

**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 20, 2025 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 3, 2025**

**COMMUNICATIONS – COUNCIL:**

**COMMUNICATIONS – MAYOR:**

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

**ADMINISTRATIVE ITEMS:**

**Request for Presentation from the Center for Women and Families**

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

**APPROVAL OF CF-1 FORMS:**

**INTRODUCTION OF ORDINANCES FOR SECOND READING:**

**COMMUNICATIONS PUBLIC: G-24-06 Ordinance Amending 30.01**

**COMMUNICATIONS PETITIONER: G-24-06 Ordinance Amending 30.01**

<b>G-24-06</b>	<b>An Ordinance Amending 30.01 of Chapter 30 of Title III of the Code of New Albany</b>	<b>Griffith</b>
----------------	---	-----------------

**COMMUNICATIONS PUBLIC: G-24-07 Ordinance Amending 30.19**

**COMMUNICATIONS PETITIONER: G-24-07 Ordinance Amending 30.19**

<b>G-24-07</b>	<b>An Ordinance Amending 30.19 of Chapter 30 of Title III of the Code of New Albany</b>	<b>Griffith</b>
----------------	---	-----------------

**COMMUNICATIONS PUBLIC: Z-25-01 PUD for 5426 Grant Line Road**

**COMMUNICATIONS PETITIONER: Z-25-01 PUD for 5426 Grant Line Road**

<b>Z-25-01</b>	<b>Ordinance Amending the Code of Ordinances and the Official Zone Map of New Albany, Indiana Title XV Chapter 156</b>	<b>Phipps</b>
----------------	--	---------------

**INTRODUCTION OF RESOLUTIONS:**

**BOARD APPOINTMENTS:**

**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  
CHAMBER AT NEW ALBANY CITY HALL ON MONDAY, FEBRUARY 3, 2025  
AT 7:00 P.M.**

**MEMBERS PRESENT:** Council Members: Mrs. Collier, Mr. Phipps, Mr. FitzGerald, Mrs. Gohmann, Mr. Blair, Mrs. Griffith (Zoom), Mrs. Murphy, Mr. Unruh and President Dickey.

**ALSO PRESENT:** Mrs. Manning, Mrs. Moeller, Mr. Wood and Mrs. Glotzbach

**MOMENT OF REFLECTION:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

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

**Mr. Phipps moved to approve the Regular Meeting Minutes for January 16, 2024, Mrs. Gohmann second, all voted in favor.**

**COMMUNICATIONS – COUNCIL:**

**Mr. Phipps** stated that he wanted to remind everyone that February is Black History Month and the struggle is not over, in fact, it is getting worse. He asked everyone to remain vigilant and said let us march on until victory is won.

**Mr. FitzGerald** stated that he received an email from CASA this week and read it into the minutes. It said that each year CASA Floyd County advocates for over 400 abused and neglected children providing them with one-on-one support that they need and deserve in times of trauma and crisis. It also said that today their ability to continue this vital work is at risk because more than half of their funding comes from the Federal Victims of Crime Act Grant. It stated that those funds have already been reduced by \$600M nationwide from 2023 to 2024. It also stated that this past week a threat of a temporary funding freeze gave them a stark privy of what losing those funds could mean, which is fewer advocates, fewer resources and more children with the possibility of navigating the system alone. He said that they don't want that to happen so they are seeking more financial support and you can donate at [CASAFloydCounty.org](http://CASAFloydCounty.org). He then reminded everyone about the Big Ideas Open House. He stated that for the past year, there has been a steering committee that's been reviewing and strategizing about what an updated 2025 comprehensive plan would look like for the City of New Albany. He said that they have about seven or eight planks with some subdivision titles and ideas for that, and they are going to be presenting the concept of the updated comprehensive on Wednesday, February 5<sup>th</sup> from 5:30 p.m. until 6:30 p.m. here in city hall. He hopes to see a lot of people out for that.

**Mrs. Gohmann** stated that the first Monday of each month is Community Resource Day at the New Albany Library. She attended today and has been trying to go every month. She said that they have some really great things. She stated that there is a free talk to a lawyer that is held twice a month. She said that there is a dental care clinic, especially for our unhoused people or people that don't have insurance, that will do everything for free. She stated that the health department was there. She said that St. Mark's is having their neighborhood health fair on Saturday, February 22<sup>nd</sup>. She stated that there will be vision testing, eye glasses, blood pressure, immunizations and free haircuts there. She said that there was a ton of information that they were passing out and it was really an awesome opportunity. She then stated that a vital thing for the 5<sup>th</sup> District is that Zesto opens on Wednesday.

**Mrs. Griffith** thanked Mr. FitzGerald for giving more information on the Big Ideas Open House. She asked if that is going to be the end of the comprehensive plan?

**Mr. FitzGerald** stated that he thinks they are going to present where the steering committee is in the process. He said that they have some planks for a platform for the comprehensive plan.

**Mr. Dickey** stated that is correct and there is more activity planned after this open house.

**Mrs. Griffith** asked if that goes in conjunction with the apartment moratorium? She also asked if that is coming up on a year?

**Mr. FitzGerald** stated that is coming up on a year. He said that the comprehensive plan is sort of the overarching vision of what we want to do, and the zoning code is the tool that we have to do it. He doesn't know if they are working in parallel, but he knows that the comprehensive plan has been more front and center, and he thinks that the zoning code is sort of taking final shape after the comprehensive plan forms together.

