

**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, FEBRUARY 15,  
2024 AT 7:00 P.M.**

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

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

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

**MOMENT OF REFLECTION:**

**Ms. Murphy** requested that as they do their moment of reflection, she would like for everyone to remember the folks in Kansas City.

**Mr. Dickey** stated that it certainly would be appropriate to remember them given the events of yesterday.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**Mr. Dickey** stated that Mrs. Gohmann is traveling right now for a family medical issue so she is unable to join us virtually, and she just wanted to make that note for the record so we understood her absence.

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

**Mr. Phipps** moved to approve the Regular Meeting Minutes for February 5, 2024 with corrections, Ms. Murphy second, all voted in favor with the exception of Mr. FitzGerald who abstained and Mrs. Gohmann who was not present.

**Mr. Dickey** stated that he believes there have been some amendments submitted.

**Ms. Murphy** stated that she had a chance to speak with Mrs. Glotzbach prior to the meeting and there were four corrections that were made.

**Mr. Dickey** stated that just for the record, one of those was to correct a slight typo that occurred indicating on a vote that Mrs. Gohmann was not present. He said that Mrs. Gohmann was actually present for that vote and she chose to abstain. He then asked if there are any other corrections for the record?

**Mrs. Griffith** stated that she sent her correction to Mrs. Glotzbach and it was just a typo.

**Mr. Blair** asked Mr. Dickey if he would rather see corrections sent ahead of time or if he would rather see them made in the council meeting?

**Mr. Dickey** stated that he would defer to the clerk on that.

**Mrs. Glotzbach** stated that she would rather have them sent to her ahead of time so that she has a record of the corrections in email form.

**COMMUNICATIONS – COUNCIL:**

**Ms. Murphy** stated that this council has supported Blessings in a Backpack in the past and tonight Legacy Pizza will be donating 20% of their sales to Blessings in a Backpack.

She said that if our meeting is over before 9:00 p.m. and you need dinner, she would recommend going to Legacy Pizza to support Blessings in a Backpack. She added that you can also google Blessings in a Backpack and donate online if you would like.

**Mrs. Griffith** stated that she was fortunate enough to be part of Prosser Vocational School's mock interviews today, and it always gets her excited because you get to talk to all of these future employees that are going to be out there. She said that they have done a wonderful job, and every year she sees the mock interviews, she sees more and more improvement in the teaching skills, and the kids themselves keep polishing their skills. She added that is a gem that is in our backyard and she just likes for people to realize that Prosser is here, so please take advantage of it if you are a junior or senior, and they do offer night classes now too. She then stated that she wanted to give a big thank you to 1st because they had their "Meet Your Elected Officials" tonight. She said that Mr. FitzGerald, Mr. Blair and she did represent New Albany and she thinks they did a great job speaking.

**Mrs. Collier** stated that she wanted to let everyone know that Friday, February 23<sup>rd</sup> is the New Albany Floyd County Schools celebration at Huber's Plantation Hall at 5:30 p.m. She said that seats are \$75.00 per person and all of the proceeds go to things such as Blessings in a Backpack and a few other things. She also said that the Louisville Crashers will be performing.

**Mr. Dickey** stated that he wanted to take a second and reflect upon the passing of Police Officer Ralph Hines. He said that Ralph was someone who was very familiar to a number of us here at the city. He stated that he served a distinguished career on our police force, retired and actually came back to serve in various capacities such as traffic enforcement and the impound lot. He thinks it is appropriate to note that and with the assistance of the clerk, we did send a gesture of our remembrance to his family at the funeral home. He added that he just again wanted to remember his family in our prayers. He also wanted to note that the attorney's legal advertisement has been sent and will publish on February 17<sup>th</sup>, 20<sup>th</sup> and 22<sup>nd</sup>. He stated with Ms. Stein's assistance, it has also been delivered to the Bar Association. He is thinking that before our next meeting we will probably have a work session set, but we will not discuss that as an agenda item on the council agenda. He said that the work session will give us the opportunity to talk with the applicants that may come forward. He stated that we did also receive a flyer from AIM with regards to a workshop that they are doing on March 4<sup>th</sup>. He said that the workshop is with regards to festivals, fireworks, DORAs and special events. He stated that obviously we are probably a little ahead of the curve because we already have excellent festivals, passed DORA legislation and do a ton of fireworks and special events. He said that if a council member is interested in looking the information over, he has it with him so just let him know. He stated that we also have a Veteran's Court graduation invitation that was sent to us and it is scheduled for Wednesday, February 21<sup>st</sup> at 6:30 p.m. at Liberty Place. He said that obviously anytime we can support the graduates of that court program, we should be very supportive of that. He then stated that the tree board met yesterday and the tree board is working on their spring planting, so if council members are interested and have suggestions of right-of-way trees that they would like to see planted, please communicate that over to the administration with Mr. Krisjans Streips so that they can evaluate that. He also stated that there was a pretty significant forestry grant to the city and Mr. Michael Hall is going to talk about that so he is not going to steal his thunder, but we should be very proud of our arborist and the staff in the plan commission who made that happen.

