

**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 WEDNESDAY, JULY 5, 2023  
AT 7:00 P.M.**

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

**ALSO PRESENT:** Mrs. Fischer, Ms. Johnson, Mr. Hall and Ms. Milburn.

**CALL TO ORDER:** President Collier called the meeting to order at 7:00 p.m.

**INVOCATION:** Given by VFW District 8 Chaplain Darrell Neeley

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mrs. Griffith moved to approve the Regular Meeting Minutes for June 15, 2023 as amended, Mr. Phipps second, all voted in favor.**

**COMMUNICATIONS – COUNCIL:**

**Mr. Dickey** stated that the 4th of July Celebration was successful and the weather helped with that. He gave a shoutout to police, fire and other emergency services and added that he believes there was one injury down by the playground. He gave kudos to them for always keeping us safe at these functions because it is a lot of people and they helped make it a very successful event. He added that generally what he heard from those down there was that they were pleased. He thanked the Caesars Foundation for funding the event.

**Mr. Phipps** concurred with Mr. Dickey. He reported that the rules committee hammered out the policy on travel and they will have it for them at the next meeting. He asked what is the protocol on introducing this and if it needs to be in the form of a resolution.

**Mr. Dickey** stated that they talked about bringing it as a statement to be ratified by the body.

**Mr. Phipps** asked if it needs to be on the agenda.

**Mr. Dickey** stated that he would think it should.

**Mrs. McLaughlin** concurred about the 4th of July Celebration comments and added that it was a nice event and a lot of fun. She stated that the large crowd was handled well and thanked police, fire and Mr. Hall who she knows is a big part of the event.

**Mr. Turner** stated that he reached out again to the mayor about the Safe Haven Baby Box and when it will be blessed. He added that it is functioning and has been tested, it is just a matter of it getting blessed. He stated that he reached out to those that do the Safe Haven Baby Box and they had not heard anything either last time he checked, so it has gone kind of radio silent and it is important to get it going, especially if it is available so that they can market it and let people know it is there. He explained that he has not received any emails back from the mayor, nor an acknowledgment of his email. He stated that he has asked the city engineer (Larry Summers) about the paving list as he likes to have the list when people ask him what streets are going to be done. He added that he knows they sometimes can't get to every street because of cost but it is a nice to have for people to see. He stated that there was no acknowledgment of email or response so he emailed him again today, but is not above going to the meetings to ask in person. He

explained that traffic calming is still a major concern in our community, and in his opinion is number one, but people are not seeing anything happening and it is becoming frustrating so he hopes they have an update from the board of works. He made note that at the end of the year last year the council voted unanimously to have an update from the board within three months and they haven't had much of an update. He added that he hopes that changes soon because it is critical to the people and something they continue to talk about. He mentioned that he was on Linda, Pamela and Hickoryvale and they have some major concerns about traffic calming and they need to be looked out. He reported that on August 5, the Masonic Lodge will host the Helping Hands Community Outreach. He stated that they are trying to do something new because many people don't know that the Masons exist in the community, even though a lot exist. He explained that they are trying to get as many non-profits as possible and as many people connected to the community as possible to show up from 9:00 a.m. - 2:00 p.m. so that they can show that the Masons are about helping people. He added that it would be a great event to get to and make connections.

**Mr. Blair** stated that at the last meeting he mentioned that he would like to get the letter terminating the agreement with the animal shelter, as it needs to be sent to the county to notify them that they are terminating the agreement and stopping services at the end of the year for the shelter. He concurred wholeheartedly with the comments regarding the 4<sup>th</sup> of July Celebration and added that it has become a real tradition. He stated that the administration and Mr. Hall did a great job with the event. He added that there was a glitch during the event that he doesn't think most people saw, but they handled it smoothly which he appreciated. He stated that there was a huge crowd and that shows how much people like the event.