**Mr. Dickey** said that if Mrs. Griffith's question is if we would need to consider, depending the timeline moving forward with the comprehensive plan, amending the moratorium, he believes there could be a concern to make sure that scheduling works correctly for all of these pieces. He also said that if that is the case, the administration will likely communicate a request over to us to extend that moratorium.

**Mrs. Griffith** asked if there is a way to stream the Big Ideas Open House meeting that night for people who cannot make it?

**Mr. Dickey** stated that is a better question for the staff because he is not sure of all of the particulars in how they are going to set up the room and some of the information. He said that he can inquire and send a note to Ms. Johnson and see if that would be possible.

**Mrs. Griffith** stated that if she is not feeling better by then, she would like to see it. She then wished everyone a Happy Valentine's Day.

**Mrs. Murphy** stated that she was going to talk about the comprehensive plan update and about Zesto opening. She then mentioned that this past Saturday was Galentine's Day in downtown New Albany and a lot of different businesses had little specials going on. She said that there were a lot of groups of ladies going into all of the different shops and enjoying the day. She stated that it was lovely and a lot of fun. She added that we have a lot of good shops and restaurants downtown, so she encourages everyone to visit those.

**Mr. Unruh** stated that Mr. Phipps mentioned Black History Month so he wanted to mention a few events. He said that New Albany Parks Department on Saturday, February 8<sup>th</sup> at 1:00 p.m. is having a celebration honoring the legacy of Dr. King and that is going to be at the Griffin Center. He stated that our library has several events during February. He said that they have one on February 8<sup>th</sup> as well but theirs starts at noon and they have a singer that is going to entertain. He then stated that on Saturday, February 15<sup>th</sup>, author historian Pam Peters will be featured from 1:00 p.m. until 2:00 p.m. He said that is at our Spring Street library here in New Albany. He added that the Carnegie Cultural Center, also on Spring Street, has two permanent exhibits and one virtual celebrating Black History Month.

**Mr. Dickey** stated that on that theme, he wanted to take a moment and recognize a small contribution to Black History Month. He wanted to honor Mr. Bob Mitchell, who was the first and only African American New Albany City Councilman. He said that he was elected to his position in 1971 and continued to serve until 1988. He stated that he was known for his studied approach to city business and, worked with three different mayors during his tenure on the council to improve our city and to ensure that budgets, finances and so many other things were handled correctly. He said that among other things that were dealt with at his time, the city developed a new industrial park, constructed new

housing facilities and made critical infrastructure improvements such as the additions of interstate ramps to State Street and improvements to Grant Line Road. He said that these are all part of his legacy. He thinks it is important for us to remember these individuals who have come before us and who have done good work in the community, so for part of Black History Month he wants to remember Mr. Bob Mitchell accordingly. He also mentioned the Big Ideas Open House and encouraged everyone to come out to that. He said that serving on the steering committee is a laborious undertaking and this is a great opportunity for folks to continue to let their input be known in the process. He wanted to make a note that Blackiston Mill Bridge is closed. He said that is actually the responsibility of county government. He stated that they are very much aware of the situation. He said that there is an improvement project that they have been working to facilitate and construct that would bring a new crossing, replacing the current bridge. He stated that we hope they are able to address any damage that was done and to reopen that route because obviously it serves as a main connection between us and Clarksville. He then offered his condolences to Mr. Greg Phipps who lost his mother-in-law.

**COMMUNICATIONS – MAYOR:**

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

**ADMINISTRATIVE ITEMS:**

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

**APPROVAL OF CF-1 FORMS:**

**INTRODUCTION OF ORDINANCES FOR FIRST READING:**

<b>Z-25-01</b>	<b>Ordinance Amending the Code of Ordinances and the Official Zone Map of New Albany, Indiana Title XV Chapter 156</b>	<b>Phipps</b>
----------------	--	---------------

**Action Taken: Referred to the Development and Annexation Committee.**

**Mr. Dickey** explained the process and steps for ordinances for the public. He added that the Development and Annexation Committee will have a meeting on this ordinance on Thursday, February 6<sup>th</sup> at 2:00 p.m., and the public is invited but cannot make comments at that time. He stated that because this ordinance does not have a public comments component tonight, if you would like to comment on it, you may do by signing up on the non-agenda public comment sheet. He added that when the ordinance is on the second and third readings, there will be a public comments component at the time that it is introduced.

**INTRODUCTION OF RESOLUTIONS:**

**BOARD APPOINTMENTS:**

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

**Mr. David Kerr, 6 Carol Court**, stated that they are in the fringe area of New Albany. He said that their property, as well as their neighbors' properties in and around Chapel Wood Subdivision, are adjacent to the PUD project proposed by Infinity Built Homes at 5426 Grant Line Road, which has been discussed tonight. He stated that they and their neighbors of Chapel Wood moved to the neighborhood at different times since its inception in early 1980s. He said that many of them have raised their children there and many of them are still raising their children in this wonderful place. He stated that the factors that have brought them together here are the low density of the lots, the trees surrounding them and the enjoyment of the wildlife that inhabits their environment. He said that it is referred to by some neighbors as "a little piece of heaven". He stated that

