

COMMITTEE MEETING

The Common Council of New Albany, Indiana, will hold a Committee Meeting of the Public Health & Welfare Committee meeting to discuss A-26-04 Ordinance for Appropriation of Unrestricted Opioid Settlement Funds on Wednesday, May 20, 2026 at 12:00 p.m. in the Council Conference Room at New Albany City Hall, 142 E. Main Street, New Albany, Indiana 47150. Should you have any questions about this meeting, please see the City Clerk in Room 114.

Vicki Glotzbach, City Clerk

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, MAY 21, 2026 AT 7:00 P.M.

A MOMENT OF SILENT PRAYER, CENTERING OR REFLECTION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Regular Meeting Minutes for May 4, 2026

COMMUNICATIONS – COUNCIL:

COMMUNICATIONS – MAYOR:

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

ADMINISTRATIVE ITEMS:

MEETINGS OF A COMMITTEE OF THE WHOLE, AS OTHERWISE PERMITTED AND APPROPRIATE:

REPORTS – COMMITTEES, EXCLUDING ORDINANCES ON 2ND READING (WHICH SHALL BE MADE DURING CONSIDERATION OF ORDINANCES ON 2ND READING) OR OTHER OFFICIALS AS REQUESTED BY A MAJORITY VOTE OF THE COUNCIL:

- **Public Works Committee Report – Dickey**
- **Public Health & Welfare Committee Report - Collier**

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES FOR FIRST READING:

A-26-02	Ordinance for Appropriation of Unrestricted Opioid Settlement Funds	Collier 1
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Action Taken: Referred to the Public Health & Welfare Committee.

G-26-04	An Ordinance Amending Chapters 97 and 100 of Title IX of the Code of New Albany to Establish an Objection and Hearing Process for Costs Assessed for Hazardous Tree Abatement and to Create a Hazardous Tree Removal Assistance Program	Dickey/ 1 Collier
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Action Taken: Referred to the Public Works Committee.

INTRODUCTION OF ORDINANCES FOR SECOND READING:

COMMUNICATIONS PUBLIC: A-26-04 Opioid Settlement Funds

New Albany City Council Members

Jennie Collier; Member; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027
Adam Dickey; President; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027
Greg Phipps; Member; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027
Chris FitzGerald; Member; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027
Louise Gohmann; Member; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027
Scott Blair; Member; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027
Stefanie Griffith; Member; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027
Elaine Murphy; Vice President; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027
Don Unruh; Member; Appointing Authority: Elected; Term: 01/01/2024 - 12/31/2027

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, MAY 4, 2026 AT 7:00 P.M.

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

ALSO PRESENT: Mrs. Manning (Remote), Mr. Gibson, Ms. Johnson, Ms. Miller, Mr. Wood and Mrs. Glotzbach

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

A MOMENT OF SILENT PRAYER, CENTERING OR REFLECTION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mrs. Murphy moved to approve the Regular Meeting Minutes for April 16, 2026, Mr. Phipps second, all voted in favor.

COMMUNICATIONS – COUNCIL:

Mrs. Collier stated she wanted to take a moment to recognize that yesterday was MSL3 Day. She said it's an ultra-rare genetic disorder and she just wanted to bring a little bit of awareness to it because her great-nephew was the 42nd person to ever be diagnosed with this genetic disorder, and it's important to raise awareness because he is different. She stated because he is different, unfortunately, his life is a lot harder and the disease is so rare they get a day, not even a month. She said yesterday was the official day for that, so she just wanted to take a moment to recognize everybody in our communities that has something that makes them different. She also said we should all be mindful to be more accepting of those things so their lives are not harder than what they already are.

Mr. Phipps stated May is Military Appreciation Month and is also Mental Health Awareness Month as well as Older Americans Month. He said tomorrow, he'd just like to wish everyone Happy Cinco de Mayo.

Mr. FitzGerald stated if you have not voted yet, the polls are open tomorrow from 6 a.m. to 6 p.m. tomorrow, so make sure that you get out and make your voice heard.

Mrs. Gohmann stated to piggyback on what Mr. FitzGerald said, tomorrow is a very important day in Indiana, it's election day. She said that rides to the polls are available and that phone number, if you need a ride, is 812-725-2020.

Mr. Blair stated he had a question for our two members on the Redevelopment Commission. He said the News and Tribune reported that money was allocated from the CDBG funds, and there was \$100,000.00 that went to the city of New Albany for administration and planning, and then there was another amount of \$314,000.00 that went to the city of New Albany for public facilities improvement projects. He stated there wasn't a lot of detail in the article and he was just hoping to get a little more information on both of those projects.

Mr. Dickey stated the public facilities money relates to, for example, in the past we've done sidewalk improvements and things of that nature that adds to the work that we program through our regular budget, but it's targeted into the Community Development Block Grant areas. He said then the administrative money pays or goes toward our staff and related administrative expenses to run the program, and there are a couple different employees that are in that.

Mrs. Collier stated when she worked in redevelopment, there were certain projects, such as the Home Ownership Assistance Program or the Emergency Repair Program. She said those were CDBG programs, and in redevelopment, when she was there, we had to allocate our time, how much time we spent each day working on whatever we were working on. She stated when it was a CDBG project, some of her time could be paid for from administration costs. She added that was back in 2008 and that's how it was being done.