**Mr. Aebersold** stated that he was sorry to miss the event last night but he did see on email where the planes flew over. He added that he thinks last year was the first time that was done and it was really neat, so he is sure this year was similar. He stated that he did pass this on to a city official a couple of weeks ago and wanted to report it to this body that the water company was working on one of the streets a couple of weeks ago and he noticed that they fixed the situation and laid asphalt, but the problem is that they didn't clean the mess up when they were finished. He added that he has seen this happen off and on where they leave rocks, mud and debris left all around the work area. He stated that the rain came in and washed some of that away but if you don't have the rain, it just sits, which is what it has done at this location so they have rocks and mud piled up in the gutters. He added that they pay employees to run street sweepers but he thinks anyone that digs up the street should be cleaning up right after they finish the work and maybe they can work on something to make sure this happens.

**Mr. Applegate** stated that wasn't able to attend the event last night but has in previous years. He added that he did speak with quite a few that did attend and they mentioned how great of an event it was. He stated that they always see the community coming together at this event and gave kudos to the administration and the Caesars Foundation for helping with the event. He mentioned the hot weather we are having and asked that we all keep an eye on our neighbors as well as those out cutting grass and walking to make sure that they have water. He asked that they not forget about pets as well and if they happen to see them without water, they can bring the animal shelter in to talk with the owners, as it is in our code to make sure they have water and enough shade to be out of the elements.

**Mrs. Griffith** stated that live-streaming has been taken down a little earlier on the city hall website for the last couple of months and asked that they look into this because she does send people there to follow up on the meetings. She agreed with previous comments about the 4<sup>th</sup> of July Celebration and added that they did an awesome job. She stated that it was great to see so many people sitting along the floodwall and watching the kids roll down the hill.

**Mrs. Collier** stated that she enjoyed the 4<sup>th</sup> of July Celebration and thanked everyone that was involved in putting it together as it is always a wonderful celebration. She added that she will reach out to Chief Juliot to see if she can get an update on the Safe Haven Baby

Box and she will check on the letter regarding the animal shelter. She explained that Mrs. Griffith asked for an update on DORA and reported that at this point, the staff has started to work to move it forward and they are communicating with the businesses on the permitting and application process. She added that they will keep us updated as that continues to move along.

#### **COMMUNICATIONS – MAYOR:**

**Mike Hall** stated that Mayor Gahan wanted to express his appreciation for their support of the Shoreline Independence Day Celebration that was a wonderful family-friendly event that was very well attended. He added that they couldn't do it without the support of this body and gave a shout-out to the Caesars Foundation of Floyd County who is a premiere sponsor of the event to help keep it as a free admission event in the city. He stated that this is his 12<sup>th</sup> year helping out and it is rewarding to see it grows every year and seeing the community come together. He added that of the years he has been involved he believes this was one of the biggest, if not the biggest crowd they have seen.

#### **COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:**

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

##### **Ms. Leslea Townsend – Homeless Coalition Annual Report**

**Ms. Townsend** thanked them for having her and explained that The City of New Albany funded the Homeless Coalition in 2016-2017 and they made a commitment at that time to come every year to give an update. She stated that they haven't received city funding in quite some, but she thought it was important to continue to make them aware of what is going on in the community and what they are doing to combat homelessness.

##### **Services**

She reported that they continue to do outreach and are a collaborative agency and are the Regional CoC for Region 13, which consists of the 8 counties of Clark, Floyd, Harrison, Scott, Jefferson, Washington, Orange, and Crawford. She stated that they advocate at the state and local level for the community, agencies, and clients served. She stated that they are trying to funnel funding down from Indianapolis into the community to make sure that the people at-risk get the funding they need. She explained that they had a huge exodus of funding in 2017 and they are still trying to rebuild.