they are here tonight to voice their concerns about this proposal as it has been presented. He said that a major concern is the acreage that abuts their properties. He stated that this land has been classified and zoned as a steep slope area. He said that it is covered with large trees and ground cover that has prevented erosion problems for the nearly 33 years that his wife and he have lived there, and for more years for some of the other residents. He stated that it is proposed that the small width lots on that steep slope would come down the hill 150 ft. to their property lines. He said that would mean that a major portion of that steep slope would have to be cleared to allow for the construction of 22 homes. He stated that at the top of the steep slope on the other side of the street, there will be 15 more homes built. He said that they feel that the runoff from storm water, if that hill is cleared, would flood the creek on the property lines and possible fill up their septic systems, which could result in landslides. He stated that the New Albany Comprehensive Plan 2017 recommends, in the natural resources section, that large lot sizes should be used in steep slope areas. He said that another major concern is the increase in traffic that this development, as proposed, would bring to Chapel Lane from Grant Line Road. He added traffic would also increase from Charlestown Road using Chapel Lane to get to Grant Line Road. He stated that they all in their neighborhood agree that if they were traveling from where this development would be on Grant Line Road to Meier or to another business around Meier, the shortest and fastest path would be Chapel Lane. He said, again, if someone was leaving from this development to go to Sellersburg, Chapel Lane would be the fastest way with the least stops. He stated that cars and trucks travel Chapel Lane way too fast now for the residents of this area and more traffic would make it much worse. He said that they know that progress marches on and single-family homes are needed in their area. He stated that they hope that the Embry property can be developed and that their concerns can be incorporated and, also that their new neighbors can have their own little "piece of heaven".

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 7:27 p.m.

---

Adam T. Dickey, President

---

Vicki Glotzbach, City Clerk

## Vicki Glotzbach

---

**From:** Stefanie Griffith  
**Sent:** Wednesday, February 12, 2025 9:28 AM  
**To:** Adam Dickey; Vicki Glotzbach  
**Subject:** Request for agenda

Hi Vicki and Adam,

I had the pleasure to met with Elizabeth Martin, the president and CEO of The Center for Women and Families. As you probably know their program has changed in our area. They used to have an actual center but now they are mobile concept. I thought it would be good information for the council to know. It would be a short presentation with time for questions and answers if the rest of the council would find value in it.

Elizabeth's contact information is:

### **Elizabeth Martin, LCSW**

President & CEO



P: 502.581.7211

A: PO Box 2048 Louisville, KY. 40201

W: [thecenteronline.org](http://thecenteronline.org)

Please let me know if you need any additional information.

Thank you,  
Stefanie Griffith  
502-645-6256

## Rules Committee Meeting

The Rules Committee met on February 13, 2025, in the city hall conference room.

Present: Greg Phipps (chair), Adam Dickey, Stephanie Griffith, and council attorney Corrie Manning.

The meeting was called to order at 2:04 PM.

### **Agenda Item 1: G-24-06**

#### **G-24-06 An Ordinance Amending 30.01 of Chapter 30 of Title III of the Code of New Albany**

The committee discussed and made minor adjustments to the language of the ordinance. It was unanimously approved and forwarded to the Common Council for further consideration.

### **Agenda Item 1: G-24-07**

#### **G-24-07 An Ordinance Amending 30.19 of Chapter 30 of Title III of the Code of New Albany**

The committee discussed and made minor adjustments to the language of the ordinance. It was unanimously approved and forwarded to the Common Council for further consideration.

The meeting adjourned at 2:20 PM.



## City of New Albany, Indiana Development & Annexation Committee

To: New Albany City Council  
From: Development & Annexation Committee  
Date: 2/6/24  
Re: Development & Annexation Committee Report – Z-25-01

The following report is respectfully submitted from the Development & Annexation Committee's consideration of Z-25-01, an ordinance amending the Code of Ordinances and the Official Zone Map of New Albany, Indiana (P-01-25), heard on Thursday, February 6, 2025, with Committee members Dickey, Phipps & FitzGerald present. City Council Attorney Corrie Manning, and Plan Commission Director Scott Wood 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. Plan Commission Director Scott Wood outlined the process for consideration of the request, the particulars of the Plan Commission's review and favorable approval with stipulations, and related features. It was noted that by area this was the largest proposed development the city has considered in several decades. Committee members and staff discussed aspects of the plan, including the proposed use and lot size, environmental concerns, presence of steep slope as defined by the 2017 Zoning Code, and related connections and impacts to adjoining properties.

The Petitioner, Matt Toole, and his Engineer, Jason Copperwaite with Paul Primavera & Associates, were also recognized and allowed to make brief remarks and address questions of the Committee. The Committee allowed additional public comments from neighboring residents present.

In discussion, the Committee members noted that the general form of the Zone Change appeared to be in order and the stipulations approved by the Plan Commission appeared to address significant concerns raised by the Plan Commission and Committee members. While no amendments were presented in Committee, the members noted that the Council may wish to consider some amendments on third reading to include further stipulations requiring the developer to host a neighbor meeting on the development, the planting of native tree species, and language assuring reversion to the current zoning if the development does not move forward.

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 on second reading.



