

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, JUNE 18, 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 21, 2026
Public Hearing Meeting Minutes for June 1, 2026
Regular Meeting Minutes for June 1, 2026**

COMMUNICATIONS – COUNCIL:

COMMUNICATIONS – MAYOR:

COMMUNICATIONS – OTHER CITY DEPARTMENTS OR CITY OFFICIALS:

- **Projects Update – Claire Johnson**

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 Health & Welfare Committee Report - Collier**

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES FOR FIRST READING:

A-26-03	Ordinance Designating the Use of Unrestricted Opioid Settlement Funds	Collier 1
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Action Taken: Referred to the Public Health & Welfare Committee.

Z-26-02	An Ordinance of the Common Council of the City of New Albany, Indiana Approving a Temporary Moratorium on the Construction of Data Centers	Murphy 1
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Action Taken: Referred to the Development & Annexation Committee.

INTRODUCTION OF ORDINANCES FOR SECOND READING:

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

INTRODUCTION OF ORDINANCES FOR THIRD READING:

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

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

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

ALSO PRESENT: Mrs. Manning, Mr. Hall, 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 May 4, 2026, Mr. Phipps second, all voted in favor.

COMMUNICATIONS – COUNCIL:

Mr. Unruh stated the New Albany Floyd County School Corporation, in conjunction with the City of New Albany Parks Department, is going to offer a kids free lunch program all summer long for any kid under 18. He said the lunches will be provided from 12:00 p.m. to 12:30 p.m. beginning June the 2nd and run Monday through Friday, and the program goes from June 2nd to July the 24th. He also said there are four locations across the city and they are Gallatin Baptist Church on Maryland Avenue, the Griffith Street Center, Parkview Center on Ernie Avenue, and Riverside Recreation Center. He added it's an excellent program for the youth of our city. He then stated there are a lot of programs for the Parks Department, almost too many for him to list. He said there is baseball, basketball, cheer, youth tennis, volleyball and parents can find all the information at naparksandrec.com, and they've got sign-ups on there also.

Mrs. Murphy stated she wanted to say a special congratulations to the upcoming graduates at New Albany High School and Floyd Central High School. She said Floyd Central's will be on May 31st, at 1:00 p.m. and New Albany's will be the same day at 3:30 p.m. She then said save the date for June the 20th because New Albany Main Street will be sponsoring their Taco Walk, which highlights our local downtown businesses, and it's a lot of fun.

Mrs. Griffith stated SoIN Tourism just released their digital passport that has the 250-year anniversary and it's a free pass you can download on your phone. She added it is great for the kids being on summer break. She said also there's the cultural pass through the Floyd County Library and Carnegie Center, which is a great way for the kids to get involved, too, along with the Parks Department. She then just wanted to say personally thank you to all of you all for the calls, the texts, the cards, the flowers because it means a lot and she appreciates it.

Mrs. Gohmann stated this week she had the opportunity to attend the Strong Towns Conference, which was held in Fayetteville, Arkansas. She said Strong Towns is a non-profit organization that advocates a bottom-up approach to urban development. She stated they stress, number one, financial accountability, number two, the next smallest step, which is instead of waiting for massive, expensive redevelopment projects, they encourage cities to make immediate, small, incremental changes to improve a neighborhood. She added safe and productive streets should be designed for humans to live safely, work, and do business rather than acting purely as a high-speed thoroughfare for cars. She said regarding housing and zoning reform, the group advocates for embracing incremental housing to help address the housing crisis. She stated during her time there, she was able to meet with city council people, city managers, and a number of mayors from as far away as Fairbanks, Alaska and as near as Indianapolis. She heard lots of innovative ideas and what they all had in common was that they all want places that are better for people. She would encourage her colleagues, city administrators, even our mayor, to consider attending next year's conference because it was well worth it.

Mr. FitzGerald stated he just wanted to give a quick reminder about Memorial Day this weekend and giving thanks for the people who have sacrificed and served our nation. He then said tacking on to the parks, our River Run is going to be opening this week, so for those who like to go down

slides or those who like to walk against a river, it's a great place and he looks forward to getting a pass himself.

