today and last year on this exact same day and she had a 66% loss and she is open an extra two hours. She stated that she is open nine hours a day, six days a week trying to survive and she is not getting any help from the city or the city council members. She said that Dan is right, she doesn't see their faces coming into her shop. She stated that she sees Mr. Turner but she doesn't see any others coming in to support them. She said that they are not coming in to ask what they can do to help because she has a lot of ideas and she is not just asking for a check. She suggested billboard campaigns, and said that city could really use money to support the businesses with real advertising, such as television advertising. She said not social media because they can all do that themselves, but the ARP money can help them with that because she did look into that. She suggested putting a billboard out that just says "Shop Downtown New Albany" right before you get across the bridge. She said she is not asking for much, and while the city is killing their businesses, they would like to try to get some more foot traffic down here. She also said that the only sign they have down here is a sign for the casino and it is pointing in the wrong direction. She stated that she is just at a loss for words tonight because she was really hoping for some good news. She said that she didn't even qualify for the ARP money, so zero dollars would have come to her shop. She stated that she started her business during Covid, and there are a few businesses out there that got \$15,000.00 or \$20,000.00, but she is not one of them and it hurts really bad because her business relies on foot traffic and the city has taken that away from her.

Mr. Andrew Nicholson, 128 E. Main Street, stated that he had something nice written until this resolution got pulled so he thinks the key word today will be transparency. He said that it is very symbolic that the council members' backs are to the city of New Albany right now. He stated that it is symbolic and literal, and they are all watching it so let's be transparent. He said that the committee that pulled this was recently put in by the former president of city council last year to do exactly what it did today. He stated that it was to silence them and not give them a chance to talk. He thanked President Collier for giving them that chance tonight. He said that this committee is taking the power away from the people who elect them, and the president can pick who is on the committee, which takes away the power from the people who elected them. He stated that in full transparency, just tell the truth. He said that they would rather see the money go to \$17.5M than the people who actually built the city. He stated that he has lived at his place for 12 years and he has watched small businesses take out home equity loans and he has watched small businesses come and go. He said that the last time he talked to the

chief of police, he called him himself and said “we have a recruitment problem, we can’t get any officers here and he didn’t know why he was mad about the electric vehicle because they can’t even get police officers”. He asked how come they are not trying to hire more police officers? He asked if they wanted to make it Mayberry because it is a war zone outside. He stated that if they want to take a walk or a tour, do it right out front, but their backs are turned to it and the city has seen it today.

COMMUNICATIONS PETITIONER: R-22-13 “Main Street Revival - Survival Fund”

R-22-13 Resolution Petitioning for the Designation of Phipps
\$500,000.00 of American Rescue Plan Act (ARP)
Funds for Certain Downtown New Albany
Businesses Negatively Impacted by the Main
Street Renewal Project (i.e. Establishing a
“Main Street Revival-Survival Fund”

Mr. Phipps asked if he has to introduce it to pull it?

Mr. Turner stated that he would like for him to introduce it so they can discuss it.

Ms. Stein stated that if it is introduced then you have to vote on it.

Mr. Phipps stated that he doesn’t want to introduce it and have to vote against it because he was the sponsor. He also stated that he is sympathetic to the downtown business owners and he would rather give money to them, than the large corporations in terms of tax abatements, but legally they can’t do it. He said that the city doesn’t have any funds that the council can use to give to businesses. He stated that as Mr. Applegate mentioned, they are looking into a charitable organization locally that they could possibly give some money to, that could then be given to the business owners.

Mr. Turner stated that there is no explanation needed, he can just pull it.

Ms. Stein stated that he can explain why if he wants to.

Mr. Phipps told Mr. Turner with all due respect, he has explained why he voted how he did on different things and he thinks that is fine, so he wants to explain why he is pulling this. He said that he is very sympathetic with the business owners but he has no choice but to pull this which he is now officially doing.

BOARD APPOINTMENTS:

Mrs. Collier stated that she is going to keep with the practice that Mr. Applegate had with sending things to committee in between the readings for legislation. She also stated that she is pretty much going to keep most of the appointments the same, but as she lists the appointments, she is also going to list a designated chair for each committee and that will be the go-to person. She said that when something goes to committee, they will be responsible for setting up the meeting for that committee and also for giving the committee reports for that specific committee.

