

THE COMMON COUNCIL OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WILL HOLD A REGULAR COUNCIL MEETING IN THE COUNCIL CHAMBERS AT NEW ALBANY CITY HALL ON THURSDAY, FEBRUARY 15, 2024 AT 7:00 P.M.

INVOCATION: To be given by ministers of different faiths, if present. If none are present, then a moment of reflection.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Regular Meeting Minutes for February 5, 2024

COMMUNICATIONS – COUNCIL:

COMMUNICATIONS – MAYOR:

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 ORDINANCE FOR FIRST READING:

G-24-03	Ordinance Adding Section 71.31 to the New Albany Code of Ordinances	Blair 1
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Action Taken: G-24-03 was referred to the Public Works Committee.

INTRODUCTION OF ORDINANCES FOR THIRD READING:

COMMUNICATIONS PUBLIC: G-24-01 Coin Operated Amusement Devices

COMMUNICATIONS PETITIONER: G-24-01 Coin Operated Amusement Devices

G-24-01	Ordinance Repealing G-79-737 An Ordinance Regarding Coin-Operated Amusement Devices	FitzGerald/ 3 Phipps
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COMMUNICATIONS PUBLIC: G-24-02 Housing Moratorium

COMMUNICATIONS PETITIONER: G-24-02 Housing Moratorium

G-24-02	An Ordinance of the Common Council of the City of New Albany, Indiana Approving a Temporary Moratorium on the Construction of Non-Owner-Occupied Multi-Family Housing Structures and the Issuance of Permits for Short-Term Rentals	Phipps 3
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INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

- Caesars Foundation Board

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

INDIVIDUALS WITH DISABILITIES WHO MAY REQUIRE SPECIAL ASSISTANCE TO ATTEND THE ABOVE-MENTIONED MEETINGS MAY MAKE THEIR REQUEST KNOWN BY CONTACTING THE CITY CLERK IN ROOM 114 OF THE NEW ALBANY CITY HALL OR BY CALLING 948.5336

**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 MONDAY, FEBRUARY 5,
2024 AT 7:00 P.M.**

MEMBERS PRESENT: Council Members: Mrs. Collier, Mr. Phipps, Mrs. Gohmann, Mr. Blair (Zoom), Mrs. Griffith, Ms. Murphy, Mr. Unruh and President Dickey. Mr. FitzGerald was not present.

ALSO PRESENT: Ms. Stein, Mr. Wood, Ms. Johnson, Mr. Hall and Mrs. Glotzbach.

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

INVOCATION: Given by Reverend Nathaniel Kidd of Second Baptist Church

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mrs. Gohmann moved to approve the Regular Meeting Minutes for January 18, 2024, Mr. Phipps second, all voted in favor with the exception of Mr. FitzGerald who was not present.

COMMUNICATIONS – COUNCIL:

Mr. Dickey stated that there are two items under this portion of the meeting that he will address after council members' comments.

Mr. Phipps stated that he wanted to remind everyone that February is Black History Month, so Happy Black History Month.

Mrs. Gohmann stated that St. Mark's Church is having a health fair on Saturday, February 24th from 10:00 a.m. until 2:00 p.m. She said that they will providing free services for all which include vision testing, free eyeglasses, free blood pressure testing, free body mass index testing, free immunizations, free flu shots, free haircuts and free dental screenings. She stated that they will also have an ASO interrupter and a Bi-lingual interrupter available. She said that everyone is invited. She then stated that the other item she has that is important to District 5 is that Zesto opens tomorrow.

Mr. Blair thanked everyone for their consideration of him doing the meeting remotely but he really has a hard time hearing Mrs. Collier and Mr. Phipps, so he asked if they could speak directly into the mic. He said that he would appreciate that. He then stated that he plans on physically being at the next meeting, and if he does get appointed to the Caesars Board, he will be attending all of those meetings in person throughout the year.

Mrs. Griffith stated that she thinks our fire department has been pretty busy since our last meeting, so she just wanted to say thank you to all of the firemen keeping us safe. She said that we had a couple crazy ones, one being the Cake Ladies. She said that was devastating to that area, so hopefully they will get that back up and going. She said she wanted to thank the street department as well because they are doing awesome with the pothole hotline.

