

**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, DECEMBER 1, 2025
AT 7:00 P.M.**

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

ALSO PRESENT: Mrs. Manning, Ms. Johnson, Mr. Hall, Mr. Gibson, Police Chief Bailey, Mr. Wood, Mrs. Miller and Mrs. Glotzbach

President Dickey called the meeting to order at 7:03 p.m.

MOMENT OF REFLECTION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Phipps moved to approve the Public Hearing Meeting Minutes for November 20, 2025, Mrs. Murphy second, all voted in favor with the exception of Mr. FitzGerald who was not present.

Mr. Phipps moved to approve the Regular Meeting Minutes for November 20, 2025, Mrs. Murphy second, all voted in favor with the exception of Mr. FitzGerald who was not present.

COMMUNICATIONS – COUNCIL:

Mrs. Gohmann stated with the impending weather, it's important that everybody pay attention. She said slow down your driving and be mindful that there may be a lot of new drivers out on the road this very first snow, because of kiddos who got their licenses over the summer, and have never had the experience of driving in snow and ice. She stated please be patient, please be mindful and please be careful.

Mrs. Griffith thanked Mr. Wood, Ms. Johnson and Mrs. Miller for the work session on Monday because she appreciates the team taking the time to go over all that with them. She also thanked the city for the post about prepping the roads, she really appreciates that too, and she thinks that's great that we are getting a jump start on it.

Mrs. Murphy also thanked Mr. Wood, Ms. Miller, Ms. Johnson, for all their time and effort on the comprehensive plan and working with them for two hours to get all of their questions answered. She then gave a thank you to all the volunteers, city workers, Mayor Gahan and all who worked with Light Up New Albany this past weekend. She said it was a little short because of the rain, but it was a lot of fun.

Mr. Dickey stated he thinks it's important that we recognize individuals who do stellar work in our community, and tonight he wanted to call out our New Albany High School theater program. He said this past week, he had the privilege of seeing one of the performances of Come From Away, and he has seen top-notch programming, Broadway-style events and musicals and he would put our students up against any one of them. He stated the performance that he saw was that good. He said this is a very well-done performance and our theater program continues to get accolades and recognition. He looks forward to their next performance and would encourage the community to take that up. He has had individuals, including state senators, from places like Bloomington and Indianapolis who have attended a performance and they have been awed by what our kids are doing, so with that being said, just please remember the theater program and congratulations to each and every one of those performers for that outstanding program.

He then stated in that same note, he will also add that on December 11th, you can go and see another group of our fine high schoolers with the holiday concert that features the New Albany High School Band, the orchestra, and the choir. He said this is a fantastic opportunity to have an evening performance filled with music because they do an awesome job as well.

Mr. Phipps asked if he knew the time on that one?

Mr. Dickey stated will look that up. He then said that he does want to make sure that we all are aware they are predicting a few inches of snow. He stated the city has put out some information and Mr. Hall may be providing some additional information on that. He said obviously, we want everyone to be safe, use good judgment, and he is sure there will be several of us, in addition to the city crews, who will be checking on conditions throughout the next day or so.

COMMUNICATIONS – MAYOR:

Mr. Hall stated he just wanted to thank everyone for their support of our Light Up New Albany event. He thought it was a great event this year, we had a bunch of people, and it was a great way to kick off the holiday season and the winter season also, as some of you all mentioned. He then said there is potential for about one to three inches of kind of a wintry mix tonight so crews have been out pre-treating today. He also said we will have some crews coming in in a couple hours as well to work overnight on that snow and keep everybody safe. He stated to please be aware of crews on the roadway and just prepare for winter weather.