Mr. Blair asked if that staff money wasn't already budgeted and part of our budget? He asked if they are hiring or bringing in additional workers for that?

Mrs. Collier stated she thinks the funding was kind of built in to help and the administrative costs were allowed to cover the staff time working on CDBG projects. She added that was built into the way each employee was paid.

Ms. Johnson stated the staff member in redevelopment that is paid from Community Development Block Grant funds, as Mrs. Collier is detailing, puts down all of those hours on a timesheet that we keep, and then those are billed to CDBG. She added what Mr. Blair is referring to is maybe the salary is set through the salary ordinance, and then the actual salary and benefits are paid out of CDBG for that staff member.

Mr. Blair said so when we did our budget, did we take that into consideration that that worker would be partially paid for CDBG and then partially paid for other things?

Ms. Johnson stated their salary is covered in full by CDBG, and their benefits are as well.

Mr. Dickey stated that would be part of the revenue that we would anticipate for paying that.

Ms. Johnson said the administrative cost also takes into account any type of consulting fees that we may have for work on, say, the consolidated plan or an annual action plan, things like that. She added it would also take into account supplies in the office, so we would account for any paper or printing that's used for CDBG specifically is then billed to CDBG. She also added that advertising takes a good chunk out of that, which we're required to do.

Mrs. Griffith stated she just wanted to wish everybody a Happy Mother's Day if you're a mom, and if not, call your mother and wish her a Happy Mother's Day if she's still here.

Mrs. Murphy stated along those lines, tomorrow is election day so make your mother proud and go vote. She said you can go to the fairgrounds, New Albany High School, Floyd Central High School, Georgetown Elementary, Prosser, Novaparke, or the New Albany Library from 6 a.m. to 6 p.m. She added Mrs. Gohmann gave the number for a ride. She then said don't forget your moms on Sunday, May 10th. She added this week is Teacher Appreciation Week, so please let your teachers know how much you appreciate them.

Mr. Unruh stated the Southern Indiana Arts Alliance, as part of their Spring Shakespeare Tour, is presenting William Shakespeare's Pericles. He said that is this coming Saturday, May 9th at 2 p.m. at our Bicentennial Park at 118 East Spring Street in New Albany.

Mr. Dickey stated May is also NF Awareness Month and several of you will remember that we set that out in a resolution a few years back on this council. He said NF is short for Neurofibromatosis and it's, unfortunately, something that he knows a lot about because both his son and his wife have NF. He stated, luckily, his family has a very mild case, but it can have considerable impacts, but luckily, we have a regional center at the Cincinnati Children's Hospital that is number one in the nation for that, and gives them a tremendous resource. He said he did want to mention that redevelopment approved, as Mr. Blair mentioned, the action plan for 13 projects that were given funds and he wants to just highlight a few of those. He said one was the new directions emergency repair program that helps those in need with repairs to their homes in order to stay in those homes and in the community. He stated another was the homeownership assistance program as well as court-appointed special advocates of Floyd County also received funding. He added Hope Southern Indiana received funding as well as Lifespan Resources, just to name a few. He added there is a full list and he posted some information on his own Facebook about it, but he believes you can get more information through the city page as well. He stated lastly, obviously May is also Mother's Day and similar to his council colleagues, he wants to celebrate all our moms.

COMMUNICATIONS – MAYOR:

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

ADMINISTRATIVE ITEMS:

MEETINGS OF A COMMITTEE OF THE WHOLE, AS OTHERWISE PERMITTED AND APPROPRIATE:

REPORTS – COMMITTEES, EXCLUDING ORDINANCES ON 2ND READING (WHICH SHALL BE MADE DURING CONSIDERATION OF ORDINANCES ON 2ND READING) OR OTHER OFFICIALS AS REQUESTED BY A MAJORITY VOTE OF THE COUNCIL:

Mrs. Gohmann presented the following report for the Public Safety & Traffic Committee meeting:

Date/Time: April 27, 2026, 1:00 pm
Location: New Albany City Hall, 142 East Main Street, Media Room

Committee Members Present: Louise Gohmann - Chair, Christopher FitzGerald Member

The Public Safety and Traffic Committee met to review items brought up at the April 14th public meeting hosted at the Floyd County Library.

Five members attended: Louise Gohmann, Greg Phipps, Chris FitzGerald, Elaine Murphy, and Stephanie Griffith.