#### **COMMUNICATIONS – MAYOR:**

**Mr. Hall** stated that our internet is down in the building right now and it seems to be a Spectrum outage affecting a couple of areas, and they had reports that a couple of schools were affected earlier today as well. He said IT is working on it right now to make sure that it is not an issue on our side. He also said that means that there is not a livestream currenting happening for tonight's meeting, so he just wanted to let the council know about that. He then stated that the mayor wants to thank the council for taking up the housing issues tonight. He said that the mayor knows that some members have been



Mr. Dickey stated that we will start with public works and move forward.

**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**

**Mr. FitzGerald introduced Bill G-24-01 and moved to approve the third reading, Mrs. Collier second, all voted in favor with the exception of Mrs. Gohmann who was not present. Bill G-24-01 becomes Ordinance G-24-01.**

Mr. FitzGerald stated that he thinks everything has been said about the ordinance in previous meetings and it is singling out some code that is really not needed from the 50s, 60s and 70s. He said that he thinks it is a step forward and he looks forward to discussing it if anyone has any questions.

**COMMUNICATIONS PUBLIC: G-24-02 Temporary Housing Moratorium**

**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 3**

**Mr. Phipps introduced bill G-24-02 and moved to approve the third reading, Mr. Unruh second, all voted in favor with the exception of Mrs. Gohmann who was not present. Bill G-24-02 becomes Ordinance G-24-02.**

Mr. Phipps stated that like the previous one, he believes that we have pretty much exhausted the discussion on this. He thinks it is the right thing to do and we need to encourage more owner-occupied housing in New Albany.

**INTRODUCTION OF RESOLUTIONS:**

**BOARD APPOINTMENTS:**

**- Caesars Foundation Board – Stefanie Griffith**

**Mr. Phipps moved to confirm the appointment of Mrs. Griffith to the Caesars Foundation Board, Mrs. Collier second, all voted in favor with the exception of Mr. Blair and Mrs. Griffith who voted no and Mrs. Gohmann who was not present.**

**Mr. Blair moved to back off from the appointment of Mrs. Griffith to the Caesars Foundation Board and appoint him, Mrs. Griffith second,**

Mr. Dickey stated that he knows that this issue has been a bit contentious for the past few weeks. He said that last year this body experienced a serious breach of faith and trust amongst its members. He stated that state law provides for some material to be confidential when those provisions are provided for substantial and legitimate interest. He said that each of us takes an oath of office to ensure, among other things, that privileged information will be handled faithfully and appropriately, regardless of what that information contains or how it might be used politically. He stated that when a breach of confidentiality occurs, there is irreputable damage done to the interpersonal relations of

this council. He said that members must have a level of confidence in each other regardless of their political positions or partisan interest that will allow them to work together. He said that we will likely never know who may have released that information and we are not here today to accuse any member. He stated that nevertheless, that act by violating their oath of office, the individual that released that confidential information caused a ripple effect and ultimately disrupted this body from meeting its public duty. He said that individual appointments made by this body are reflections of this body as a whole. He stated that members are placing confidence in an individual to represent us, advance the interest of our city and perform a sacred duty for our citizens. He said that appointments made by an appointing authority often reflect these considerations in addition to experience, knowledge and skillset. He stated that the last several weeks have been a search for consensus and a necessary rebuilding in the faith and trust of this body. He said that he wanted to thank each and every individual for sharing in discussions and trying to work to resolve the concerns of their fellow members. He stated that in saying that, he does wish to try to afford, and having talked to the membership, he would offer the nomination for confirmation Councilwoman Stefanie Griffith as the Caesars Foundation Board appointment.

**Mrs. Griffith** thanked the council for voting that and coming to a conclusion because it has been a little rocky these last couple of weeks. She stated that as much as she is honored that you all did that, as far as time constraints, she thinks everyone knows because she talked with them individually, she is in full support of Mr. Blair taking that appointment so she would like to decline so that he can take that.