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:

INTRODUCTION OF ORDINANCES FOR SECOND READING:

INTRODUCTION OF ORDINANCES FOR THIRD READING:

COMMUNICATIONS PUBLIC: A-25-11 Appropriation & Transfer of Funds

COMMUNICATIONS PETITIONER: A-25-11 Appropriation & Transfer of Funds

A-25-11	Ordinance for Appropriation and Transfer of Funds	Unruh 3
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Mr. Unruh introduced Bill A-25-11 and moved to approve the third reading, **Mr. Phipps** second, all voted in favor with the exception of **Mr. FitzGerald** who was not present. Bill A-25-11 becomes Ordinance A-25-21.

Mr. Unruh stated the funds that are being transferred come from the public safety tax that the Floyd County Council enacted in October of 24. He said it will ensure the safety, protection and welfare of all citizens of New Albany. He stated it is going to go to the police department that requires updated equipment and technology to improve officer safety. He also stated it'll go to the fire department for protective gear, equipment, equipment repair, and medical response support as well as to the city communication and dispatch system to update 911 operations. He said it will also go to the street department for salt, which hopefully we don't need this evening or in the morning, and for appropriate wages for all four groups, as stated in their updated contracts.

Police Chief Bailey thanked the council on behalf of the Police Department, Fire Department and communications.

INTRODUCTION OF RESOLUTIONS:

COMMUNICATIONS PUBLIC: R-25-18 M&M Empire/Integrity Sign

COMMUNICATIONS PETITIONER: R-25-18 M&M Empire/Integrity Sign

R-25-18	A Resolution to Waive Late Tax Abatement Compliance with Statement of Benefits Real Estate Improvement Tax Form	Blair
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Mr. Blair introduced R-25-18 and moved to approve, Mrs. Griffith second, all voted in favor with the exception of Mr. FitzGerald who was not present.

Mr. Blair stated he thinks they covered this already in the public hearing section, and again, thanked Claire, Tonya and staff for making a lot of effort to give them the opportunity to recoup the abatement. He thinks when you look at New Albany and what makes us special, we take care of our businesses, and we make sure that we do things to help them where we can to make them successful. He said the one thing he likes about Integrity Sign is that they're all local; it's not like it's a larger corporation with a branch here, it's local employment. He stated they are in compliance with what they said they would do. He added, in fact, they've exceeded that a little bit so he would just encourage everybody to vote yes on this.

Ms. Johnson stated she just wanted to provide some background on the abatement and then kind of detail on this process also because she knows it is new to the council. She said M&M Empire, also known as Integrity Sign Solution, was granted both a real estate tax abatement for 10 years and a personal property tax abatement for five years in 2016 under Resolution R-16-11. She stated the personal property abatement concluded in 2021 and the real estate abatement remains active and is scheduled to run through pay 2027. She said the original SB1 filing in 2016 projected 16 existing jobs, 10 additional jobs, and \$1.5M in real estate investment. She also said the most recent CF1 received showed 25 total employees, so one short of that projection of 26, and a \$1.742M in real estate investment was completed. She stated what triggered the noncompliance was for the 24 pay 25 tax year, the CF1, due May 15th of 2024, was not filed. She said as Mr. Blair stated during the public hearing, the Redevelopment Office, Economic Development Office, did send out an annual invoice, which was sent in April of 2024. She added emails were sent in May and phone messages through June. She said no response was received, and so when that form came before the council with the list of CF1s, they were not included within that form for approval. She stated in October of this year, the owner, Melissa Hobbs, emailed staff and explained the circumstances that prevented her from responding in 2024 that she also detailed during the public hearing as well. She said the process for this under Indiana Code to waive a failure to file a timely or complete CF1 is through the following steps. She stated we provide public notice of the request, hold a public hearing, and then the council considers and potentially adopts a resolution. She added the notice of the public hearing was properly published, and the hearing was held tonight prior to this meeting. She stated what the approval would do if this was to be adopted tonight is the property abatement would be reinstated for the remaining eligible years, so that would cover 24 pay 2025 and continue through 26 pay 2027. She added that would result in the business receiving the tax savings that were originally approved in 2016, and the city would also collect those associated fees for 24-25 and 25-26 if reinstated.