Four members of the public attended: Tony Toran, Sr, Cisa Kubley, Amy Clere, Adam Rutledge

While reviewing the following items, two over-arching themes occurred: Increase enforcement and an increase of infrastructure investment

Issues Presented to Committee:

- Semi-trucks speeding and using the side streets
 - Korb and Indiana
 - Mt Tabor between Klerner and Charlestown
- Increased traffic speeding around school zones
- Vehicles passing buses when picking up/dropping off students
- Speeding on streets
 - Mt. Tabor between Klerner and Charlestown
 - Laib to Roselawn (Slate Run to Charlestown)
- Repair work on Laib
- Road diet on Ekin
- Speeding on 8th Street by cemetery curve
- Children at Ply sign placement at Gary and Fenwick
- Parking on the left side facing traffic
 - Zurschmeide Drive
- Crosswalk/pedestrian safety at Vincennes/Culbertson intersection
- Crosswalks on Spring Street

Mr. FitzGerald passed out the following report to each council member for the Development & Annexation Committee meeting:

Time: 10:00am
Location: New Albany City Hall, 142 East Main Street, the media room

Members Present: Christopher FitzGerald - Chair, Adam Dickey, and Greg Phipps

Staff Present: Scott Wood, Director of Planning and Zoning; Krisjans Streips, Chief Planner, and Marietta Miller, Planner

The Development and Annexation Committee met to discuss G-26-03 An Ordinance of the Common Council of the City of New Albany, Indiana extending the temporary moratorium on the construction of non-owner-occupied multi-family housing structures and the issuance of permits for short term rentals.

Director Wood presented an updated timeline/roadmap for the updated Planning and Zone code. Aims to have the code to the Plan Commission by August and to Council for passage in November. With Ms. Miller joining the department as a Planner, things have moved faster. Areas of final focus are:

1. Definitions
2. Zone Districts
3. Use tables

4. Development Standards

Director Wood indicated that there have been very few calls to his office from people who were wanting to build multi-family housing or inquiring about short term rental registration.

Councilman Phipps asked about definitions that may not pertain to New Albany right now, but may in the future. Director Wood indicated that some of the definitions like Ocean Ports are excluded, but the office is working to be holistic in what areas the city may need to focus on in the future.

Councilman Dickey brought up constituent concerns about multi-family developments, and pivoted remarks back to the moratorium.

Director Wood recognized the timeline situation leading up to this week, and is comfortable with the timeline to get the updated code to the Plan Commission and Council for final passage in November.

Councilman Dickey motioned to send G-26-03 to the full Council. Councilman Phipps seconded. Motion passed 3-0 with Councilman FitzGerald joining with the majority.

Councilman Phipps moved to adjourn. Councilman Dickey seconded. Motion passed 3-0.

Meeting adjourned at 10:22 am

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES FOR FIRST READING:

G-26-03	An Ordinance of the Common Council of the City of New Albany, Indiana Extending the Temporary Moratorium on the Construction of Non-Owner-Occupied Multi-Family Housing Structures and the Issuance of Permits for Short-term Rentals Under Ordinance G-24-02	Phipps 1
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Action Taken: Referred to the Development & Annexation Committee.

INTRODUCTION OF ORDINANCES FOR SECOND READING:

COMMUNICATIONS PUBLIC: G-26-03 Extension of Moratorium

Mr. Daniel Gerkin, 2104 E. Elm Street, stated he had some questions and thoughts about the extension of the moratorium ordinance. He said short-term rentals are cited as a problem in the ordinance, specifically the number of these rentals and the high rate of noncompliance among short-term rental permit holders. He stated the original reasoning also cites more of these short-term rentals than in comparable areas around us. He agrees that we do not need any more dedicated short-term rentals, as we have plenty. He believes the city should rescind all short-term rental permits in the city, reduce the amount of permits available to free up housing inventory, and then enact a lottery system to re-establish the permits. He stated this could also provide an opportunity to create better short-term rental rules and enforcement. He then asked if enforcement of the permit rules increased since the original passage of the ordinance? He said it was cited as an issue and he'd like to know how we're going to deal with that. He asked if any changes to the rules or process have been explored? He stated this approach would free up housing stock for residents and would create a better partnership between these short-term rental owners and their neighbors because of clear and enforced rules. He said on the topic of permanent multifamily housing units like apartment complexes, there are so many people who cannot afford to purchase their own home or simply do not want to. He asked where would these people live especially since the city is growing and the county around us is growing? He stated they would need to move to neighboring communities who will get the benefit of tax dollars and investments in their local businesses instead of the local businesses here. He said we need to take stronger action to address these issues with meaningful steps. He suggested looking into options that will create developments that incorporate housing, business, and community spaces altogether. He thinks increasing this kind of density will bring vibrancy to the city and create walkable and livable areas. He would welcome these kinds of multifamily developments in his neighborhood if it was incorporated with beneficial local businesses that he could walk to, and places that he could go

hang out with the community around him. He added more people means more money available to support businesses and community spaces. He said extending this ban will continue to push the problem into the future and hurt us along the way. He stated we can tackle this short-term rental problem, the lack of housing stock availability, and the lack of availability of affordable rentals for residents in better ways than this ordinance. He encouraged the council to explore alternative options. He then thanked the council for their time.

Mr. Zachary White, 1937 E. Spring Street, stated this is not the first time he has appeared before the council in opposition to extending this ordinance. He said the first time that this was proposed many years ago, he stated that there is no known instance in the United States where a moratorium enacted for a single year does not require an extension, and he warned about the dangers of a multifamily moratorium and the effects it has had on the communities that has enacted them. He added it increases the time that projects take off the ground as well as attracting investment into their communities, etc. He stated the moratorium passed that year, and then a year later he stood before the council, cautioning again not to extend it, citing that the construction industry, which he is a part of is just getting worse when it comes to multifamily procurement of materials and manpower. He said so here he is once again asking that this moratorium not be extended. He stated for most multifamily projects, it takes a minimum of two years to get funding and planning before approaching the planning agencies in any jurisdiction, and then another two to three years until the construction is finalized. He said if you doubt him, you can look no further than just next door with the Oxbow, which was originally started with the planning process back before the moratorium was proposed in 2021, which was when they drafted the initial plans, and with the Padgett development down the street. He stated a lot information has been previously sent to members of the council, and if you are interested in receiving it again, his email is on the contact form. He stated again, he cannot stress the continued damage to the city that a moratorium will affect. He then thanked the council for their time.