Ms. Murphy stated that she wanted to send out some kudos to Ms. Johnson and her team and the Urban Studies Institute at the University of Louisville as well as to Mrs. Glotzbach for printing off the 88-page report for her. She said that it includes a lot of valuable information on New Albany housing and she appreciates Ms. Johnson getting that to them. She stated that she also appreciates them putting it online so that folks may

view that. She said that a lot of hard work went into that study so she just wanted to say thank you.

Mr. Unruh stated that he wanted to recognize and thank former Councilman and City Police Officer Vernon Niemeier who recently stepped down after volunteering for 55 years on the Harvest Homecoming Board.

Mr. Dickey stated that is very well noted. He then said that he wanted to add to Mr. Phipps's comment that it is Black History Month. He stated that he does think that it is important that we remember our own history. He said that Mr. Bob Mitchell is no longer with us, but he was the first African American to serve on the New Albany City Council. He stated that he was a councilman from 1971 until 1988 and was known for a very studied approach to city business and worked with three different mayors during his tenure on the council. He said that among other improvements during his time, the city developed a new industrial park, constructed new housing facilities and made other critical improvements including additional interstate ramps at State Street in connection with INDOT. He stated that he just wanted to pay a little of history and tribute to Mr. Mitchell for his service and be mindful of our own contribution to Black History. He also wanted to remind everyone that the health department did send to council members a memorandum about the potential for rabies in our wildlife. He knows they shared that with the media as well and he just wants folks to be aware that there have been, particularly in Clark County, some animals that have tested positive. He said to just be mindful of that and try to keep track of your pets to make sure that they are not coming into contact with any animals, and of course, follow good health procedures. He stated that if you believe that you have been bit by a wild animal or another domestic animal that may have been infected, seek medical attention. He also wanted to update the council on the dog issue that Mrs. Griffith and he brought up. He stated that Mr. David Hall did make contact with the owners of the offending dogs and they have undertaken a corrective plan to keep those dogs contained. He said apparently there was some heavy rain and some damage to a fence that may have occurred but that has been corrected. He stated as a reminder if anyone does see anything like that situation, we want them to contact the animal shelter so that dogs, especially any that are threatening, can be taken care of with our enforcement officers at the animal shelter. He then said that Mrs. Griffith brought up the potholes and there is a helpline that's been established for that and he asked Mr. Hall to share that phone number when he gives the mayor's comments so that the public has that. He added that we appreciate all of our good citizens helping us keep the city in good condition by reporting those types of road concerns.

- Approval of Reimbursement for Training / Travel - NEO Conference / Workshop

Mr. Dickey stated that in talking through this issue at the end of the last term, we technically never did a grant of approval for Mrs. Griffith to receive reimbursement, and he wants to make sure that gets documented so that her claimed can be filed with the controller's office. He said that he would entertain a motion to approve of her training for that conference.

Mr. Phipps moved to approve, Mrs. Collier second, all voted in favor with the exception of Mr. FitzGerald who is not present.

- Council Attorney Contract

Mr. Dickey stated that Ms. Stein has been our council attorney since 2017 and has given us notice that she is taking her law practice in a different direction, so she is not intending to renew her contract that expires at the end of March. He wanted to discuss the process and get some approvals from the council tonight with regards to selecting a new attorney. He stated that the way this was handled in 2017 was that there was an advertisement sent to the bar as well as published in the paper that opened up a period of time in which attorneys could submit their applications, at which point those attorneys were brought forward through a work session. He said that the council then interviewed them and asked questions at that work session, and then at the following meeting, the council

undertook a vote to make a selection for the attorney and entered into a contract. He proposed that we proceed with this and handle it as a committee of the whole, and then what he would ask for tonight is the approval for himself and the city clerk to finalize the legal notice to the bar and to the paper, so that it can be published. He said that the work session would then be scheduled once we have had plenty of time to receive applicants. He does think that it would be a good idea to have the work session separate, meaning not the same night as the council meeting in which we would select the attorney, that way it gives everyone time to consider the presentations from the applicants before voting. He stated that he does need a motion entertaining and allowing for that process.

Mr. Phipps moved to grant the clerk and Mr. Dickey the authority to proceed with the process for the selection of the council attorney, Mrs. Collier second, all voted in favor with the exception of Mr. FitzGerald who was not present.