Ms. Melissa Hobbs, Integrity Sign Solutions, stated there was just a myriad of activity going on in the business starting at the end of 2023, which climaxed in 2024 in the spring when our forms were due. She said it was lots of personal issues that took precedent over the business, unfortunately, but now we have circled the wagons and we're ready to move

forward and just hopeful that we can recoup some of what we lost just due to her inattention and inability to act in those moments because it carried over into 2025. She said she appreciates the council willing to hear her case.

Mr. Blair stated he didn't hear Ms. Johnson mention the amount and asked if it was a little over \$15,000.00 for 24 pay 25 and then \$11,700.00 for 25 pay 26?

Ms. Johnson replied yes, those numbers are correct.

Mr. Dickey stated he knows we mentioned in the break, obviously, wanting to make sure that we don't repeat this. He knows Ms. Hobbs has taken some action to try and ensure that doesn't happen from an accounting standpoint and asked if she wanted to mention that at all?

Ms. Hobbs replied yes and stated she has all the deadlines entered on her Google calendar, which is her lifeline these days as a business owner and as a single person now. She also stated that her bookkeeper has all of the deadlines on her calendar now and her accounts payable and accounts receivable guy does as well, so between the three of us, we shouldn't have this issue again.

Mrs. Griffith stated she just wanted to thank Ms. Johnson for working with Ms. Hobbs too. She said she has only been on the council three years, and she has seen the tax abatement process improve very much over the time. She stated that she is getting all of the details and she thanks Ms. Johnson and Mrs. Fischer for working with the local businesses in the city, and vice versa. She then thanked Ms. Hobbs for being in New Albany.

Ms. Hobbs said yes Tonya and Claire were amazing and very helpful.

Mr. Phipps stated he just want to make a comment. He said while he is very sympathetic with the situation that Ms. Hobbs has gone through, and he is sure they're a great business, he just thinks we maybe set a dangerous precedent for future if we do this. He stated in the 14 years he has been on the council, he doesn't recall ever doing this before, so he is not going to vote against it, but he can't vote for it, so he'll probably abstain on this one.

Mr. Dickey asked Ms. Johnson if she knows of any incidents like this going before the council at any other time?

Ms. Johnson replied no and stated that's why she wanted to be sure to detail that process for the council tonight.

Mr. Blair stated that he agrees with Mr. Phipps and does not remember this ever happening, but we have overlooked some people who weren't in compliance, didn't have the job numbers or the investment numbers that they've had, and went ahead and gave them abatements for that reason. He knows what Mr. Phipps is saying about the precedent, but the abatements are sort of, in his mind, the benefit of doing business in our community, and that's why he is pretty much for abatements, but he does appreciate Mr. Phipps's thought on that.

Mr. Phipps stated Mr. Blair is absolutely right. He said we have let other situations slide where they didn't meet what they promised, so if he does vote in favor of this, it would be because of that reason. He thinks in the future we need to hold those other businesses accountable for meeting those goals that were set. He added that would be the one way he may be able to excuse this one and maybe vote for it. He said he would think a little bit more about it as he hears some comments from other people.

Mr. Dickey stated he'll concur with what Mr. Phipps and Mr. Blair are both are basically saying. He thinks as a general practice, we do need our business partners to obviously follow through and he think that comes in many forms, both meeting the obligation of what they set out in terms of investment, in terms of hiring, but also in terms of making

sure the process works. He also acknowledges that there are, unfortunately, times when things go awry whether it be a disaster or personal tragedy that interrupts that ability. He wants to be very clear from his standpoint, if he votes for this tonight, this would be the only mercy that he, as a council member, would apply. He said if there's a failure in the future, he doesn't think at that point he could in good faith waive the rules if it happens again. He is assuming that some of his council members may feel the same way, but he also believes that there are times where a little bit of grace can be extended. He said he does appreciate that we're talking about a business that is operating on the local level and is developed on the local level, and that's exactly why he thinks we as a city have wanted to help grow and maintain our local businesses. He stated we just came out of the Thanksgiving Day holiday and talked a lot about Small Business Saturday, so he is very mindful that he wants our local small businesses to thrive, and sometimes we can play a big role in enabling that to happen.