Bill No. G-24-06

Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING § 30.01 OF CHAPTER 30 OF TITLE III OF THE  
CODE OF NEW ALBANY**

**WHEREAS**, the City of New Albany has previously enacted certain rules in section 30.01 of the New Albany Code of Ordinances governing the submission of documents and reports by certain boards and commissions serving the City; and

**WHEREAS**, some of the boards and commissions serving the City have undergone changes in their composition and/or structure since section 30.01 was last amended; and

**WHEREAS**, the Common Council desires to further amend section 30.01 to account for those changes and ensure that the New Albany Code of Ordinances remains accurate and up-to-date; and

**NOW, THEREFORE**, be it ordained by the Common Council of the City of New Albany, Indiana, that subsections (A) and (C) of the New Albany Code are amended as follows (deletions shown by ~~strikethrough~~; additions shown in ***bold, italics***):

**§ 30.01 SUBMISSION OF DOCUMENTS AND REPORTS**

- (A) The following boards and commissions shall submit the minutes of ***any*** their regular and special meetings to the City Clerk:
- (1) The city's Board of Public Works and Safety;
  - (2) The city's Sewer Board;
  - (3) The New Albany-Floyd County Parks and Recreation Board;
  - (4) The city's Police Merit Commission;
  - (5) The city's Plan Commission;
  - (6) The city's Board of Zoning Appeals;
  - ~~(7) The New Albany-Floyd County Health Department Board;~~
  - ~~(8)~~ ***(7)*** The Economic Development Commission Board;
  - ~~(9)~~ ***(8)*** The city's Redevelopment Commission Board; and
  - ~~(10)~~ ***(9)*** The Building Commission.

- (B) ~~The City Controller shall submit to the members of the Common Council a monthly *Monthly printouts of city budget reports* printout and a year-end income-expenditure report. *shall be provided upon finalization of bank reconciliation and necessary adjustments, including corrections for posting errors, timing discrepancies, and outstanding transactions, ensuring accuracy and compliance with financial standards,* a~~ At the second regular monthly meeting of the Common Council each month, ~~the~~ *after such completion by the* City Controller, *which include* shall deliver and present to the Common Council the following reports:
- (1) Monthly bank reconciliations showing bank accounts reconciling to balances in the fund report with any variances clearly identified;
  - (2) Monthly fund reports showing beginning cash balances, receipts, disbursements, and ending cash balances;
  - (3) Monthly budget to actual report which shows our departments and percentages of the budget that has been used year-to-date;
  - (4) ~~Monthly appropriations report which shows what has been budgeted and how much in appropriations left out of our budget; and~~
  - ~~(5)~~ (4) Any other items that the City Council should notify the City Controller of a need for during the first regular Common Council meeting of that month.
- (C) All documents, *except those provided by the City Controller pursuant to the preceding subsection (B),* shall be submitted to the City Clerk for reproduction and distribution upon request of the individual members of the Common Council *prior to any regular meeting.* ~~at its regular work session and caucus.~~

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW ALBANY, INDIANA ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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

\_\_\_\_\_  
**Adam Dickey, President  
COMMON COUNCIL, NEW ALBANY**

*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 M. Gahan, Mayor of the City  
of New Albany, Indiana**

*Attested by:*

---

**Vicki Glotzbach,  
New Albany City Clerk**

Bill No. G-24-07

Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING § 30.19 OF CHAPTER 30 OF TITLE III OF THE CODE OF NEW ALBANY**

**WHEREAS**, the City of New Albany has previously enacted certain rules in section 30.19 of the New Albany Code of Ordinances governing the duties of the sergeant-at-arms in regards to the Common Council; and

**WHEREAS**, one of the duties is outdated because the City Clerk is now equipped to deliver notices and papers to the members of the Common Council and the chairpersons of the committees via electronic mail; and

**WHEREAS**, the Common Council desires to amend section 30.19 to ensure that the New Albany Code of Ordinances remains accurate and up-to-date; and

**NOW, THEREFORE**, be it ordained by the Common Council of the City of New Albany, Indiana, that the New Albany Code is amended to delete subsection (B) of section 30.19 as follows (deletions shown by ~~strike through~~; *additions shown in bold, italics*):

**§ 30.19 SERGEANT-AT-ARMS.**

(A) The sergeant-at-arms shall be the Chief of Police or his or her duly appointed deputy who must be a member of the city's Police Department with the rank of sergeant or higher, shall preserve order in the lobby outside the Council chambers and assist the President in doing so within the chambers. He or she shall act as messenger of the Common Council while in session.

~~(B) He or she shall deliver all notices to each member of the Common Council and all papers to the chairpersons of the committees, that may be placed in his or her hands by the City Clerk, within 24 hours after receiving them.~~

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW ALBANY, INDIANA ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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

\_\_\_\_\_  
**Adam Dickey, President  
COMMON COUNCIL, NEW ALBANY**

*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 M. Gahan, Mayor of the City of New  
Albany, Indiana**

*Attested by:*

---

**Vicki Glotzbach,  
New Albany City Clerk**

**ORDINANCE**  
**AMENDING THE CODE OF ORDINANCES**  
**AND THE OFFICIAL ZONE MAP OF NEW ALBANY, INDIANA**  
**TITLE XV CHAPTER 156**

Docket P-01-25: Infinity Homes and Development, by Matt Toole, requests a Preliminary Planned Unit Development (PUD) to permit a mixed-use development, including commercial, office, multi-family and single-family land uses in the IND - Industrial, LDR - Low Density Residential, and OS SS - Open Space Steep Slope district at 5426 Grant Line Road.