She reported that they do still have the Eviction Prevention/Housing Stability to assist those at risk for eviction or to find suitable and affordable housing and this was something that stemmed directly from Covid to combat the results of the eviction moratorium being lifted, because not one agency would be able to handle the number of clients coming through their doors alone. She added that they partnered with Hope Southern Indiana, Salvation Army, St. Vincent de Paul and many others to keep people stably housed. She explained that the state recognized that this was a continuing issue so they continue to get funding for Clark, Floyd, Harrison and Orange counties.

She explained that they do Benefits Navigation to assist those without insurance and benefits to apply and sustain SSI, SSDI and Medicaid, they continue to do street outreach and the White Flag Program.

She reported that the 2023 Point in Time Count for Floyd County is 56 Sheltered homeless, 39 unsheltered but the official numbers should come out at the end of July.

##### **2022 Successes**

She stated that this is reported as Floyd County instead of New Albany because it is really hard to decipher the numbers as everyone wants county numbers and logged into their system by county. She added that if they have any interest in city numbers, she could probably pull those.

Street outreach and clients moved toward stability: 28 from Floyd County  
Eviction Prevention since 2021 has prevented: 230 evictions from Floyd County  
Since March of 2021 requests for housing assistance: 1,171 in Floyd County  
White Flag 2022/2023 Season: The shelter served 250 unduplicated guests for a total of 56 days.

**Advocacy Efforts:**

She reported that she does go to Indianapolis to advocate to get housing assistance in this area to make sure Southern Indiana is heard. She stated that they are trying to get on boards and make sure that they know this is not part of Louisville so that they stay on their radar.

She added that they are doing agency tours once a month if anyone would like to come learn more about them and they will also provide individual tours if needed. She stated that they will host their annual event on August 24 and there is a QR Code in the packet with more details if they are interested in attending.

**Mr. Turner** asked if she was able to get that packet to them because he didn't receive it.

**Mrs. Collier** stated that she received it late in the afternoon and she just checked to see why it didn't go out and it is sitting in her drafts still as she didn't have Wi-Fi when she tried to send it earlier.

**Mr. Blair** asked if it is correct that they haven't received funding since 2017 because he thought some recent money went to them.

**Mr. Dickey** stated that they were in the first batch of ARP funds in 2021 in the amount of \$50,000.00

**Ms. Townsend** stated that they did receive it and it went directly towards Eviction Prevention Program.

**Mr. Blair** stated that he has been aware of the organization for a long time, and at one time, they were focused more on coordinating services to build some efficiency in the system to place clients into the right agency for help. He added that he didn't hear her speak about that this time and asked if this is something they are still doing

**Ms. Townsend** stated that it is about 50% of what they do, but they had to do a major pivot when Covid hit because they were getting a lot of push back and so they just took on the role of filling gaps to gain trust in collaboration. She explained that their goal is to eventually be the high-level advocacy agency and they still have agency meetings with 28 members where they talk about results to issues. She stated that all of the programs they have come directly from agencies coming together to say they are needed. She added they hope one day they will go away to other agencies, but in order to get to that point, they have to partner together to create change.

**Mr. Blair** stated that the need is so great he is sure it is easy to find the gaps where they can step in but the trick is to transition those programs to someone else. He added that there are a lot of people out in this community doing a lot of good for a lot of people and it becomes about building efficiency in those efforts because he knows there are duplication of service.

**Ms. Townsend** stated that their active goal is to not duplicate services. She mentioned the United Community's platform and explained that this is a communication platform where all the agencies try to recruit other agencies to get involved in so that they can send clients electronically. She stated that this has been a real game-changer and they have just about every agency involved. She added that they have talked with the police department about getting involved so that they can send referrals and they are in contact with schools as well because it really expedites the process.

**Mr. Blair** stated that there is a lot of benefit and wealth in collaboration because it keeps them aware of what else is going on and who is providing other things.

**Mr. Applegate** asked what the temperature is for the White Flag Shelter.

**Ms. Townsend** stated that it is 35 or below and they do not have recourses to be able to do a Red Flag Shelter, even though they would love to.