COMMUNICATIONS PETITIONER: G-26-03 Extension of Moratorium

G-26-03 An Ordinance of the Common Council of the Phipps 2
City of New Albany, Indiana Extending the
Temporary Moratorium on the Construction of
Non-Owner-Occupied Multi-Family Housing
Structures and the Issuance of Permits for
Short-term Rentals Under Ordinance G-24-02

Mr. Phipps introduced Bill G-26-03 and moved to approve the second reading, Mrs. Collier second, all voted in favor with the exception of Mrs. Gohmann and Mrs. Griffith who voted no.

Mr. Phipps stated we had our Annexation and Development Committee this morning that Mr. Fitzgerald chaired, and he's provided you with a very detailed analysis of our findings, and it was voted on to forward to the council favorably, unanimously. He said again, the zoning department is working on the new zoning code, and we want to extend this moratorium until the new zoning ordinance is in place. He stated in addition to this information, the staff also provided us with a tentative timetable for this process, which would begin with stakeholder meetings in July, followed by a presentation to the Plan Commission in August, and possibly another stakeholder meeting in September. He added the Plan Commission would probably have this on their agenda to vote in October, and then it would come to the council in November. He said if all of that proceeds correctly on the timeline, we'd probably be in a position then to rescind this moratorium, at least by the 1st of January. He said so while the ordinance is allowing for up to a year, in all good possibility, if everything goes well with the new zoning code, it could just be seven months that we're talking about. He then asked Mr. Wood if he wanted to add anything or if anyone had any questions for Mr. Wood?

Mr. Wood stated in response to a couple of comments that were made in the audience, short-term rentals, STRs for an abbreviation, are regulated through state statute, so we have a narrow lane that we can work in with regulating them. He added having lotteries and limiting a number is going to be pretty difficult to do. He said we can create some separation requirements so that we don't have an entire neighborhood of them, but just first of all, outright eliminating them is not a possibility. He added we're going to do everything we can to limit the number of them. He then stated as Mr. White has said correctly on a number of occasions, when you limit something, you increase the cost of it, and when you flood the market with it, you decrease the cost of it, so there's two sides to the coin he's pointing to there. He agrees with him but our goal as Mr. Phipps said and from his comments this morning in the council committee meeting, we want to get this to you around Thanksgiving and get an approval in 2026. His staff is doing this in-house and we

worked with a consultant briefly on some of the housing components when we were still working on the comprehensive plan, but we're doing the majority work in-house. He said the zoning ordinance has 10 chapters and six of those are kind of administrative in their nature. He said we're tweaking those around the edges, but they're pretty sound as far as what we have with the ordinance, and it is four chapters that are really the key elements for us. He stated those are the definitions, the zoning districts, the land uses permitted in those zoning districts, and then the development standards. He stated he can tell them that our definitions are finished and are in legal review right now. He said we've added a significant number to the number we have in the current zoning ordinance. He added anybody who's been on a planning commission or BZA will tell you definitions are really important and we've taken that very seriously, and he thinks we've got some really good definitions going for that. He said land use and zoning components are probably 65% or 75% complete, but we're doing a lot of cross-checking to make sure we're not creating a zoning standard that puts everybody in a trick bag. He stated for example, in the older parts of the city, if your house is three feet from a side property line but built, say, in 1880, and the new zoning requirement is five feet, if you want to add an addition to that side of the house, you've got to come get a variance. He said so we're proposing something that says if you're three feet with your main house, your addition can stay three feet and you can do that by right so you don't need to come and get a variance. He stated we think that's going to be a pretty successful thing for a lot of the community. He then said as Mr. Phipps mentioned, our goal is to have three workshops each for the city council and for stakeholders and they'll be happening this summer and early fall. He stated we'll have a presentation for the Planning Commission in August with the Board of Zoning Appeals there as well, and that will be a public meeting; the public will be invited. He added it will be up to the Planning Commission to take comments, but we're open to that. He stated the Planning Commission is required to conduct a public hearing, they'll make a recommendation on the amendments to the zoning ordinance, and the council will do their normal job with the ordinance and conduct it over three readings. He wants to emphasize this is not a replacement zoning ordinance like we did in 2019. He said we had a 1971 vintage zoning ordinance with lots of amendments pieces falling off here and there, so we just decided that thing was done and went ahead and adopted an entirely new ordinance. He said this is not that situation; we're really focused on those four chapters in the middle of the zoning ordinance, so he's really excited about it. He stated he has a great staff; we've really done a lot of research, we've looked at other communities, and we tried to bring in the best stuff we could possibly bring in. He stated if he can use an analogy, he thinks we can create a new version of the 1971 ordinance that has the stature and the ability to last 50 years, but there's going to be amendments because things are going to come down the road that nobody ever thought of. He added when the 71 ordinance was adopted, gas was 29 cents a gallon, cars were 40 feet long, but by 2019, people were driving those little Fiats that fit in this room. He said we're not future seers, but we want to create an ordinance that's flexible enough that can get the city where it wants to go, and he thinks we can achieve that.