Mr. Dickey stated that he would like to give Ms. Stein a couple of seconds here to make any statements that she would like. He said obviously in making this news, it probably comes as a little bittersweet because we know how good of an attorney she has been for this council.

Ms. Stein stated that Mr. Phipps and Mr. Blair are the only two that have been here longer than her besides the clerk who has been here longer as well. She said that it has been a real honor and privilege over the past seven years to serve the council and she has enjoyed working with so many elected officials. She doesn't think that she understood how important the city council was until she started to get involved with the council, so she will always carry forward with her the important work that the council does. She then thanked the council.

Mr. Dickey stated that we do still have her for a few more meetings so we don't have to say our goodbyes tonight, but she has done a fine job and he thinks that he can speak all of the members in complimenting her service over several years.

COMMUNICATIONS – MAYOR:

Mr. Mike Hall stated that Mayor Gahan wanted to thank everyone for undertaking his recommendation and discussing that tonight regarding the updates to housing. He said that housing is something we have been working for over a decade here at the City of New Albany. He stated that it started a while back in trying to improve and modernize our public housing, and it is now more than appropriate to start making improvements to our middle housing sector. He said that a lot of people think that the American dream begins with purchasing and owning your first home, and we want to give everyone that wants that opportunity new pathways and ways that we can make that dream come true for people. He thanked the council for undertaking that. He then stated that a couple of members mentioned the pothole hotline. He said this is the best way to let us know of areas of concern. He added that the hot mix right now is not open and operating so it is a cold patch solution and those are temporary, so you may report it and it get fixed then in a couple of weeks it may pop out again. He said that the hot mix will be coming online soon for more permanent solutions, but for now, any of those reports certainly help us. He added that the pothole hotline number is 812-948-5352.

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

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

Development & Annexation Committee Report – G-24-01

Mr. Dickey gave the following report:

The report is respectfully submitted following the Development & Annexation Committee's consideration of G-24-01, heard on Monday, January 22, 2024, with

Committee members Dickey, Phipps & FitzGerald present. City Attorney Shane Gibson was also present.

The Committee heard a brief introduction by Council Member FitzGerald as sponsor of the legislation. City Attorney Shane Gibson presented additional information noting the legislation would effectively repeal in total the Coin Operated Amusement Devices Ordinance established under G-79-737. It was noted the current legislation is out-of-date and / or otherwise does not have the same applicability with modern culture and technology and is seen by the administration as difficult to enforce.

Following discussion, by a vote of 3-0 with Mr. FitzGerald making the motion and Mr. Phipps seconding the motion, the Committee recommends the favorable passage of the legislation with no proposed amendments. Said report is on file in the city clerk's office.

Development & Annexation Committee Report – G-24-02

Mr. Dickey gave the following report:

The report is respectfully submitted following the Development & Annexation Committee's consideration of G-24-02, an ordinance approving a temporary non-owner-occupied multi-family housing structures moratorium, heard on Monday, January 29, 2024, with Committee members Dickey, Phipps & FitzGerald present. City Attorney Shane Gibson, Council Attorney Amy Stein, Plan Commission Director Scott Wood, and Economic Development Director Claire Johnson were also present.

Following opening remarks by Committee Chair Adam Dickey, the Committee heard a brief introduction by Council Member Greg Phipps as sponsor of the legislation. Economic Director Claire Johnson summarized information from the recent Housing Study and provided additional information regarding new construction within the City of New Albany. She noted 692 Apartment Units (71%), 189 Single Family Dwellings (19%), and 95 NAHA Public Housing Units (10%) were constructed from February 2017 – January 2024.

Plan Commission Director Scott Wood outlined the process for consideration of a non-owner-occupied multi-family housing structures moratorium and the respective roles the Plan Commission and City Council play in that action. He also highlighted the effective steps the Commission would undertake to review the comprehensive plan and zoning ordinances prior to final Council action of any proposed changes. Members held a short discussion regarding those items and the specific timeline for consideration.

Following discussion, by a vote of 3-0 with Mr. Phipps making the motion and Mr. FitzGerald seconding the motion, the Committee recommends the favorable passage of the legislation with no proposed amendments. Said report is on file in the city clerk's office.