Mr. Phipps said as we move forward on this, maybe this is something that we need to take a look at where we can kind of maybe tighten it up if the state allows us to do that. He added like if a person was X number of days late versus six months, then maybe they get it. He stated if they got it in, let's say six months late, they would get the abatement going forward for those six months, but not for the six months previous. He asked if the state would allow us to make those kinds of tweaks?

Mr. Gibson stated that the council would set their own policy or adopt their own policy on how they want to do it.

Mr. Phipps stated since we haven't had a policy, that would be another reason he may show some grace on this, and plus the message he heard at church yesterday that we should show people grace. He doesn't talk about his faith often, but occasionally maybe he does need to.

Mrs. Griffith stated she does agree with what Mr. Phipps is saying too. She said she was a no before coming in here, too, because she does think that we need to have a process and rules followed. She thanked Ms. Johnson for walking them through that process. She also said since they have been in compliance for pretty much seven, eight years of what it was, and they have met their requirements, she is okay with it now. She added if this was their second or third year, that might have been different, so she thinks it is a case-by-case. She also added still being new to the council, she didn't know this was the first time we've had this request. She thanked Ms. Hobbs for taking her time to come here, too, because she knows that wasn't easy for her to come before us and ask for that. She said that's another reason why she is for that. She stated maybe we should do a policy of some sort, just a quick little guideline so this doesn't happen in the future.

COMMUNICATIONS PUBLIC: R-25-19 Confirm ERA (Daisy Summit Rd.)

COMMUNICATIONS PETITIONER: R-25-19 Confirm ERA (Daisy Summit Rd.)

R-25-19	A Confirmatory Resolution of the Common Council of the City of New Albany, Indiana Declaring an Economic Revitalization Area and for Real Property Abatement	Unruh
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Mr. Unruh introduced R-25-19 and moved to approve, Mrs. Murphy second, all voted in favor with the exception of Mr. FitzGerald who was not present.

Mr. Unruh stated that HyperCars is a locally owned business founded in New Albany in 2015 specializing in high-end and exotic vehicles. He said the company plans a \$10M investment to construct a new 50,000 square foot flagship facility on approximately nine acres at 102-109 Daisy Summit Road. He stated the project will retain 20 existing jobs and create 20 new skilled jobs with an average wage of over \$50.00 an hour. He said there is an anticipated fiscal impact of over \$230,000.00 in new and annual property taxes and approximately \$64,000.00 in annual local income taxes. He said this action that we

take this evening represents the final step in the statutory tax abatement process following the declaratory resolution that we adopted on November 3rd.

COMMUNICATIONS PUBLIC: R-25-20 Comprehensive Plan: Year 2045

COMMUNICATIONS PETITIONER: R-25-20 Comprehensive Plan: Year 2045

**R-25-20 Resolution of the Common Council of the City of Phipps
New Albany Adopting the City of New Albany and
Unincorporated Two-Mile Fringe Area
Comprehensive Plan: Year 2045**

Mr. Phipps introduced R-25-20 and moved to approve, Mrs. Gohmann second, all voted in favor with the exception of Mr. FitzGerald who was not present.

Mr. Unruh motioned to adopt the amendments of Resolution R-25-20 that were received by the council and were set out by Mr. Gibson, Mr. Blair second, all voted in favor with the exception of Mr. FitzGerald who was not present.

Mr. Phipps stated as he pointed out before, the Plan Commission approved this unanimously a couple of months ago. He said we had a lot of good questions about this and concerns that were expressed at the work session that we had last week. He said based on that, he has a list of some amendments that basically have been reviewed by the Planning and Zoning Office and Development Office and they are on board with these. He is just proposing that someone maybe make a motion for an amendment to include these.