Mrs. Gohmann stated you and Mr. Phipps both referred to the stakeholders. She asked who are those?

Mr. Wood stated the stakeholders will be members from the council as one group and then folks from the community nominated by council members, nominated by the mayor, nominated by the plan commission, nominated by the BZA, people in the development community, people in neighborhood associations, etc. He said anybody like that would be more than welcome.

Mrs. Gohmann asked if there is already a group of stakeholders?

Mr. Wood replied no, not yet. He added we wanted to get those four chapters just about ready to cross the finish line before we presented those.

Mr. Blair stated we've had this discussion before, and he was part of that in 2019 when we redid the zoning code. He said he just wants to make sure that we're going to have plenty of time to consider this because it's an extensive document. He added he likes to do his due diligence and ask questions, do research and so forth. He also added he would like to be one of the first ones as soon as it's ready to be made available to stakeholders, and would hope the council would be one of the first groups that would get a chance to review that.

Mr. Wood stated Mr. Blair's input with the 2019 zoning ordinance was very valuable and he appreciates the time he spent particularly working with the staff and our consultant on that. He said our goal is to have this in a 95% status this summer so that you've got it by no later than the middle of September, and talking about an adoption out to Thanksgiving should give you plenty of time to read into it. He said but again, a couple of stakeholder meetings even before that because we want to make sure we are, in fact, on the right path.

Mr. Blair stated in hindsight, maybe there are things he would have done differently today than he did back in 2019, so he just wants to make sure we have the time for that and consideration. He also stated he appreciates Mr. Wood's comment and he wants to make sure that we go through it in detail because it's a thorough document.

Mrs. Griffith stated she knows this is very time-consuming, especially since you said you're doing it in-house, and we appreciate all the time that you're putting into that. She said that she does have to say she feels like it's Déjà vu because we had this exact same conversation last year, and she thought we were going to have the ordinances ready to review in March of this year.

Mr. Wood said right and that the council didn't adopt the comprehensive plan until December, and so much of it is dependent on what's in the comprehensive plan to be able to bring that over to the zoning ordinance. He stated things like creating opportunities for housing, whether it's a first-time home buyer, whether it's a senior citizen that wants to age in place, whether it's creating a legacy of vacancy so that as somebody moves out of a big property because they don't want to take care of an acre anymore, that creates a housing opportunity for somebody to move into that house and somebody else moves into their house and somebody else moves into that one, trying to keep that chain going of housing. He said right now, 46% of New Albany housing is renter-occupied and in 1960, our percentage was 65% owner occupied, so it is 65/35 and we're now almost upside down. He stated we're looking at neighborhood compatibility issues; we're looking at expansion of the downtown in a westward direction, and that's a neighborhood that's always kind of been wounded by Interstate 64. He said the comprehensive plan says, let's make that part of downtown; let's really exploit the opportunities that we have there, protecting our steep slopes and our floodplains and looking at resilience issues. He stated those were all things that we needed the council to say, yeah go ahead, and now we're working to get those into the zoning ordinance and make sure that they're reflected there because it's the zoning ordinance that really carries the weight

Mrs. Griffith asked if the Padgett development was in talks with you guys before this went into effect, or are they going to have to wait?

Mr. Wood stated both the Oxbow next door and the Padgett project were given zoning approval before the moratorium.

Mr. FitzGerald stated he is voting aye to approve the committee report.

Mrs. Gohmann stated while she agrees we don't need any more luxury apartments, we need to put people over profits. She said people need to be able to afford to have a place to live, and she thinks that's going to take a builder with a philanthropic heart who is willing to build something that the average \$20 an hour person is going to be able to afford, so she is voting no.

Mr. Blair stated he appreciates Mrs. Gohmann's vote and sentiment, but he does know how extensive that zoning code is and how important it is, and he would rather give it enough time to make sure we get it correct, so he thinks it's necessary to extend it and voted yes.

Mrs. Griffith thanked everyone for the discussion tonight. She said she was a no last year because of the time-wise, and she is still going to be a no this year, unfortunately.

Mr. Dickey stated he agrees with Mr. Blair that we need to make sure that we get things done correctly, so he will vote aye as well.

INTRODUCTION OF ORDINANCES FOR THIRD READING:

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

Ms. Shauna Burns signed up to speak but had to leave the meeting.

Ms. Cisa Kubley, 1926 Ein Avenue, wanted to thank those members of the council that were able to join us this morning for our press conference announcing our summer programming, encouraging volunteerism and civic engagement. She stated it is more important than ever that we stand together as a community and have strong local leadership and partnership across groups, so that we can protect each other and our community going forward as things continue to be really

scary and really damaging. She said we are going to be hosting Civic Saturdays throughout the summer where people can come together for volunteer opportunities in the morning, community lunch, and then have some civic engagement and trainings in the afternoon to help people understand why these things matter, how they can be a part of them, and how everyone can be an active participant in our electoral processes. She encouraged everyone to come join with them to do those things, learn how we can be the best members of our community that we can be, and move forward so that we can get the transparency and accountability that we so desperately need to have in this community. She thanked the council for their time.