**Mr. Dickey** stated that he appreciates that, but unfortunately, he feels that the nomination needs to stand and since we have a motion and a second, he would believe that it is appropriate to act on that.

**Mrs. Griffith** stated that she does worry about time constraints. She said that Mrs. Collier is on that board and in other meetings that she has been in with her, Mrs. Collier said she was stretched thin sometimes, and she worries with her schedule, she would be too. She stated that she still works full-time and Mr. Blair is retired. She added that she just doesn't want it to be a conflict because of her time constraints.

**Mr. Dickey** stated that he thinks all of us have to deal with the various duties that we have and the assignments and responsibilities that come with those. He said obviously he thinks there are allowances and he knows that the Caesars Board met yesterday, and as it turned out, there were a couple of the Caesars appointees who were not able to be there. He thinks that most of these bodies, whether it be Caesars Foundation, Solid Waste or other bodies that we have membership on, are generally very tolerant.

**Mrs. Griffith** asked don't we want to put the best person who is able and has time on that board?

**Mr. Dickey** stated that this is not a reflection that one is better or less than the other. He thinks this is a reflection of the consensus and that's why he would carry forth with this nomination.

**Ms. Murphy** stated that she is a Democrat and Mrs. Griffith is a Republican and during the campaign there were many opportunities where she and I were in the same venue. She said that Mrs. Griffith was always very congenial, forthright and the fact that we were coming from separate parties made no difference to her. She said reading up on the Caesars Board, they are very philanthropically focused and she thinks that would suit Mrs. Griffith's personality and abilities to a T. She has had the opportunity to work with her on the wellness committee and she is a go-getter and very ethical. She stated that it is troubling that she's declining and she would give her 100% support for that position and she would hope that she would accept.

**Mrs. Collier** stated that she has had the opportunity to speak with Mrs. Griffith, and as of right now, she hasn't been able to meet with Mr. Blair so that is why she is supporting her

vote for Mrs. Griffith to take that seat. She would also like to suggest that going forward with all appointments, if there is any suspect on you, we all realize that we could lose our appointments. She said that she would like to ask the president to take that under consideration for committees.

**Mr. Dickey** stated that it is not uncommon when government bodies experience individuals who violate standards of ethics and conduct, there are to be sanctions. He said that many of us are familiar with the expulsion in congress this year of Mr. Santos over ethical and other issues, so he would presume that at any point that any of us fall out of line, there would be consequences. He stated that as he said in his statement, we are not just an individual reflection on these bodies but we are a reflection of the entire council and would just ask that people remember that.

**Mrs. Griffith** stated that she just wants to emphasize that she is going to make sure that we are voting in the person who can put the most time in. She then stated that Mrs. Collier had mentioned that in that appointment she has been assigned to different committees and asked how many committees are there?

**Mrs. Collier** stated that she was just appointed to one additional one and she thinks that was the only vacant one that there was, so other than the actual appointment to the board which is one meeting a month, there is no further engagement unless there is something that you want to do voluntarily.

**Mrs. Griffith** asked if she cannot decline and if that has ever been asked before?

**Mr. Dickey** stated that it is not typical.

**Mrs. Griffith** stated that she knows that it is not and she does appreciate it.

**Mr. Dickey** stated that since there is a motion on the floor and he is hearing no further discussion, he asked that they call for the question.

**Mrs. Collier** asked if we go ahead and call the question, vote and make the appointment, can't we deal with the issues after the appointment is made ?

**Mr. Dickey** stated that he thinks that is fair. He said that the other point that should be remembered is this is not necessarily a four-year appointment. He stated that if you remember when Mr. Caesar passed away, Mr. Applegate was moved into that position and it is not uncommon for there to be shuffling at different points during the tenure of a council. He said that may also allow all members to have better appreciation and get to experience those positions.

**Mr. Phipps** stated that if he recalls correctly, during the early years while he was on the council, the president simply made those appointments and the council didn't even confirm those. He said that at some point which may have been when Mr. Blair or Dr. Knable was president, they did ask for a confirmation. He stated that he just wants to support this tradition that has been established that it is the president's prerogative to appoint committee members and chairs of committees. He said that he just wants this thing to get behind us because it has gone on entirely too long; we have to get someone in the seat and we have to stop bickering about this. He stated that we may never get to the bottom of what happened, if anything happened with any particular person. He said that we have to get an appointment and move on so that is his reason for supporting the president's decision.