Mr. Blair stated he does appreciate the team's willingness to look at some of these items we had questions on. He knows it was a lengthy meeting last Monday, but he appreciated them doing these items. He said he knows that a lot of this is going to flow into more specific and detailed information on the zoning code and asked if he could please be part of that process beforehand? He thinks it would make the meeting go a lot smoother. He stated he has had a lot of experience and has been through a lot of zoning issues, and he'd like to be part of that process before it gets presented to the public or to the approved authorities.

Mr. Wood stated we recognize the zoning ordinance is a lot more complicated than the comprehensive plan is and want to get council buy-in at the earliest possible time. He said we are finishing an extensive rewrite of the definitions in the zoning ordinance because we don't think the current definitions are nearly adequate, and he'd like to get those reviewed and approved and to the council so that you can get those early on as well. He stated we're going from about 250 or 300 definitions to about 750 definitions, so it's substantially more complicated than previous. He doesn't want to have a 900-page zoning ordinance when we're done. He'd like to have what they call a 10-minute ordinance and it should take the average person of average intelligence about 10 minutes to figure out how to navigate the zoning ordinance. He added right now, definitions are scattered all over the place and we're trying to bring them all into the same place. He stated if you're looking for various definitions with dwelling, for example, they're all in the same place; we're trying to make it simpler that way. He said then the next section will be the development section and we're working on that. He stated again, we're really trying to get this done before the moratorium expires and doesn't want to ask the council to extend it one more time. He said it's probably going to come in bits and pieces, but the council will have a lot of opportunity with it.

Mr. Blair asked if there is a steering committee like there was with the comprehensive plan on the zoning ordinances?

Mr. Wood replied no, we're just doing it at the staff level and it'll be up to Council President Dickey to put that in a council committee.

Mr. Phipps said while you're mentioning definitions, he thinks the more definitions, the better because that way you eliminate a lot of those gray areas in the wiggle room because you've got it firmly defined.

Mr. Wood said it's very frustrating when you're doing zoning enforcement to see something and not find a definition that simply describes what you're seeing. He could give lots of examples, but he's not going to.

Mr. Phipps said this is an inside joke that Mr. Wood will understand. He stated to make sure we delineate between a porch and a deck. He said his very first meeting on the BZA many years ago, his stepping stone into politics, there was a long and lengthy debate between the developer and the staff whether something was a porch or a deck because it's going to have totally different rules on it. He added it was an experience, but that's why the definitions are very important for clarity.

Mr. Blair stated on item number three, where we're deleting out form-based code, does that show up anywhere else in the document except for page 57? He also thanked them for making all of the changes listed in the amendment.

Mr. Wood replied he does believe that is the only place where it is cited.

Mrs. Griffith thanked them for explaining more with the ADUs but she just wanted on the record that she understands the benefit that that's going to give to our community, but she does worry what that's going to look like down the road, and that's where she knows the ordinances are going to come in. She said she probably will be questioning that at that point a little bit more just to make sure we're not setting ourselves up for a bunch of tiny homes or anything like that. She again thanked them for taking the emails and taking all of the recommendations when we do the zoning code

Mr. Gibson stated as you know, at least this administration has been pretty adamant about trying to reel in rental housing, so it is definitely not our plan or foresight to add to that problem with these. He said Ms. Johnson put together a really good memo that gives you some of the benefits of why we do think it's worth considering modifying the zoning code.

Mrs. Griffith stated she agrees with it but just worries, like she said, 10 or 15 years down the road when none of us are sitting in any of the positions that we currently are, what that's going to look like for the city because then you have permanent structures in place.