Public Health & Welfare Committee

Mrs. Collier gave the following reports:

Public Health and Welfare Committee Meeting- January 19, 2024 City Hall Council Conference Room

In Attendance:

Jennie Collier - chair
Louise Gohmann
Stephanie Griffith
Elaine Murphy

The committee met to see whether or not the new members had any other suggestions

that were not discussed in the previous meeting. They did not. The new committee agreed to continue in the same direction as the previous committee.

The chair will organize appropriate people from the community to attend future committee meetings to help us move forward with a program to impact the negative effects of the opioid abuse in New Albany.

No action from the Council at this time.

**Public Health and Welfare Committee Meeting-
January 26, 2024**

Coffee Crossing, 140 E Main Street, New Albany, Indiana (upstairs loft)

In Attendance:

Jennie Collier - chair
Louise Gohmann
Stephanie Griffith
Dr. Eric Yazel - Indiana Emergency Medical Services
Julie Rigerish
Tracy Skaggs

Dr. Eric Yazel joined the committee meeting to explain a possible grant opportunity through Homeland Security for a Mobile Integrated Health program that could be used to offer additional help dealing with the opioid problem in our community. All committee members felt that this grant funding should be applied for.

There was mention of other potential grants through the Indiana Department of Health that can also be looked in to. The chair will review these possible options and update the committee at a future meeting.

No action from the Council at this time.

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES FOR FIRST READING:

G-24-02	An Ordinance of the Common Council of the City of New Albany, Indiana Approving a Temporary Moratorium on the Construction of Non-Owner-Occupied Multi-Family Housing Structures and the Issuance of Permits for Short-Term Rentals	Phipps 1&2
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Action Taken: G-24-02 was referred to the Committee on Development & Annexation.

Mr. Dickey stated that Mr. Phipps filed this legislation and action was taken to refer it to the Committee on Development & Annexation, thus why it is on for a report today. He said that the committee was able to meet in the interim between the time that he introduced it and this meeting's agenda. He stated that is why it is also on for second reading as well.

INTRODUCTION OF ORDINANCES FOR SECOND READING:

COMMUNICATIONS PUBLIC: G-24-01 Coin Operated Amusement Devices

COMMUNICATIONS PETITIONER: G-24-01 Coin Operated Amusement Devices

G-24-01	Ordinance Repealing G-79-737 An Ordinance	FitzGerald 2
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Regarding Coin-Operated Amusement Devices

Mr. Phipps introduced Bill G-24-01 for the second reading, Mrs. Collier second, all voted in favor with the exception of Mr. FitzGerald who was not present.

Mr. Dickey stated that in lieu of Mr. FitzGerald, Mr. Phipps has requested to stand in for him tonight as a co-sponsor and will introduce G-24-01.

Mr. Phipps stated that they met on January 22nd and it was basically a 3-0 vote in favor of moving forward with this. He said that no one attended the meeting from the general public to speak about it on either side.

Mrs. Griffith asked when an ordinance is taken out, is it just deleted and the whole Section 112 is going to be deleted?

Mr. Phipps stated that the section that deals with the coin operated devices will be deleted. He said that he is not sure if there are other things that are covered in that larger section.

Mrs. Griffith stated she just wanted to make sure that is what would happen because there is only one part that had the license required that refers to the Chapter 110.

Mr. Dickey stated that typically when they codify the code again, it will indicate in that section that it was repealed and usually have a notation with the ordinance. He then asked Ms. Stein if she had any additional thoughts on that?

Ms. Stein stated that it will just show that it was repealed.

Mrs. Griffith thanked them for explaining that.

Mr. Dickey stated that this is the second reading and we are agreeing to the committee report and moving this to the third reading, so it will appear one last time on the next council agenda for additional markup and then final passage.