**Mrs. Griffith** asked how many counties they service.

**Ms. Townsend** stated that the coalition serves Clark, Floyd, Harrison and Scott (when they ask for help) but the Region 13 is Clark, Floyd, Harrison, Scott, Washington, Orange, Jefferson, and Crawford.

**Mrs. Collier** stated that Mr. Turner, Mr. Applegate and herself met to keep the ball rolling on the opioid money received. She reported that they spoke with an agency that they do want to work with and are getting closer to making an announcement about that. She added that when they do get the details set in stone, they will meet again and report back.

**APPROVAL OF CF-1 FORMS:**

Logandarby, LLC on Behalf of Advance Fabricators Inc. (RE),  
Compliance with Statement of Benefits referencing R-14-05

Beach Indiana Real Property LLC (affiliated with NYX New Albany), (RE)  
Compliance with Statement of Benefits referencing R-15-13

Sunnyview, LLC (on Behalf of Chester Pool Systems, Inc.)  
(RE), Compliance with Statement of Benefits referencing R-14-12

Fox Group, Inc. DBA Bruce Fox (RE), Compliance with  
Statement of Benefits referencing R-14-08A

Fox Group, Inc. DBA Asempac, Inc. (RE), Compliance with  
Statement of Benefits referencing R-14-08B

M&M Empire (on behalf of) Integrity Sign Solutions, Inc. (RE),  
Compliance with Statement of Benefits referencing R-16-11

L& D Mail Masters, Inc. (PP), Compliance with  
Statement of Benefits referencing R-19-04

PAAR, LLC (RE), Compliance with Statement of  
Benefits referencing R-19-01

Samtec, Inc. (PP), Compliance with  
Statement of Benefits referencing R-19-07

Sazerac Company, Inc, DBA Northwest Ordinance Distilling (PP),  
Compliance with Statement of Benefits referencing R-18-04

Sazerac of Indiana, LLC DBA Northwest Ordinance Distilling (RE),  
Compliance with Statement of Benefits referencing R-18-04

Sazerac Company, Inc, DBA Northwest Ordinance Distilling (PP),  
Compliance with Statement of Benefits referencing R-20-08

Sazerac Company, Inc, DBA Northwest Ordinance Distilling (RE),  
Compliance with Statement of Benefits referencing R-20-08

Sazerac of Indiana, LLC DBA Northwest Ordinance Distilling (RE),  
Compliance with Statement of Benefits referencing R-21-09

Sazerac of Indiana, LLC DBA Northwest Ordinance Distilling (PP),  
Compliance with Statement of Benefits referencing R-21-09

TG Missouri Corporation (RE), Compliance with  
Statement of Benefits referencing R-21-12

TG Missouri Corporation (PP), Compliance with  
Statement of Benefits referencing R-21-10/11/12

United Investment Group/Urethane of Kentuckiana (RE),  
Compliance with Statement of Benefits referencing R-14-02

United Investment Group LLC (RE) Compliance with  
Statement of Benefits referencing R-18-06

Wallace Family Properties (RE), Compliance with  
Statement of Benefits referencing R-14-13

ZAM Properties, LLC (RE), Compliance with  
Statement of Benefits referencing R-16-06

**Mr. Dickey moved to approve the CF1s with the exception of Beach Indiana, Fox Group, L&D Mail Masters, Wallace and Samtec to hold for further discussion, Mr. Phipps second, all voted in favor. Motion passes.**

**Mr. Dickey moved to approve the CF1 for Samtec, Inc., Mr. Applegate second, all voted in favor with the exception of Mr. Tuner who recused himself. Motion passes.**

**Mr. Applegate moved to approve the CF1s for Beach Indiana, Fox Group, L&D Mail Masters, and Wallace, Mr. Blair second, all voted in favor with the exception of Mr. Turner who voted no and Mrs. Griffith who abstained. Motion passes.**