STANDING COUNCIL COMMITTEES

BUDGET & FINANCE – Council as a Whole
DEVELOPMENT & ANNEXATION – Council as a Whole
RULES – Dickey, Phipps (Chair) & Knable’s replacement
PUBLIC UTILITIES & TRANSPORTATION –Dickey (Chair), McLaughlin &
Blair
POLICE DEPARTMENT – Applegate (Chair), Phipps & Aebersold
SCHOOL & LIBRARY – Collier (Chair), Applegate & Turner
PUBLIC WORKS – Dickey, Collier (Chair) & Blair

**PUBLIC SAFETY & TRAFFIC – Applegate, Phipps (Chair) & Aebersold
FIRE DEPARTMENT – Applegate (Chair), Phipps & Aebersold
PUBLIC HEALTH & WELFARE – Collier, Applegate (Chair) & Turner
AD HOC COMMITTEE FOR ARP – Applegate, Dickey (Chair) & Aebersold**

Mrs. Collier requested a confirming vote on the appointments.

Mr. Dickey moved to confirm the appointments, **Mr. Phipps** second, all voted in favor with the exception of **Mr. Turner** and **Mr. Blair** who voted no.

Mr. Turner stated that the appointments do not require a vote.

Mrs. Collier stated that she can request a confirming vote for them and that is what she has done.

Mr. Turner stated that it is the same board appointments again and that **Mr. Aebersold** and **Mr. Applegate** get the majority and he doesn't see **Mr. Blair** or himself on many of these assignments. He said that he thinks they should be mixed up a little bit, just because they bring a difference of opinion and a different expertise, and could really bring a lot of value to the committees. He stated that once again, they have been removed from these council committees as they have been in years past.

Mrs. Collier stated that they are welcome to attend any committee meeting at any time.

Mr. Turner stated that is why he will vote no on these appointments.

COMMISSION & BOARD APPOINTMENTS

**CAESARS BOARD – Aebersold & Applegate
ONE SOUTHERN INDIANA, Applegate & Claire Johnson
PLAN COMMISSION - Phipps
NA BUILDING CORPORATION
ZONING APPEAL BOARD – Max Gosman
DEVELOP NEW ALBANY - McLaughlin
SOLID WASTE - Dickey
PARKS & RECREATION - McLaughlin
URBAN ENTERPRISE – Maria Schmidt, Morgan Sprigler & Phipps
REDEVELOPMENT – Collier & Dickey
ECONOMIC DEVELOPMENT - Blair
BUILDING COMMISSION - Dickey
ANIMAL CONTROL - Collier
HEAD START
HUMAN RIGHTS
HISTORIC PRESERVATION – George Budd
TREE BOARD – Dave Barksdale**

Mr. Dickey moved to approve the above appointments, **Mr. Turner** second, all voted in favor with the exception of **Mr. Turner** and **Mr. Blair** who voted no.

Mrs. Collier stated that there is another appointment that needs to be made to the Historic Preservation and that will be revisited at a later time. She said that appointments to the Human Rights Commission and Head Start will also be revisited at a later time.

Mr. Turner stated that redevelopment is completely partisan again and for the last three years we have had two democrats appointed from the council, and out of the last three years of redevelopment, there has not been one single “no” vote. He said that he has counted it up and it is something like 2,000 votes between the five people. He stated that this is not the voice of the people.

Mr. Blair stated that he probably has the best qualifications and the most qualifications for redevelopment. He said first of all, he no longer has an employment conflict on redevelopment and he has an MBA (Master's in Business Administration). He also said that he has been a banker, a commercial lender, dealt extensively with commercial real estate, worked with businesses, worked with financing and has been on the council for 11 years. He stated that he would appreciate the opportunity to be on redevelopment because he has a lot to offer and he would maybe have different opinions at times, but he thinks that is good. He said that he just wanted to let them know that he would appreciate that appointment and would appreciate it if that change was made.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:29 p.m.

Jennie Collier, President

Vicki Glotzbach, City Clerk