COMMUNICATIONS PUBLIC: G-24-02 Temporary Housing Moratorium

Pastor Gabe Pfefer stated that he is the pastor at Park Christian Church over on Spring Street but tonight he is representing the Ohio River Valley Chapter of Hoosier Action. He said that he just wanted to make some comments on the housing moratorium proposal and the study, and raise some questions that some people have asked us about. He said that we have been studying the study for the last couple of weeks and was pleased to see that it is up on the transparency portal. He stated that this afternoon we met with the author of the study, Dr. Ruther at U of L, because we wanted to dig even deeper into the findings that he discovered. He stated that we know that our country is in the midst of a housing crisis, and in the crisis, the state really hasn't taken much action including not moving on the recent bill that we asked this council to sign at the last council meeting. He stated that we want to thank the council and we are really excited that you are taking this on, and we need your leadership on this because we feel like the state has kind of abandoned the community to policies that could help renters and homeowners. He said that one of the things that is brought up over and over to us is the lack of safe, stable and affordable housing, and of course, around the country we are seeing so many people that are losing home and shelter. He added that we are hopeful that we can be a model city to have a real chance at upward mobility and continuing to help people live out the American dream. He stated that we are just curious about the overall plan moving into the moratorium, and wondering what the programs are that might help first-time home buyers with down payment assistance and things like that. He said we are curious about what the negotiations with the developers are to produce more single-family homes, and kind of what the overall plans for developmental single-family homes are so that they are accessible and affordable to folks in the community. He stated that someone mentioned new pathways to home ownership earlier so we are definitely looking forward to hearing

more about those. He said that we want to thank you for the work that you are doing on the short-term rental situation, because like many communities, there is a lot of concern in the city about how those can limit affordable housing and the accessibility of available home stock for permanent housing. He stated that we are glad that was a priority of this study and something that you all are looking into as well. He said that the study specifically mentioned a short-term rental registry similar to what Louisville has, so we are wondering if that is something that the city might be undertaking to kind of get an estimate of how many of those STRs are actually out there. He added that we see that policy as a great step in the right direction to limit how many houses are just sitting unused. He stated because this updated zoning and comprehensive plan is something that so many residents are interested in and something that affects us all, we know there are a lot of questions in the community about the plans and a lot of players such as the developers, homeowners, landlords and residents, and we hope to see more public process and people having input and being able to kind of have a visual on what the plans are moving forward. He is wondering if there may be the possibility of hosting some kind of public meeting at the library or somewhere where residents could come and understand more about the moratorium and how it can benefit our community. He thanked the council for their leadership and public service, and said we look forward to continuing to work with you as we build a better, safer New Albany and more expanded homes for all.

Mr. Zachary White stated that he is speaking in opposition to this moratorium on multi-family housing construction specifically. He said there is an epidemic of affordable housing across the nation and he believes that this moratorium would not help the situation at all. He understands that the city is looking for some time to revisit the development plan as well as the zoning ordinances, but after hearing about this moratorium and doing some research into similar moratoriums throughout the nation that have been used by other cities for the exact same reason, he has been concerned with the long-term effects that these communities have experienced. He stated that the timelines for the moratoriums have been in every single example that he has been able to find and the effects of availability of these multi-family units into the market has been delayed by anywhere from three to five years, so even though the moratorium says that there will be a one-year moratorium on the permitting, developers are unlikely to come back to the city and break ground anytime soon after it expires. He sent all of the council members an email late last night and one of the major points was the effects that the moratorium would have on the local labor market. He said that developers are the ones that currently have the money right now to build at a large scale and subcontractors are attracted to those contracts. He is a little concerned that if these large projects suddenly exit the market, the laborers will also follow the projects into Clarksville, Jeffersonville or across the river leaving less laborers available here to construct single-family housing in the interim before the city can attract these developers back into New Albany's market. He said that if anyone has any questions about the points that he emailed them previously, they can ask them of him right now. He added that he honestly does not know how that would work and he doesn't know if it needs to be read into the record or anything.

Mr. Dickey stated that unfortunately, he was going to note that it is just comments from the public, and for the record, the correspondence that Mr. White sent was given to the clerk to incorporate into the public record for the proceedings tonight. Said email is on file in the city clerk's office.

COMMUNICATIONS PETITIONER: G-24-02 Temporary Housing Moratorium

G-24-02	An Ordinance of the Common Council of the City of New Albany, Indiana Approving a Temporary Moratorium on the Construction of Non-Owner-Occupied Multi-Family Housing Structures and the Issuance of Permits for Short-Term Rentals	Phipps 2
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Mr. Phipps introduced Bill G-24-02 for the second reading, Mrs. Gohmann second, all voted in favor with the exception of Mr. FitzGerald who was not present.