**Mr. Blair** thanked Mrs. Griffith for the support and the confidence in him. He stated that if you read the bylaws of the Caesars Board, it is the membership of the city council that appoints that position, not just the president. He also stated that just as a courtesy and to make sure people want to do the job, he would expect that people would be approached beforehand about board positions. He knows that the year he was president he did that, and in fact, he thinks that he and Mr. Phipps talked beforehand before he confirmed him

on the plan commission at the time. He thinks we should make sure that people are willing to accept the duties and understand the duties before we actually make an appointment, instead of just surprising someone or putting someone in a position they may not be comfortable with. He would hope that going forward we would take into consideration what a member's preference is and what they want to do. He then stated that he thinks the appointment is based on qualification. He said that he is a senior member of the council, as you all know, and has a lifetime of career experience as a commercial banker. He stated that things like the investment policy and strategy of the Caesars Board is very important because they have a very hefty investment account and he can help with that. He said that they make loans to small businesses and he has done that, so he can help with that piece as well. He stated that they also do construction funding and he is very familiar with how you monitor and control construction funding. He said besides that, he thinks he is well qualified for advocating for projects for the city. He added that he really appreciates Mrs. Griffith recognizing that and making that recommendation, but we have got to get to the point where we put our best foot forward and put people in positions where we think we can be successful and best benefit the city. He said again that he really appreciates her unselfishness to do that. He respectfully asked that they back off the motion and second and appoint him to the position on the Caesars Board.

**Mrs. Griffith** stated that she would second that and told Mr. Blair that was very well said.

**Mr. FitzGerald** stated that he thinks both of them would do a fine job. He said that there is also new blood. He said that when the appointments were first made, there were comments made about how she and Mr. Blair had very little appointed, so he is trying to figure out what the line is between not having enough appointed and then being stretched too thin. He knows that is a very personal thought and consideration in developing that. He thinks, again, this is not a four-year appointment as well and if we are going by the nomination that the president put forth, he is supportive of her as well. He thinks that Mr. Blair would probably do a really good job too. He stated that in making sure that we all have experience going forward, how do we develop that as well? He asked how do you mentor Mrs. Griffith in making those considerations if she does have questions? He said Mr. Blair talked about how his experience is very vital as well, but with the nomination as it is right now if we are going to holding on that, he does support this nomination. He added that it is not either/or right now so that is where he is standing right now. He also thinks that we are able to handle the time restraints and responsibilities, and if not, then we have to do a check-in and figure out if we are on too many committees and how is this working.

**Mrs. Griffith** stated that Mr. FitzGerald is correct that she would have liked to have more committees, but she is happy with she did receive and she wants to make sure that she is doing the best she can. She just heard that the Caesars Foundation is a huge part and there are a lot of moving parts to it that she is not familiar with. She said that she is just being honest and she does appreciate everyone's support. She believes that she would be able to do the job, but again if you have a choice, why take someone who doesn't have the experience or the expertise in the financial background? She stated that everything that Mr. Blair just said is very true and she supports that too.

**Mr. FitzGerald** stated that for him it is not a question of that per se, it is what is the board's responsibility. He said that there is a fiduciary role but there is also a vision role. He stated that Caesars also hires some people to do those works too. He asked how are we as leaders, not just as managers and over money? Do we create the progress for our city? He stated that he is not saying that neither of you are doing it, this is what is on the agenda right now.

**Mr. Phipps** stated that he always wants the board to diverse and inclusive and he is so proud of the diversity now on the city council. He said that we all know that women have been underrepresented in most positions of leadership government appointed boards, and he thinks this is another plus. He stated that we have more women getting involved

because their voice has been so silenced over the years. He also stated that our previous appointment to the Caesars Board, Mr. Aebersold, was a business owner much like Mrs. Griffith. He thinks business owners can bring something to it as well because they are the ones that actually take that capital that they get from the bank and invest it and turn it into successful businesses. He said that Mr. Aebersold's business was very successful and Mrs. Griffith's business is very successful, so he thinks that is expertise in leadership. He added that we are bringing in diversity as well as a business owner to the board.

**Mr. Blair** stated that he failed to mention that he is also a business owner that had a very successful business and sold it and did very well with it.

**Mr. Phipps** told Mr. Blair that was his wife's business.

**Mr. Blair** stated that they were co-owners. He said she ran it but he was an owner.

**Mr. Unruh** stated that in the short time that he has been on the council, he was thinking that we need to move past this and continue to work together as we move forward through this year, so he is voting in favor of Mrs. Griffith's appointment.

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

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 7:44 p.m.

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Adam T. Dickey, President

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Vicki Glotzbach, City Clerk