**BE IT ORDAINED** by the Common Council of the City of New Albany, Indiana, under the authority of Chapter 147, Acts of 1947, and all acts amendatory thereto, of the General Assembly of the State of Indiana, that the above-referenced Title and Chapter of the Code of Ordinances and the Official Zone Map of New Albany, Indiana, be and the same is hereby amended as follows:

**Section 1.** That the following parcel described as follows:

**LEGAL DESCRIPTION**  
See **EXHIBIT A** attached

be changed from "IND - Industrial", "LDR - Low Density Residential" and "OS SS - Open Space Steep Slope" to Planned Unit Development (PUD/Docket P-01-25) with **EXHIBIT B**, attached; and

**Section 2.** The land uses in this district are limited to commercial land uses, professional office land uses, multi-family land uses, and single-family residential, together with attendant site improvements, with the following stipulations:

1. The Developer shall enter into a sewer extension agreement with the New Albany Sewer Board. Design of the sewer extension should provide the opportunity for tap-ins of adjacent properties, with appropriate agreements and authorization of the New Albany Sewer Board. Sewer construction, capacity, and credits are subject to prior approval of the New Albany Sewer Board.
2. Drainage improvements are subject to approval of the Floyd County Stormwater Board and the Plan Commission's third-party engineer (Heritage Engineering, LLC), for conformance with the current Floyd County Stormwater ordinance.
3. Approval of the New Albany Fire Prevention Bureau for all life safety measures, including water lines and hydrant locations, shall be required.

Bill No. \_\_\_\_\_

Ordinance No. \_\_\_\_\_

4. Prior to Secondary PUD approval, the developer shall define the various default zoning districts and land uses within the site.
5. Site buffering, where appropriate, shall be shown on the Secondary PUD plan and is subject to staff approval.
6. Trees currently located on the site shall be preserved, wherever possible.
7. The approval is conditioned on future subdivision of the property.
8. Any environmental clearances related to the previous auto salvage land use shall be provided for staff review with the application for Secondary PUD approval.
9. Any wetlands on site shall be documented by an environmental consultant, and provided with the application for Secondary PUD approval.
10. The restrictive and protective covenants of the development shall acknowledge the site is adjacent to industrial land uses, and that owners/tenants may encounter noise and other disturbances that can be associated with industrial land uses.
11. All right-of-way improvements are subject to approvals of the City Engineer and the New Albany Board of Public Works and Safety.
12. Amenities should be included throughout the development, i.e. benches along the sidewalks, possible connection to the future Monon Freedom Trail.
13. Any flooding issues on site shall be documented to the New Albany City Plan Commission and shown on the Secondary PUD plan, and any floodproofing requirements shall be indicated on the final plat.
14. The final curb cuts for the commercial and office lots shall be located from the planned roadways and new curb cuts shall not be permitted to Grantline Road.

**Section 3.** This Ordinance shall be in full force and effect from and after its passage by the Common Council of the City of New Albany, Indiana.

**PASSED and ADOPTED** by the Common Council of the City of New Albany, Indiana, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2025.

\_\_\_\_\_  
ADAM DICKEY, PRESIDENT  
COMMON COUNCIL CITY OF NEW ALBANY

ATTEST:

\_\_\_\_\_  
VICKI GLOTZBACH, CITY CLERK

Bill No. \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Accepted and Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

---

JEFF M. GAHAN, MAYOR  
CITY OF NEW ALBANY, INDIANA

ATTEST:

---

VICKI GLOTZBACH, CITY CLERK



# PUD EXHIBIT "A"

Tax Key No. 005-25000-15 *220510600015000007* Mail Tax Statement to:  
Tax Key No. 005-25001-18 *220510600101000007* Embry Property Management, LLC  
Tax Key No. 005-25000-75 *220510600190000007* 8710 Stoney Point Road  
Tax Key No. 005-25000-11 *220510600011000007* Charlestown, Indiana 47111  
Tax Key No. 005-25000-12  
Tax Key No. 005-25000-13  
Tax Key No. 005-25000-14 *220510600014000007*  
Tax Key No. 005-25000-06 *220510600006000007*  
Tax Key No. 005-25000-10

GENERAL WARRANTY DEED

THIS INDENTURE WITNESSETH, that GLENDEL EMBRY of 8710 Stoney Point Road, Charlestown, Indiana 47111, as Grantor,

CONVEYS AND WARRANTS

to EMBRY PROPERTY MANAGEMENT, LLC of 8710 Stoney Point Road, Charlestown, Indiana 47111, as Grantee, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the real estate situated in the County of Floyd and the State of Indiana, described on EXHIBIT A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and/or assigns, in fee simple forever.

This conveyance is made subject to all (i) liens, encumbrances, easements, restrictions, and stipulations of record, (ii) liens for real property taxes and assessments for 2009, payable in 2010, and subsequent taxes, which the Grantee, by the acceptance of this deed, assumes and

Duly Entered For Taxation  
Subject To Final Acceptance  
For Transfer

APR 06 2009

*Jerena A. Plais*  
AUDITOR FLOYD CO. IND.

agrees to pay, (iii) governmental laws, ordinances and regulations, and (iv) all existing mortgage liens affecting the Property.

IN WITNESS WHEREOF, the Grantor has set his hand and seal this 2nd day of February, 2009.

GRANTOR:

Glendel Embry  
Glendel Embry

COMMONWEALTH OF KENTUCKY )  
  )SS:  
COUNTY OF JEFFERSON         )

Before me the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Glendel Embry, Grantor herein, and acknowledged the execution of the foregoing Deed.

WITNESS my hand and Notarial Seal this 2nd day of February, 2009.