Mr. Phipps stated that the committee met on January 29th and it was a vote of 3-0 in favor of moving this forward. He said that it went on to the plan commission meeting last week and it was a unanimous vote 6-0 sending this forward with a favorable recommendation. He said that he would like to recognize Mr. Scott Wood if he would like to come up and explain the process. He stated that he knows what it is but Mr. Wood does a better job of explaining it and he doesn't want to leave something out.

Mr. Wood stated that tonight the council will vote on the second reading and at the next meeting the council will vote on the final reading, and if it is approved, the moratorium will go into effect. He said that we will be hiring a planning consultant to assist us with the comprehensive plan update and the zoning ordinance update. He stated that there will be opportunities for council people to comment, there will be opportunities for the public to comment, the plan commission will be involved in a stakeholder level review and certainly the staff will be there all the way through. He said that once the comprehensive plan amendment is completed, we will come back to the plan commission and they will have an advertised public hearing and the public hearing will be the same as the first reading here of the ordinance. He stated that the plan commission will make a favorable recommendation, it comes back to the council and the council will conduct one reading on it because it is a resolution. He said that if it is adopted, we go back and finalize the zoning ordinance and we go through that same process again of a public hearing at the plan commission, a recommendation to the council, the council then will give the ordinance three readings and it will be set and ready to go from there. He stated just a couple of quick things that he either read or heard tonight that might help clarify a few things. He said that there is finite land for development in New Albany and we cannot allow the free market to really govern that. He stated that the moratorium is important because that land can get consumed rather quickly. He said we will certainly be considering affordable housing; New Albany has a very good portfolio of affordable housing both in the public sector and the private sector. He stated that we are not going to ignore it and move forward without taking affordable housing into consideration. He said lastly, he thinks that the most important statistic that we have uncovered with the housing study is that home ownership has sunk in New Albany from a high 65.6% in 1960 to 54.5% today. He stated that is out of balance with a list of pure communities that Dr. Ruther's study looked at and we don't want to keep going down that path and get lower and lower. He said the moratorium gives us a chance to put the brakes on non-owner-occupied multi-family housing and proceed from there. He told Mr. Phipps at the plan commission meeting that he is comfortable with the one-year schedule and believes we can get it done inside that, but if not, we would have to come back and ask the council for an extension. He stated that it will not be years and years before we are ready to go again. He said we know we need the housing; we need the opportunity and we are putting in on a rocket docket and moving it right on through. He asked if anyone had any questions for him?

Mrs. Griffith thanked Mr. Wood for having the public meeting because it was very informative. She then asked if any of the existing projects will be suspended?

Mr. Wood stated that anything that is in the process has already gotten zoning approval will move along unaffected by this. He said that he does have one PUD that will come before the council in March that was accepted before the moratorium became public. He added that everyone else that already has a permit or zoning approval are good to go and will not have any adverse effect from this.

Mrs. Griffith asked how long the comprehensive plan will take?

Mr. Wood stated that our comprehensive planning was adopted in 2017 and he thinks a lot of it is still in really good shape and very applicable today. He said there are a few things that we have either completed or the housing study has created an impetus for us. He stated that as you know, we have done some environmental work over the summer

and we want to fold that into the comprehensive plan and get that in there as well. He added that we want to do the housing and there may be a few other things that pop up along the way between now and then, but he doesn't think that we are looking at an entire trash of the current comprehensive plan and start over. He said he thinks we can do it on pretty tight timeframe.

Mrs. Griffith stated that is great and she thinks that is important to kind of help move it along. She then asked about public input and how he will work that in?

Mr. Wood stated that one of the things we will be looking at with our consultants is what are their public platforms for interaction with the public. He said with our current comprehensive plan, we did an online survey which was online for four to six weeks and we had almost 1,000 responses, which in a city of 36,000 is statistically noticeable. He stated we would like to try to do something like that again. He said part of the success of that is that we had it during the Harvest Homecoming, so a lot of people stopped by the city booth and got an invitation to comment and chose to do so. He thinks that we will be done with the comprehensive plan by about Harvest Homecoming, so we will look at opportunities for the public to comment at Bicentennial Park during the concert series and other activities that we have going on. He said we will have a presence with that and try to get the word out.