**Mrs. Fischer** asked for approval for the annual CF1s and stated that the packets include the spreadsheet of abatements along with the resolution for approval. She explained that she would like to go over some numbers with them before opening the floor for discussion. She reported that they have had substantial increases in employees for a lot of the companies that received abatements for the last nine years and those companies have invested \$186,794,594.00 dollars with an increase of 922 jobs since 2014. She stated that this, when put in perspective, is pretty substantial. She added that they did see some projected job increases from Samtec with 206 employees, Sazerac added 300 jobs, Chester Pools has grown by 68 jobs, United Investment Group/Progressive combined has added 30 jobs, and McCrite Milling (ZAM) has added 37 jobs since last year.

**Mr. Turner** stated that several companies have done well and several haven't. He explained that last year he brought the businesses that weren't doing well up to Josh Staten privately, because he wanted to see what could be done behind the scenes before he said their names publicly, but at this time, he will be voting no to those tonight. He added that when they get to voting, he will recuse himself from Samtec like he always does.

**Mrs. Fischer** stated that she does have some information on why some of the numbers are trending down if he would like to hear that.

**Mr. Turner** stated that Beach Mold and Tool had their first abatement in 2015 so they are coming to the end, and at the time they promised an increase of 160 jobs but this year they only have 693, which is a loss of 146 since last year. He stated that the problem with this is that they are coming to the end of the abatement and they have only created 28 actual jobs verses the 160 promised. He added that he didn't bring up Beach last year

because they increased for years but the last couple of years has seen a decline. He stated that he did see the memo that the company anticipates growth in the fourth quarter with the launch of the new SUV lines at the Kentucky Truck Plant and stated that he is concerned those jobs are going to Kentucky and he doesn't care about Kentucky at all when it comes to our tax abatements unless it is creating jobs here. He stated that Fox Group/ Bruce Fox is consistently on the list and have been underperforming since before Covid. He explained that in 2015 they started out with 97 jobs/27 additional projected and they currently have 85 which is 12 jobs lost in almost 10 years, so they are down 39 jobs from what they should have and they have two years to go. He explained that L&D Mail Masters ends in 2024 and started with 85 job/ 4 new promised and they are currently sitting at 78. He added that this is not just this year, but every year. He stated that this was pointed out to the previous economic development director to try to handle behind the scenes, but they have lost 7 which is a net of -11 from where they started. He explained that he is not going to vote no to PAAR because they have a little time left, but they are half way through their tax abatement and have only created 2 jobs out of a promised 20, so they need to start keeping an eye on them now. He stated that Wallace Family Properties started their abatement in 2014 so it is coming to an end and they have only brought 1 of the promised 23 jobs.

**Mrs. Fischer** explained that all of these companies have struggled since Covid and are trying to climb their way back up. She stated that Beach lost two production lines due to Covid and are hoping that this Kentucky Truck Plant Project will put them up where they are supposed to be. She added that as far as she knows, those are supposed to be Indiana jobs.

**Mr. Turner** stated that their abatement is almost over and they lost jobs 2 years after Covid. He added that this was happening pre-Covid as well, so the numbers say this isn't something they should keep going forward with. He stated that he has to say it tonight, because there is no telling when one of these groups will try to come back and some of them shouldn't get tax abatements again if they can't fulfill what is promised.

**Mrs. Fischer** stated that she does understand what he is saying and it makes sense but they also try to look at the investment that they bring into the community, not just the jobs. She explained that a lot of times even if they don't meet the jobs, they are still putting money back in via equipment or additional real estate.