My commission expires: June 21, 2012

Douglas A. Bozell  
Notary Public, State at Large

THIS INSTRUMENT WAS PREPARED BY:

Douglas A. Bozell  
Douglas A. Bozell, Esq.  
FROST BROWN TODD LLC  
400 West Market Street, 32nd Floor  
Louisville, Kentucky 40202-3363  
(502) 568-0208

**DOUGLAS A. BOZELL**  
Notary Public Notary Seal  
Kentucky State at Large  
My Commission Expires June 21 2012

LOULibrary 0116143.0563815 783753v1

EXHIBIT A

Parcel 1

Part of No. 106 Illinois Grant, Floyd County, Indiana, and being part of Lafayette Brock's 52.53 acre tract as described in Deed Record 148, page 383, and more fully described as follows:

Beginning at an iron pin on the Eastern line of the right-of-way of the Grant Line Road at its intersection with the Southeastern line of the above mentioned 52.53 acre tract; running thence North 3° 45' East along the Eastern line of said right-of-way 306.0 feet to a fence post at the Northwest corner of the 0.51 acre tract conveyed by Lafayette Brock to Ralph Blair by deed recorded in Deed Record 148, at page 411; thence North 3° 45' East along the Eastern line of the Grant Line Road 355.0 feet to an iron pin; thence North 58° 05' East 718.45 feet to an iron pin; thence South 21° 15' East 489.1 feet to an iron pin in the Southeastern line of the above-mentioned 52.53 acre tract; thence South 54° 55' West along said Southeastern line 529.8 feet to an iron pin in the East corner of the 0.6 acre conveyed by Lafayette Brock to Mildred Robin in Deed Record 148, at page 412; thence North 86° 17' West along the Northern lines of Robin and Blair for 378.1 feet to the place of beginning, containing 8.62 acres.

Tax Key Nos. 005-25000-15; 005-25001-18; 005-25000-75.  
Lots 118, 75 and 15 -- 5412 Grantline Road

Parcel 2

TRACT I

Being a ten (10) acre parcel of land which is a part of lot number two (2) plat number three hundred and twenty six (326) and a part of plat number three hundred and twelve (312) of the Floyd County Records which is more fully described as follows, to-wit:

Commencing at the northeast corner of lot No. 106 Illinois Grant, running thence southward along the east line of said Grant 1518 feet to the northeast corner of a 23.78 acres tract of land owned by Peter Weber, thence south 52° 25' west 1400

feet to a stone, thence north 35° 18' west 78 feet to J. Haupt's tract, thence south 54° 52' west along Haupt's line 539.0 feet to the Southerly corner of said Haupt's land, which is the true place of beginning of land to be herein described. Thence south 54° 52' west 504.46 feet to a point, thence north 47° 30' west 773.25 feet to the rightaway of the Chicago Indianapolis and Louisville Railroad, thence north 29° 30' east along said rightaway 505.66 feet to a point on the westerly line of said Haupt's land, thence south 47° 30' east along said Haupt's westerly line 995.0 feet to the place of beginning. Containing ten acres of land subject to all legal highways.

#### TRACT II

ALSO, Beginning at the northwest corner of Peterson's 10 acre tract, deed recorded in Deed Record No. 1112 page 320; running thence south 29° 30' west 145.7 feet along the right of way of the Chicago, Indianapolis and Louisville Railroad, thence south 71° 25' east 350.9 feet to the southwest line of Peterson's 10 acre tract, thence north 47° 30' west along Peterson's 10 acre tract 353 feet to the place of beginning containing 0.6 acre. Being part of 106 Illinois Grant, Floyd County, Indiana.

#### TRACT III

ALSO, Part of Plat number 312 and a part of number 106 Illinois Grant, Floyd County, Indiana, described as follows: Beginning at the southwest corner of Peterson's 10 acre tract, deed recorded in Deed Record 112, page 320; running thence south 30° 58' west along the east line of the Monon Railroad Right of Way 145.7 feet to an iron pin at the southwest corner of Peterson's 0.60 acre tract the true place of beginning of the land to be herein described; running thence south 71° 25' east along the southern line of said 0.60 acre tract 350.9 feet to an iron pin; thence south 47° 12' east 21.15 feet to an iron pin; thence south 22° 41' west 202 feet to an iron pin; thence north 45° 47' west 404.56 feet to an iron pin on the eastern line of the Monon Railroad Right of Way; thence north 30° 58' east along the eastern line of said right of way 39.56 feet to the true place of beginning, containing 1.09 acres.

Tax Key Nos. 005-25000-11; 005-25000-12; 005-25000-13.  
Lots 11, 12 and 13 -- Grantline Road