Mrs. Griffith stated that most of the comments she has received pertained to making sure that we keep our charm, downtown charm, cookie cutter housing and those sorts of things. She said as long as we have a lot of public input going forward, she thinks that is a good thing.

Mr. Wood stated that this is like you are the starter at the track meet and you are getting ready to pull the trigger so that the race can start, and we can really start to answer some of the questions that we have heard from people about affordable housing, where housing should go, what it should look like and all of those types of things. He said that once the council is done with this, we will be up and ready to go.

Mrs. Griffith thanked Mr. Wood for all of his hard work.

Mr. Phipps stated that there was a constituent that contacted him wanting to know about the Airbnbs that were not registered because the report indicated that we had a fairly large number of them that were not, and you indicated that it was not the desire to go back and shut down those Airbnbs that are currently in operation but have not registered. He also pointed out that a fair number of those have registered since this has become public knowledge, so he would like to propose to send a letter out to those that haven't registered saying that they have 60 days to register or you may be out of compliance. He asked Mr. Wood if he thinks that could be a good opportunity to scare the rest of them?

Mr. Wood stated that he thinks that is a great idea. He said we are not looking to be punitive, a lot of people just didn't know that they needed to register so this is a good way to get the word out that we expect that. He added as we go through this process, we may go through a tighter regime for STRs, but right now we are not looking to do that. He stated that in 2016-17 when we were doing the most recent comprehensive plan, we never thought we would have as many STRs as we do. He said that we have 104 and that doesn't include people who just rent for Derby weekend. He added that it just shows that New Albany is a popular place and people want to be here, so we don't want to end that; we just want to make sure that we are not creating issues in neighborhoods. He said there will be lots of opportunities for people to comment about STRs going forward.

Mr. Blair stated that as we move to construction of owner-occupied housing, it is important that we don't ignore our existing neighborhoods. He said that we have a lot of neighborhoods that have flooding issues, need sidewalk repairs, streets that need to be paved, gutters that need to be worked on by storm water, etc. He added that we maybe need to upgrade our code enforcement to do more code enforcement. He stated that to him, if we want to encourage more home ownership, one way we can do it is to make

sure we take care of our existing homeowners, and encourage them to improve their properties and continue to make it desirable to improve their properties and to make sure that we don't ignore a lot of the work that needs to be done out there in the neighborhoods.

Mr. Dickey stated that if there are no more comments, we will call the roll vote, and again, this is for the second reading and is approval of the committee report and to move this to third reading.

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

Mr. Dickey introduced the board appointments as follows:

- **Community Action of Southern Indiana – Connie Sipes**
- **Human Rights Commission – Louise Gohmann**
- **Caesars Foundation Board - Tabled**

Mr. Phipps moved to table the appointment to the Caesars Foundation Board appointment, Mrs. Collier second, Mrs. Collier, Mr. Phipps, Ms. Murphy, Mr. Unruh and Mr. Dickey voted yes, Mr. Blair and Mrs. Griffith voted no, Mrs. Gohmann and Mr. FitzGerald was not present. Motion to table passes.

Mr. Phipps stated that he is not sure that they are ready to move on at this point so he would like to table this appointment.

Mr. Blair stated that he would like to understand the issue if it is different from the last time. He also stated that Mrs. Griffith and he have already confirmed that we did not leak that information, so the fact that you're not willing to make an appointment based on not having the information who leaked that confidential information, that just shows there is no trust in them and no trust in their work. He added that the one thing he would expect is that those of you who don't trust us and don't accept our word for what happened, when and if you find out that we didn't do it, I would expect a big public apology from those members who don't believe us and don't take us at our word.

Mr. Dickey stated that in the interest of trying to settle issues, he will vote for this tonight with the sincere hope that members can communicate and work to a resolution.

Mrs. Collier moved to confirm Mrs. Connie Sipes as the Community Action of Southern Indiana appointment and Mrs. Louise Gohmann as the Human Rights Commission appointment, all voted in favor with the exception of Mr. Blair who voted no and Mr. FitzGerald who was not present. Confirmation of appointments passes.