Pastor Paul Snyder, 1315 E. Spring Street, stated he is the pastor at Central Christian Church here in New Albany and is here tonight to make an ask of the city to help us with cooling stations. He said before he gets into the specifics of that, he'd like to paint a picture of why we need these stations and some of the work that we've already done to make them possible. He stated we all know that every year is getting hotter and the heat is increasing and it's not just uncomfortable, it's dangerous. He said it affects people's health, safety, and survival, and for those who are already most vulnerable, it makes them even more at risk. He stated for the past two years, local churches and community partners have stepped up to meet that need. He said we launched cooling stations in the summer of 2024, so this makes the third year that we are trying to offer them, but he wants to be honest tonight about what it takes to make that happen. He explained that it requires coordination, communication, staffing, resources, and right now, much of that responsibility has fallen on a very small group of churches and pastors. He added we're committed to this work, but he does want to be honest that we're also already stretched very thin. He stated in order for cooling stations to be possible, we have to coordinate locations, schedules, and logistics across the city, recruit, train, and manage volunteers day after day. He also stated we have to communicate clearly to the public so that they know where to go, open and staff the buildings during the extreme heat, and then provide food, water, and basic care. As he said, all of this is being led by solo pastors from smaller aging congregations, churches that are already faithfully engaged in many of the community ministries. He said most of us who are on this team also have churches that host meals throughout the week for our food insecure neighbors, and he also wants to say this is all while the library board has decided to push people away through stripping some of their resources available and, so you can imagine that will mean that the need for a safe cool place for people to go will increase. He stated to reiterate, we have the will, we have the space, but we do not have the financial capacity to sustain this important work on our own, so he is going to quickly tell what the plan is this year for the cooling station. He said we would like to offer one centralized location at Culbertson Baptist Church. He added over the last two years, we've had five different locations, but we heard from people who like to use the cooling stations that it's kind of confusing trying to keep up with the five different locations. He stated most folks already know Culbertson Baptist from the White Flag Shelter, and the goal is to be open seven days a week during the extreme heat. He said the remaining barrier, as you can imagine, with Culbertson Baptist being the location, is the transportation. He explained it's really difficult for people to access that in extreme heat when they don't have reliable transportation, and so tonight he would like to request \$15,000.00 in support to making cooling stations sustainable and effective this summer. He stated \$10,000.00 of that would be to fund a coordinator to help with the organizing and the consistency of the stations, \$2,000.00 would be for TARC bus tickets to help accessibility, and \$2,000.00 would be to help Culbertson Baptist with building expenses and utilities that come up from using the facility. He said then the extra \$1,000.00 would be for food and water. He added this work is already happening and churches have stepped up and will continue to step up where we can, but this cannot remain the burden of a few small organizations trying to carry a city-wide need. He thanked the council for their time and said he hopes the city will help them accomplish this together.

ADJOURN:

There being no other business before the board, the meeting adjourned at 7:46 p.m.

Adam T. Dickey, President

Vicki Glotzbach, City Clerk

Bill No. A-26-02

Ordinance No. _____

ORDINANCE FOR APPROPRIATION OF UNRESTRICTED OPIOID SETTLEMENT FUNDS

WHEREAS, the City of New Albany has received funds from settlements of litigation against certain drug manufacturers and distributors for their role in creating and fueling the opioid epidemic.

WHEREAS, the funds are governed by the terms of the settlements and by applicable law, including Indiana Code 4-6-15.

WHEREAS, in accordance with the settlement terms and applicable law, the City has created unique funds to hold and account for restricted and unrestricted settlement funds.

WHEREAS, the Common Council of the City has the authority to approve additional appropriations from such funds.

WHEREAS, Culbertson Baptist Church located at 4007 Grant Line Road will operate a cooling center during the summer months, providing a safe, climate-controlled space, drinking water, and respite from extreme heat to people in need within the City of New Albany; and

WHEREAS, Paul Snyder, a local pastor who assists with the cooling center, recently made a request of the Common Council to support the cooling center, noting that it meets a real and immediate community need since extreme summer heat presents a serious health risk to vulnerable residents; and

WHEREAS, the population served by the cooling center includes individuals affected by substance use disorder, and the cooling center provides an opportunity to connect such individuals with resources that promote their health, safety, and well-being; and

WHEREAS, the Common Council finds that supporting this effort is an appropriate use of opioid settlement funds and serves a legitimate public purpose by protecting the health and welfare of New Albany residents; and

WHEREAS, the Council therefore wishes to approve an additional appropriation of \$7,500 to be used for actual costs incurred to operate the cooling center; and

WHEREAS, this purpose is adjacent to, but may not squarely fall within, the approved uses for restricted opioid abatement settlement funds and therefore the Council wishes to utilize unrestricted funding for this purpose.

AND NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of New Albany hereby authorizes an appropriation in the amount of \$7,500 from the Opioid Settlement Unrestricted Fund.