Parcel 3

Part of Lot No. 2, Plat 326, part of Lot 4, Plat No. 312, part of Lot No. 4, of Joseph Smith's Partition Plat and part of No. 106 of the Illinois Grant, described as follows: Beginning at the northeast corner of Peter Weber's 23.78 acre tract, said point being described as follows: Beginning at the northeast corner of No. 106, Illinois Grant, running thence southward along the east line of said Grant, 1518.0 feet to the northeast corner of said 23.78 acre tract; thence south 52 degrees 25 minutes east 700 feet to the northwest corner of said tract, the true place of beginning; running thence south 52 degrees 25 minutes west 700 feet to a stone; thence north 35 degrees 18 minutes west 78 feet to J. Haupt's line; thence south 54 degrees 52 minutes west along Haupt's line 1043.46 feet to the southwest corner of Peterson's 10 acre tract, Deed Record 112, page 320; thence north 47 degrees 30 minutes west 420.25 feet to the corner of Peterson's 0.6 acre tract; thence north 71 degrees 25 minutes west 350.9 feet to the right-of-way of the Chicago, Indianapolis and Louisville Railroad; thence south 29 degrees 30 minutes west along said right-of-way 474.5 feet to the center of the Grant Line Road; thence south 3 degrees 45 minutes west along said center line 1082 feet; thence north 55 degrees 08 minutes east 2477.7 feet to a stone; thence south 37 degrees 19 minutes east 1121.7 feet; thence north 51 degrees 11 minutes east 722 feet; thence south 38 degrees 55 minutes east 1414 feet to the place of beginning, containing 52.53 acres, excepting therefrom, however, the 1.09 acre heretofore conveyed to William W. and Esther Peterson by Deed dated October 29, 1948, recorded in Deed Record 126, page 434 of the Floyd County, Indiana Records; excepting also therefrom the 0.6 acres heretofore conveyed to Mildred Robins by Deed dated April 7, 1956, recorded in Deed Record 148 page 412 of the Floyd County, Indiana Records; excepting also therefrom the 0.51 acres conveyed to Ralph and Alice Blair by deed dated May 10, 1956, recorded in Deed Record 148 page 411 of the Floyd County, Indiana Records, and excepting also therefrom the 8.62 acres heretofore conveyed to Herman C. and Julia H. Becht by deed dated April 12, 1959, recorded in Deed Record 157 page 212 of the Floyd County, Indiana Records. Approximately 42.73 acres, more or less.

Tax Key No. 005-25000-14  
Lot 14 -- Grantline Road

Parcel 4

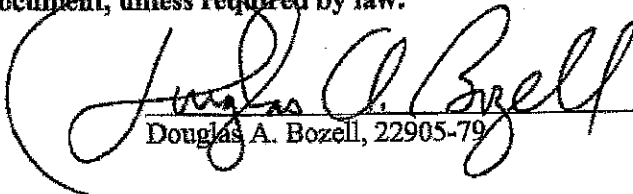
A tract of land being all that part of Lot one of Plat 326, lying east of the Grant

Line Public Road, said plat being also a part of Illinois Grant 106, and described as follows: Beginning at a stone in the southwest corner of Lot One (1) of Plat 326, thence north 42 degrees 30' west, 431.2 feet to the east side of the Grant Line Public Road, thence along the east side of said road north 33 degrees 30' east 868.5 feet to the intersection of the northeastern line of said Lot One (1) with the east line of said Public Road; thence south 35 degrees 30' East, 805.0 feet to a stone in the northeast corner of said Lot One (1), thence along the southeastern line of said Lot One (1) south 55 degrees 30' west, 722.8 feet to the stone at the place of beginning, containing 10.83 acres, more or less.

ALSO, Lot Numbered Three (3) in Plat #326 of the Floyd County records, said plat being a part of Illinois Grant said plat #106 being also Lot #5 of Joseph Smith's unrecorded partition plat, being more particularly described as follows, to-wit: Commencing at the southeast corner of said plat, running thence north 40 degrees west, eight and fifteen one hundredths (8.15) chains to the southeast corner of Lot #1 of said Plat 326; thence South 52 degrees west ten and sixty-one hundredths (10.61) chains to the southwest corner of said Lot #1; thence south fifty-one and one-half (51 1/2) degrees east, eight and fifteen one hundredths (8.15) chains to the south line of said plat; thence north fifty-two (52) degrees east nine and fourteen hundredths (9.14) chains to the place of beginning, containing eight and eight one hundredths (8.08) acres, with the appurtenances thereto belonging.

Tax Key Nos. 005-25000-06; 005-25000-10.  
Lots 6 and 10 -- 5630 Grantline Road

**I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.**

  
Douglas A. Bozell, 22905-79

FLOYD COUNTY  
ASSESSOR

Nov/27/2024

Tax Mailing Address:  
8710 Stoney Point Road  
Charlestown, Indiana 47111

Parcel Number: 22-05-10-600-016.000-007  
Property Address: 5402 Grantline Road  
New Albany, IN 47150

E-RECORDED  
**202413869**  
FLOYD CO. IN RECORDER  
LOIS ENDRIS  
11/27/2024 10:10 AM  
202413869 Pages: 2  
Transaction # 4084530

**EXECUTRIX'S DEED**

THIS INDENTURE WITNESSETH that Ellen Y. Embry, acting as the Personal Representative and Executrix for the unsupervised Estate of Glendel Embry, having been appointed as such by Order of the Clark Circuit Court No. 1 (Case No. 10C01-2108-EU-000145), as Grantor, and pursuant to the terms of the Last Will and Testament of the decedent, Glendel ("Joe") Embry, hereby

**CONVEYS AND WARRANTS**

to Ellen Howard Embry (a/k/a Yvonne Embry), Successor Trustee of The Glendel Embry Revocable Trust Agreement, dated the 24<sup>th</sup> day of March 2009, as Grantee for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following real estate in Floyd County, State of Indiana, being specifically described as follows:

PART OF NO. 106 ILLINOIS GRANT, FLOYD COUNTY, INDIANA, AND BEING PART OF L. BROCK'S 68.23 ACRES IN SAID GRANT, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN AT THE INTERSECTION OF THE EASTERN LINE OF THE GRANT LINE ROAD WITH THE SOUTHEASTERN LINE OF THE ABOVE MENTIONED 68.23 ACRE TRACT; RUNNING THENCE NORTH 3 DEG. 45 MIN. EAST ALONG THE EASTERN LINE OF THE GRANT LINE ROAD, 216.15 FEET TO AN IRON PIN IN A BRANCH, THE TRUE PLACE OF BEGINNING OF THIS TRACT TO BE HEREIN DESCRIBED; THENCE CONTINUING NORTH 3 DEG. 45 MIN. EAST ALONG THE EASTERN LINE OF THE GRANT LINE ROAD 89.85 FEET TO A FENCE POST; THENCE SOUTH 86 DEG. 15 MIN. EAST 278.1 FEET TO AN IRON IN THE ABOVE MENTIONED BRANCH; THENCE SOUTH 29 DEG. 24 MIN. WEST ALONG SAID BRANCH 92.9 FEET TO AN IRON PIN IN SAID BRANCH; THENCE NORTH 87 DEG. 35 MIN. WEST ALONG SAID BRANCH 237.6 FEET TO THE TRUE PLACE OF BEGINNING, CONTAINING 0.51 ACRES.