**Mr. Aebersold** asked if they are all still paying taxes each year.

**Mrs. Fischer** replied yes.

**Mr. Aebersold** stated that they got a tax abatement to come in and build their buildings and hire their employees for a certain period on property that they weren't getting anything on anyway, but now they are. He added that they gave them a deal to work with them for 10 years and that is a no-brainer because the city is going to gain on it every year. He added that even though they have had some issues with some of the companies the last 4-5 years, the city is still making their money. He stated that the jobs are something that you really can't count on because of issues like Covid and shipping delays that will affect those jobs in a heartbeat, they are still taking care of their commitment to the city as far as the tax abatement goes. He added that sure they would like them to keep up the 90 jobs+ because it helps everything else in the community, but as far as making this kind of a deal with those companies, they haven't lost anything as far as tax money goes by offering it to them. He added that by staying with them and cooperating through the entirety, maybe they will pick up another 10 or 100 jobs next month, you never know what is going to happen. He stated that the jobs numbers aren't something you can count on for sure and it could happen to any company, but as far as the city goes, he thinks they are fine to keep helping them out.

**Mr. Applegate** stated that he does understand what Mr. Turner is saying and they want to see the job projections pay out but business is tough to forecast especially jobs. He added that if they have to raise salaries to be able to get employees, they might have to hire less people but all the taxes before the abatement are all the same so it is captured.

He stated that once the new things are added that they abate, that is what the abatement is for and everything that came before stays the same. He added that when he is looking at performance, he tries to look at more than what they see on the table because there are things that they can do to be better about checking in on them to urge the performance along. He stated that ultimately when they have a tool for a company that is willing to invest in the community and they are only looking at the spread, the spread is a risk in any business. He reiterated that it is hard to predict business 10 years out, especially with the way technology progresses, but that doesn't mean that the abatement program doesn't work and that they can't hold them to standards. He said that the projections aren't a perfect standard and after the abatement is over it amounts to a project added that keeps going year after year. He added that he would love to see these projections work out for everyone, but if they don't maybe they look at other factors like if they have raised their hourly wage and then check in to see what they can do to help them. He stated that abatements are important to bringing and keeping businesses in the community and if they lose one because they denied their abatement, they just lost a lot more than what they've been able to give.

**Mrs. Fischer** stated that it is a great tool to keep businesses in New Albany because overall they have seen 641 added jobs for the community and that is a lot of jobs.

**Mr. Turner** stated that is basically because of two companies.

**Mrs. Griffith** asked about the standards for abatements and a policy handbook that was referenced in Indiana Code and asked where she can find that.

**Mrs. Fischer** stated that the Department of Local Government Finance has all of the abatement information and the city is in process of getting the data together to go on the website.

**Mrs. Griffith** stated that it is hard for her to look at the numbers and know the history. She added that there doesn't seem to be a lot of consistency and asked if they fill these forms out yearly.

**Mrs. Fischer** explained that when a company applies for an abatement, they submit a SB1 form and that is where they collect all of the information, and they have to be in compliance yearly for the length of their abatement. She added that the CF1 is the compliance form and what they have to turn in on an annual basis.

**Mrs. Griffith** asked if that changes every year.

**Mrs. Fischer** stated that it can.

**Mrs. Griffith** asked if they are supposed to file these because some of them were stamped where they were filed with the assessor.

**Mrs. Fischer** stated that the "received by" stamp is just where they come into the office and they are stamped on the day they come in because they do have to be submitted to the auditor's office by May 15.

**Mrs. Griffith** stated that she is just looking for more consistency on what they can look at as some are dated 22-23 and some 23-24 and she couldn't find any correlation between the personal and real estate.

**Mrs. Fischer** stated that what she should be seeing is 22-23 with 2022 reporting numbers payable in 2023.

**Mrs. Griffith** stated that some of the numbers are exactly the same and others go into detail. She asked what the difference is.

**Mrs. Fischer** explained that if the numbers are more, it means they invested more and spent more money and if it is less, they didn't quite meet the projected investment.



**Mrs. Griffith** stated that some listed exact same number.

**Mrs. Fischer** stated that they may have hit the number right on.

**Mr. Griffith** asked if there are benefits if they invest more.

**Mrs. Fischer** stated that it is a straight abatement regardless.

**Mrs. Griffith** asked what happens if they don't hit it.

**Mr. Applegate** stated that the new project will only be assessed on whatever investment they made, so they would only be abating whatever investment was made. He added that they aren't making up the difference if they don't meet the investment, so it is only based on their actual numbers. He stated that maybe the abatement wouldn't have been approved if they knew it was a smaller investment.