SO ORDAINED by this Common Council of the City of New Albany, Indiana, this ____ day of _____, 2026.

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

ADAM DICKEY, PRESIDENT
COMMON COUNCIL, NEW ALBANY

Attested by:

Vicky Glotzbach,
New Albany City Clerk

CERTIFICATE OF PRESENTATION TO MAYOR

The undersigned hereby certifies that on the ___ day of _____, 2026, 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.

Vicky Glotzbach,
New Albany City Clerk

APPROVAL BY MAYOR

The undersigned, as of this _____ day of _____, 2026, 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:

**Vicky Glotzbach,
New Albany City Clerk**

Bill No. G-26-04

Ordinance No. _____

AN ORDINANCE AMENDING CHAPTERS 97 AND 100 OF TITLE IX OF THE CODE OF NEW ALBANY TO ESTABLISH AN OBJECTION AND HEARING PROCESS FOR COSTS ASSESSED FOR HAZARDOUS TREE ABATEMENT AND TO CREATE A HAZARDOUS TREE REMOVAL ASSISTANCE PROGRAM

WHEREAS, Chapter 97 of the municipal Code of New Albany (the “Code”) prohibits property owners from maintaining environmental nuisances on their property and defines an environmental nuisance to include a failure by a private property owner to keep trees on the property in a properly trimmed and safe condition; and

WHEREAS, Chapter 100 also requires property owners to keep the trees on their property properly trimmed and in a safe condition, and

WHEREAS, both Chapters require property owners to abate environmental nuisances or address hazardous trees within a certain period of time following notice from the Board of Public Works and Safety, and

WHEREAS, if the property owners fail to do so, both Chapters authorize the City to take corrective action and recover the cost of such corrective action from the property owners; and

WHEREAS, if the property owners fail to pay within a specified time, both Chapters authorize the City to file the cost with the County Auditor for the purpose of placing the amount claimed on the tax duplicate against the property so that the amount claimed can be collected as taxes are collected; and

WHEREAS, Chapter 97 offers a mechanism for a property owner to object to an abatement notice but Chapter 100 does not contain a similar mechanism to allow a property owner to object to a notice requiring them to trim a tree on their property; and

WHEREAS, neither Chapter offers an express mechanism for a property owner to object specifically to the cost of the corrective action or to seek any reduction or elimination of cost recovery based on financial inability to pay; and

WHEREAS, the Public Works and Safety Committee (“Committee”) of the City’s Common Council has discussed the lack of such mechanisms and is now recommending that they be added, and the provisions of Chapters 97 and 100 clarified, so that property owners within the City receive appropriate due process and an opportunity to explain financial hardship or negotiate a reduction in costs to avoid a tax bill or lien the owner cannot pay, which could result in a long-term encumbrance on the property; and

WHEREAS, the Committee also researched municipal programs to provide financial assistance to property owners who cannot afford proactive or responsive tree maintenance, and is now recommending creation of a program that will assist qualifying low-income property owners in addressing hazardous trees; and

WHEREAS, the Council has reviewed the recommendations of the Committee and now finds it in the best interest of the City and its residents and property owners to adopt such recommended amendments to the Code; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW ALBANY, INDIANA, THAT CHAPTERS 97 AND 100 OF TITLE IX OF THE CODE BE AMENDED AS FOLLOWS:

SECTION 1. That the language of Sections 97.20 and 97.21 of Chapter 97 is hereby amended as follows (deletions in ~~strikeout~~; additions shown in **bold**):

§ 97.20 ENFORCEMENT.

(A) Citation for violation. Having found an environmental public nuisance to exist on private property and to have not been abated as directed by the written notice to abate under § 97.19(D), the Inspector may cause a citation for violation of a city ordinance to be issued to the offending property owner.

(B) Abatement by city on private property.

(1) After issuing a citation for violation of a city ordinance under division (A), the Inspector shall furnish the Controller with a statement of the actual cost of removing the nuisance.

(2) The actual abatement may be assigned to a city department or contracted out through standard procedures.

(C) Responsibility of the offender for the costs of enforcement.

(1) The Board of Public Works and Safety shall make a statement of the actual cost incurred in eliminating the environmental public nuisance. The costs shall include:

- (a) The cost of removal of the public nuisance;
- (b) Administrative fees, not to exceed \$100 for each calendar year;
- (c) Any reasonable and necessary costs incurred in enforcement; and
- (d) All recording fees associated with the collection of the outstanding balance.

(2) The statement shall be delivered to the property owner by first-class mail.

(3) Within 30 days after its receipt, the owner shall pay to the city the amount noted in the statement, which shall be deposited to the general fund of the department specified to enforce the ordinance.

(D) Failure to pay. If the owner fails to pay the amount within 30 days after receiving a statement, **or – if a timely objection is made per §97.21 - within 30 days of the City Attorney and Inspector’s resolution of the objection or the Board’s determination**, a copy of all costs shall be filed in the office of the County Auditor for the purpose of placing the amount claimed on the tax duplicate against the property so that the amount claimed can be collected as taxes are collected, subject to the above limitations.