Being the same real estate conveyed to Glendel J. Embry by Warranty Deed recorded on January 11, 2010, as Instrument #201000240, in the Office of the Recorder of Floyd County, Indiana.

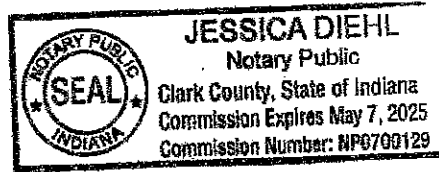


This conveyance is made subject to any and all easements and/or restrictions of public record which may apply to the above-described real estate. The Grantee shall have and hold the above-described real estate in fee simple with all other rights attendant thereto.

In Testimony whereof witness the signatures of the Grantor this the 1<sup>st</sup> day of November 2024.

THE ESTATE OF GLENDEL EMBRY

Ellen Y. Embry  
By: Ellen Y. Embry, Executrix of the Estate of Glendel Embry



STATE OF INDIANA )  
COUNTY OF FLOYD )

Subscribed, sworn (or affirmed) to, and acknowledged before me by Ellen Y. Embry as the Personal Representative and Executrix for the Estate of Glendel Embry, Grantor, to be its true act and deed on this 1<sup>st</sup> day of November, 2024.

My commission expires on: May 7th 2025  
Notary ID: NP0700129

Jessica Diehl  
Notary Public

**NO TITLE SEARCH PERFORMED.**  
**NO OPINION GIVEN.**

I, the undersigned person, hereby affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Prepared by:  
Earl C. Mullins, Jr.  
Earl C. Mullins, Jr., ISCN 10262-10  
Michener, Mullins & Arrington  
1012 S 4<sup>th</sup> ST  
Louisville, KY 40203  
502.582.2900/ecmjr615@aol.com

Duly Entered For Taxation  
Subject To Final Acceptance  
For Transfer  
Nov 27 2024 - AM

Diana M. Fopping  
AUDITOR FLOYD CO. IND.

# PUD EXHIBIT "B"

P-01-25

Docket P-01-05

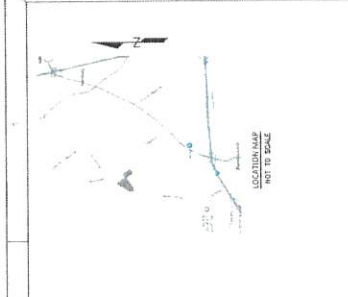


Revision	Date	Description
1	01-02-2025	STUB APPROX PER PC COMMENTS
2		
3		
4		
5		
6		
7		

**REZONING PLAN**  
 GRANTLINE ROAD PROPERTY  
 5820 GRANTLINE ROAD  
 NEW ALBANY, INDIANA 47150

301 E. CHESTNUT STREET  
 CORYDON, IN 47122  
 PAUL PRINAMOVIA & ASSOCIATES  
 TEL: (812) 728-4124  
 FAX: (812) 728-6740

Date: 12-27-2024  
 Drawn By: JAC  
 Checked By: JAC  
 Designer: JAC  
 Job No.: 24-0507  
 File:  
 Drawing No.:  
**1 OF 1**



**PROJECT DATA**  
 EXISTING ZONING: R-1  
 PROPOSED ZONING: R-1  
 EXISTING USE: RESIDENTIAL  
 PROPOSED USE: RESIDENTIAL  
 TOTAL SITE AREA: 8.66 ACRES  
 OFFICE SITE AREA: 1.73 ACRES  
 COMMERCIAL SITE AREA: 4.73 ACRES  
 MULTIFAMILY AREA: 4.73 ACRES  
 SINGLE FAMILY AREA: 4.73 ACRES

**PROJECT CONTACTS**  
 OWNER: [Name]  
 ARCHITECT: [Name]  
 ENGINEER: [Name]  
 SURVEYOR: [Name]  
 PLANNING: [Name]  
 PAUL PRINAMOVIA & ASSOCIATES  
 301 E. CHESTNUT STREET  
 CORYDON, INDIANA 47122

- REMARKS**
1. PLAN IS THE DEVELOPER'S CONCEPTUAL INTENT FOR FUTURE DEVELOPMENT OF THE PROPERTY.
  2. DETAILED DIMENSIONS AND PLATTING DOCUMENTS WILL BE PROVIDED AS REQUIRED BY THE ZONING ORDINANCE.
  3. PROPERTY IS NOT LOCATED WITHIN A LOCAL GOVERNMENT'S PLANNING JURISDICTION.
  4. FIELD DATA ON THE PROJECT DATA AND APPROXIMATE LOTS WILL BE FULLY DETERMINED DURING THE PLATTING PROCESS.