Mr. Dickey stated that another board appointment on the agenda this evening is Community Action of Southern Indiana and we have documented with a letter from their leadership that they are asking us for a member. He said that it does not need to be a council member, and as such, he would like to put forward Mrs. Connie Sipes for that position. He then stated that the Human Rights Commission is also on the agenda for an appointment and he would like to put forward Mrs. Louise Gohmann. He said that we have cleared with counsel that a council member can serve on the commission and he thinks that would allow us to be a little closer to the actions of that body. He requested confirmation of those two appointments.

Mr. Blair stated that he thinks a council member should have first prerogative to take that board seat if they are willing to. He said that he for one was not asked if he would be willing to serve on the Community Action of Southern Indiana and he really thinks we

should provide that to council members and make sure that the council members don't want that seat before we move to have someone outside the council appointed. He stated that for that reason, he was not asked and not considered, so he is voting no.

Mrs. Griffith stated that she did not realize that and thanked Mr. Blair for that education. She said that she is fine with Mrs. Sipes because she thinks she is very capable and she is excited for Mrs. Gohmann, so she is voting yes.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no further business before the board, the meeting adjourned at 7:57 p.m.

Adam T. Dickey, President

Vicki Glotzbach, City Clerk

Bill No. G-24-03

Ordinance No. _____

**ORDINANCE ADDING SECTION 71.31 TO THE NEW ALBANY CODE OF
ORDINANCES**

WHEREAS, the Common Council of the City of New Albany, hereinafter referred to as ("City Council") has the authority to pass legislation for the benefit of the city and its citizens.

WHEREAS, Council members have received complaints about vehicles driving on New Albany roads leaving behind mud, dirt, rocks, trash, and other refuse and nuisances (collectively "debris").

WHEREAS, said debris can be unsightly, cause damage to vehicles, enter the stormwater system causing backups and contamination, cause additional wear and tear on the streets, and generally interfere with the use and enjoyment of the city's streets.

WHEREAS, the City of New Albany has the authority to regulate this problem and the City Council finds it advisable to do so.

NOW THEREFORE, be it ordained by the Common Council of the City of New Albany, Indiana, that a new section is added to the Code of Ordinances as follows:

§ 71.31 CASTING DEBRIS FROM VEHICLE

(A) No vehicle shall be driven or moved on any street, highway or other public place unless such vehicle is so constructed, loaded or covered as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand or other substance may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining the roadway.

(B) Except for a farm vehicle used to transport agricultural produce or agricultural production materials or a rubbish vehicle in the process of acquiring its load, no vehicle loaded with garbage, swill, cans, bottles, waste paper, ashes, refuse, trash, rubbish, waste, wire, paper, cartons, boxes, glass, solid waste or any other material of an unsanitary nature that is susceptible to blowing or bouncing from a moving vehicle, shall be driven or moved on any highway unless the load is covered with a sufficient cover to prevent the load or any part of it from escaping.

(C) No person shall operate any vehicle or equipment so as to track or drop mud, stones, gravel or other similar material on any street, highway or other public place.

(D) It shall be the duty of the driver of a vehicle who unlawfully drops or deposits mud, stones, gravel or other similar material or permits the load or any portion thereof to be dropped or deposited upon any street, highway or other public place to immediately remove the same or cause it to be removed.

(E) Any person who violates the provisions of this section commits an infraction and may be fined up to the amount contained in § 70.99 (A).

SO ORDAINED by this Common Council of the City of New Albany, Indiana, this
_____ day of _____, 2024.

**COMMON COUNCIL OF THE
CITY OF NEW ALBANY, INDIANA**

Adam Dickey, President

Attested by:

Vicki Glotzbach,
New Albany City Clerk

CERTIFICATE OF PRESENTATION TO MAYOR

The undersigned hereby certifies that on the ____ day of _____, 2024
the above Ordinance was PRESENTED by me, as the duly elected Clerk of the City of New
Albany, Indiana, to the Mayor of the City of New Albany, Indiana.

**Vicki Glotzbach,
New Albany City Clerk**

APPROVAL BY MAYOR

The undersigned, as of this _____ day of _____, 2024, and as the
duly elected Mayor of the City of New Albany, Indiana, hereby APPROVES the above
Ordinance as authorized by the provisions of IC 36-4-6-16 and as evidenced by my signature
affixed below.

**JEFF GAHAN,
Mayor of the City of New Albany, Indiana**

Attested by:

Vicki Glotzbach,
New Albany City Clerk