§ 97.21 RIGHT OF PROPERTY OWNER OR OCCUPANT TO OBJECT TO COMPLAINT OR COST STATEMENT.

(A) (1) Upon receipt of a notice to abate pursuant to §97.19, the property owner or occupant served, or his or her duly authorized representative, may notify the Board of Public Works and Safety of an intent to object to any notice to abate.

(2) This correspondence shall be in writing and shall specify the street address of the property involved.

(3) The Board of Public Works and Safety must receive any such correspondence within the amount of time set out in the notice to abate.

~~-(B)-~~ (14) Upon receipt of the correspondence, the Board of Public Works and Safety shall provide copies of same to the City Attorney and to the Inspector involved, who shall cause the objection to be investigated, or schedule a hearing at which the property owner or occupant may present evidence and argument on the objection.

(25) No further action shall be pursued against that owner to abate the environmental public nuisance until the objection is resolved by the City Attorney and Inspector or a final determination is made by the Board of Public Works and Safety following a hearing.

(B) (1) Upon receipt of a cost statement for any abatement pursuant to §97.20, the property owner or occupant served, or his or her duly authorized representative, may notify the Board of Public Works and Safety of an intent to object to any cost statement.

(2) This correspondence shall be in writing and shall include a reference to the cost statement and the street address of the property involved.

(3) The Board of Public Works and Safety must receive any such correspondence within the amount of time set out in the cost statement for payment to be made.

(4) Upon receipt of the correspondence, the Board of Public Works and Safety shall provide copies of same to the City Attorney and to the Inspector involved, who shall cause the objection to be investigated, or schedule a hearing at which the property owner or occupant may present evidence and argument on the objection.

(5) No further collection action shall be pursued against that owner to recoup the costs of abatement until the objection is resolved by the City Attorney and Inspector or a final determination is made by the Board of Public Works and Safety following a hearing.

SECTION 2. That the language of Section 100.09 of Chapter 100 is hereby amended as follows (deletions in ~~strikeout~~; additions shown in **bold**):

§100.09 TREES, SHRUBS AND GROUNDCOVERS ON PRIVATE PROPERTY.

(A) No property owner shall permit any part of any tree, shrub or groundcover on his or her property to obstruct movement of vehicles or pedestrians in the public right-of-way.

(B) It shall be unlawful for any person to fail to keep trees situated on property owned or controlled by them properly trimmed and in a safe condition.

(C) The owner of any property within the corporate limits shall on 20-days' notice given by order of the Board, trim any tree, shrub or groundcover on their property that is in violation of this chapter. If the property owner fails to comply with the order, the Board shall cause the tree, shrub or groundcover to be maintained in accordance with this chapter.

(D) The expense of tree care which is performed by the city, as-per subdivision (C) ~~herein~~, shall be a lien on the property of the owner and shall be collected in the same manner as assessments for the cutting of weeds if no payment is received for the services within 60 days of the city's request for payment or **within 30 days of the Board's determination if a timely objection is made per subdivision (E)**. In addition to the above methods, the city shall have the right to bring a civil action to recover any delinquent charges, together with reasonable attorney's fees.

(E) Within 30 days of the city's request for payment, the property owner may notify the Board in writing of an objection to the costs or penalties assessed. Upon receipt of such written objection, the Board shall schedule a hearing at which the property owner may present evidence and argument for modification of the costs or penalties. The Board shall make a final determination which shall be binding on the property owner and the city subject to any judicial review afforded under applicable law.

SECTION 3. That a new Section 100.10 shall hereby be added to Chapter 100 as follows:

§ 100.10 HAZARDOUS TREE REMOVAL ASSISTANCE PROGRAM.

(A) The City hereby establishes a Hazardous Tree Removal Assistance Program (the "Program") to provide limited financial assistance to qualifying low-income homeowners for the removal of hazardous trees on private property within the corporate limits.

(B) The Common Council shall appropriate funds annually for the Program from the General Fund or other designated funding sources, as determined during the annual budget process.

(C) To qualify for assistance under the Program, an applicant must meet all of the following criteria:

(1) The property must be located within the corporate limits of the City.

(2) The applicant must be the legal owner and occupant of the property. Rental properties are not eligible.

(3) The household income must be at or below 200% of the Federal Poverty Guidelines, as adjusted annually. Verification of income shall be required.

(4) The tree must be determined to be high risk by the City Arborist or certified designee due to disease, decay, structural instability, or other imminent risk of failure, as documented in a written report.

(D) Program assistance shall not exceed the maximum amount established by the Board of Public Works and Safety. The Board may require a co-pay from the homeowner and may waive the co-pay requirement in cases of demonstrated hardship. Assistance shall be limited to one grant per address per calendar year.

(E) All tree removal performed under the Program shall be performed by a contractor who is licensed and insured in accordance with applicable state and local requirements. The City may solicit bids or use a pre-approved contractor for work performed under the Program.

(F) The Board of Public Works and Safety shall administer the Program and shall establish application procedures, forms, and any additional criteria or guidelines necessary

for the Program's operation. An annual report on the Program shall be presented to the Common Council.

SECTION 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW ALBANY, INDIANA ON THIS THE _____ DAY OF _____, 2026.

**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 _____, 2026, 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 _____, 2026, 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