**Mrs. Griffith** asked if they do the average over that period of time to see if they have hit the investment.

**Mrs. Fischer** stated that they do not do an average. She explained that the abatement is based on the investment on the SB1.

**Mrs. Griffith** asked if they report the first-year number and if it changes each year.

**Mr. Turner** stated that it can be done for the very first year but it doesn't take into account depreciation or appreciation.

**Mrs. Griffith** stated that she didn't know if it was "upon completion" of the project and that records what they did.

**Mr. Turner** asked what takes them out of compliance according to state statute and asked if jobs not available would be a disqualifier.

**Mrs. Fischer** stated that it could be depending on how many jobs are on a consistent basis.

**Mr. Turner** stated that he was just looking at Beach and they have lost 146 \$15/hour jobs and that is \$4.5M worth of salary and they have a tax abatement of \$8M. He added that it has been his experience on council that they always say yes to these and they have to decide on these based on job projection. He explained that he always looks at this in terms of does this growth require an abatement because he will say yes to a new company coming in and adding a 30 square foot warehouse and he will say yes just about every time, but if it is an addition that is natural growth like Sazerac, he will say no. He stated that if they continue to say yes to everything, they are setting a precedent where they are allowing this to happen, and trend-wise, all the ones mentioned tonight with the exception of Beach have been trending this way for a while. He added that he can see the arguments for either side but these are brand new and even though it is at the end of the abatement, it is at a point where he can't allow it to continue to happen.

**Mrs. Fischer** stated that the majority of the ones that are down employees will be done in a year or two.

**Mr. Turner** stated that some have lost jobs from where they first started and that is a problem.

**Mr. Dickey** stated that this gets back to the discussion about economic climb. He explained that they consistently hear from businesses right now how difficult it is to hire. He stated that in the industry he is in, he could hire 10 more people tomorrow if they had employees readily available with the right skills. He explained that it seems like this climate is part of the problem for the ones on the list that are down. He added that he

recognizes that this might not be the full problem, but it is part of it and they also need to recognize that industries change over the course of 5 to 10 years and things that they had or did 10 years ago are much different. He asked with regards from what they are seeing in general with the economy, what they are hearing from partners like 1Si and what they are seeing with these abatements is the hiring market is part of the problem and how big that impacts the ones that are underperforming.

**Mrs. Fischer** explained that there are several such a Fox Group that were losing a lot of employees because of retirement. She stated that because it is a very special field and talent to be able to do the job, they haven't been able to find the people able to do that type of work so they are now cross-training existing employees and increasing pay. She explained that L&D had the same issue and has tried every platform available to attract employees and increase wages, but they can't find the people.

**Mr. Dickey** stated that he thinks they need to take that on some level into consideration. He added that he does agree with Mr. Turner that at some point there is a performance factor and whether that be denying future abatement or denying the ones in front of them, he thinks that is a consideration they should have. He explained that he hopes that they take a collective look to make sure where/when possible, they are trying to productively add to the overall economic situation in the community. He stated that from this perspective they do have several successes and he believes that they have to make sure that they work with, and protect as much as possible, the businesses that are in the community now. He added that he doesn't think every circumstance results in market growth just because they are, here because they live in a global economy where people have choices and businesses have choices. He stated that Sazerac had a major expansion planned in Clark County which is pretty close by for residents here to drive, but he wants that business, if at all possible, here in New Albany because that is who they are representing.

**Mrs. Fischer** added that Wallace lost the production line with Honda and that is something they had no control over and she would like them to consider this when making their decisions.