Mr. Gibson said again, he does think we'll be able to reel that in at the zoning level. He said there are different ways Mr. Wood was talking about today, like it's one meter and you're not getting separate meters, it's all tied to the main house. He stated there are different ways that that will be presented that will ensure that it's a much tighter thing than just building apartments in the back of your yard.

Mr. Blair stated we have we have nine zones and he thinks that's where you really distinguish it between what you can do in each of the zones. He said because he has had this battle a couple times already in residential neighborhoods, people just get really upset about it, so he thinks that we can sort of put some criteria around it about what you can and can't do in certain zones.

Mr. Phipps stated that he would concur with both Stephanie's comment and Scott's comment about having concerns down the road. He said it's one thing when you've got a family living there and it's for the mother-in-law or for the kid, but 25 years from now, when that property sells, that's not to prevent an out-of-state, absent landlord purchasing that and say, hey, well, I've got two rental properties here. He said he would agree we need to kind of tighten the controls on them. He also said in theory, it's a good thing, but he just wants to be on the record that he agrees with both of those comments that were made there. He added hopefully the zoning code will address that.

Mr. Gibson asked the council to do their research and help them out to make it tight. He then stated part of the process, and he should have put it in this resolution for your amendment, is that there has to be a rationale for why we're making these changes and that would come from the council. His recommendation, unless Mrs. Manning says something different, is that he kind of goes through these real quick with council, and if acceptable, maybe give the president the authority to sign off on a letter that says here are the reasons as we discussed in this. He said or he guesses you could formally make it part of the resolution. He just didn't think about that when they put it together. He added that's part of the statutory requirement that you tell them what it is and kind of why. He sated these are pretty easy and he thinks he could go through them really quick, put it on the record, and then however you all want to handle that, if Mrs. Manning has a suggestion, he's fine.

Mr. Phipps asked if he has a justification for each of the points or just one collectively for the whole thing?

Mr. Gibson said he thinks for each of them it's fine, and he kind of put some real quick notes down of what, based upon the notes taken by staff, meaning what the rationale of what these were. He stated we can just go through that real quick and make sure that is correct, and then we just have to convey it from the council to the Planning Commission, just the rationale or reasoning.

Mr. Phipps stated that sounds like a good way of handling it to him.

Mr. Blair said he agrees.

Mr. Gibson stated he would think to him personally, if we get it in the minutes, the minutes will reflect that. He said we'll have the minutes for the council he thinks that's quite sufficient in his legal opinion.

Mrs. Manning said she thinks that's fine to take what Mr. Gibson has and put it in the cover letter too.

Mr. Gibson said maybe we'll do both, get it in the minutes and she can do a cover letter based upon those minutes that this was the rationale and if that's okay. He then went over the amendments that were passed out to the council members. Said amendments are on file in the city clerk's office. He explained in number one, the change was the rationale that it is just a more appropriate term to use reduce versus phase out. He stated number two was, he thinks, trying to add some additional guidance for small business owners and small businesses. He said number three was just to clean up the process and move away from a form-based code ordinance. He stated number four, again, was maybe using a more appropriate term and language and not so restrictive as just one institution. He said number five was to provide better guidance on what action maybe is necessary to accomplish the floodway and cleaning that and making sure it's nice and safe. He stated number six was just sort of a carryover. He said all the items listed in there are not within our jurisdiction as a city, nor are they within our control, so it just sort of made sense and it would just sort of remove that section. He then said if that is all okay, we've got it in the minutes, as long as you'll vote for it, and then Ms. Manning can put it into a brief letter to us for the Planning Commission, and that will suffice the legal requirements that we will need.

Mr. Dickey wanted to add on that passage this is a pretty substantial step for our city, and he wants to thank all of our steering committee members and our staff who have worked countless hours on this. He said it takes a lot to get this done, and he thinks we've produced a pretty fine comprehensive plan, so he just wanted to echo that as a final thought.

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no other business before the board, the meeting adjourned at 7:51 p.m.

Adam T. Dickey, President

Vicki Glotzbach, City Clerk