**Ms. Johnson** directed them to page 2 of the CF1 form where it specifically states that this body is voting on whether there is substantial completion and if they find that substantial compliance has not been met, the designated body would send the property owner written notice with a date for hearing no more than 30 days after the notice was mailed. She explained that this would be sent to the county auditor and assessor and based on information presented at the hearing, the designated body would determine if reasonable efforts have been made to substantially comply with the original SB1 and if failure to comply was caused by factors beyond the control of the property owner. She stated that if the designated body determines that the property owner has not made reasonable efforts to comply, they would adopt a resolution to terminate the property owner's deduction, and if they body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or any subsequent installment.

**Mr. Turner** asked what would be considered substantial non-compliance.

**Ms. Johnson** stated that would be a determination made by this board.

**Mr. Turner** stated that they go by investment and jobs.

**Ms. Johnson** stated that they need to also remember that the abatement comes from the assessed value, so this body and the city losing nothing from a tax abatement.

**Mr. Turner** stated that unless it was natural growth that was abated.

**Ms. Johnson** stated that they aren't here to defend these companies, that is a decision of this body, but is important to ask if the end of the abatement is the right time to take away a serious incentive that encourages them and shows that the City of New Albany wants to

be a business-friendly city and encourage that type of investment. She added that overall, they are looking at positive numbers with ~\$186,000,000.00 of investment and an increase of 922 jobs within the city.

**Mr. Turner** stated that is with the exception of lost jobs.

**Ms. Johnson** stated that this number includes those decreases as well, so it is a total of 922 jobs in 9 years which is incredible.

**Mrs. Fischer** stated that the approved abatements have to be to the auditor's office every year by August 1 so that they can meeting their deadline to get them to the state.

**Mr. Dickey** stated that they have had a good discussion tonight and these are something they need to watch but he is sensitive to both the current economic climate and the economic climate they came through with Covid, and because of that reason, he will vote for the 4 that Mr. Turner asked to take into consideration. He added that for the future they do need them to perform.

**Mr. Phipps** concurred with Mr. Dickey.

**Mr. Turner** explained his no vote on the third motion and stated that he believes that there is a difference between new growth and subsidizing natural growth. He stated that they have really set a precedent to where they approve everything that comes before them and sometimes that isn't the best option. He added that when considering these requests, he looks at projections for employment and investment and a lot of them met their projected investment, but because their projected jobs have not hit the mark consistently, prior to Covid on three, he believes they are out of compliance.

**Mr. Blair** stated that he understands where Mr. Turner is at and when a company doesn't do what they are supposed to do there should be a penalty, but the problem with these four is that they are at the very end of their abatement period and action should have been taken before now. He added that abatements should be scrutinized more thoroughly, and right or wrong, abatements become a pretty standard tool across the state. He asked what it would say to other businesses looking to build or grow in New Albany if they see they aren't allowing abatements to go through, because it will be very public if they have to go through a hearing for this. He stated that it would foster a bad environment and could discourage companies from locating here and doing business here. He added that he does look at this collectively and collectively it has been a success and he doesn't want New Albany to be known as an anti-business community.

**Mr. Applegate** stated that it is a little like baseball where you have your best hitters that are meeting all projections and doing a good job, and this is sort of a portfolio of the city and they can help walk along or insert more care and attention to those that are sliding, and things are going in the direction that was projected.

**Mrs. Griffith** stated that she is concerned about the four in questions because of the discussion brought about tonight and she doesn't feel like she is educated enough to vote on them.

**INTRODUCTION OF ORDINANCES:**

**READING**

**COMMUNICATIONS PUBLIC:**

**COMMUNICATION PETITIONER:**

**INTRODUCTION OF RESOLUTIONS:**

**COMMUNICATIONS PUBLIC:**

**COMMUNICATIONS PETITIONER:**

**BOARD APPOINTMENTS:**

**COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):**

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 8:20 p.m.

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Jennie Collier, President

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Mindy Milburn, Deputy City Clerk