Mr. Phipps stated you're always at a disadvantage being the last person because oftentimes the things that you're going to announce have already been said. He said he will just reiterate one of those, and that is to remember the sacrifices that soldiers have made for our country's freedom on Memorial Day. He also said just for the record, the 250th celebration is the semi-quincentennial.

Mr. Dickey stated he will personally echo the Memorial Day comments of his colleagues and we do have planned programs. He believes one is at the Veterans Memorial Plaza at 11:00 a.m. on Monday, so if you are able to come out and observe and participate with that, he thinks the community would very much appreciate seeing you and remembering those we've lost in past conflicts. He then said that Mrs. Murphy and he were able to attend this morning the IUS mid-year economic update which was mostly positive. He also said there's some possibility of some economic dangers, but as the professor, Yurik Dufresne, said today, it looks mostly positive and positive in our region. He took heart in our unemployment rate on this side of the river is lower than the other side of the river, so those are all good indicators. He stated if any of his council colleagues who were not able to attend would like a copy of the presentation, his good friend, the professor, provided that to him today, so he has a copy and can share it with everyone or whoever would like one.

Mrs. Murphy stated if you want the cliff notes, she posted the summary on her Facebook page.

COMMUNICATIONS – MAYOR:

Mr. Hall stated that some of you all mentioned the Memorial Day service and we'll be joining the VFW at the Market Street Memorial at 11:00 a.m. on Monday. He added with all the rain we've been having, there is a rain location at the VFW on Grant Line Road, so he hopes everybody can attend that. He said additionally, next Friday, we'll have the Bicentennial Park Summer Concert Series returning, which will be every Friday in downtown New Albany, 6:30 p.m. to 9:30 p.m. He thinks the only Friday we won't be there will be July 3rd and we'll be down at the Riverfront celebrating America 250.

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 Collier 1
Opioid Settlement Funds

Action Taken: Referred to the Public Health & Welfare Committee.

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

Action Taken: Referred to the Public Works Committee.

sources that they can go to each month to help get them through each week of the month. She stated Ms. Romans from Hope told us that the library is currently serving 563 individuals and they were currently receiving that bigger portion of food from the library each month, so we wanted to consider the possibility of using some unrestricted funds for trying to give them an amount of money to kind of put a band aid on the problem. She said again, the city didn't create this problem, but she thinks it's important that we still try to do something to fix it. She added Mrs. Griffith and Mrs. Murphy agreed so we voted unanimously. She stated just as an example, when we looked into that, if we were to do an appropriation of \$10,000.00 of the unrestricted funds toward the food pantry and Hope could facilitate that, she estimated that would only cover 160 families, so \$10,000.00 would not even cover but about a quarter of what the library is servicing. She added we were mindful of the fact that if Hope was able to pick that up, they would have to amend their schedule to allow only 15 days in between the time frame that each person can come and pick up food where it's 30 days now. She added the goal would be to replace the library resource and if they didn't shorten that time frame between visits, it would not be like replacing that source. She stated they said they would be able to accommodate that and they would be able to facilitate that in a way where it was made available only to New Albany residents, which was one thing that we wanted to be sure would happen. She said we did also discuss that if we didn't want to do this through unrestricted open-way funds, which she does believe would be fine, we also would tie it back in a way to substance abuse because a lot of food insecurity does come from substance abuse issues in families, but that's not actually necessary. She added if we don't want to consider the unrestricted opioid funds for this, all of us unanimously agreed that we need to consider a source of some kind, because as Mrs. Murphy mentioned with the cooling stations, this is a response to a crisis and that pantry was helping over 500 individuals every month. She said we discussed the fact that this isn't going to be something that we can sustain long-term, but the hope is if we can get them some funding quickly, that would help put a band aid on it until a more substantial and sustainable form of funding is able to be found to keep it going. She stated again, we unanimously agreed that we recommend to the council that if we don't use the unrestricted funds to facilitate something like this, we have a discussion to see what the best fund to use would be. She then said we adjourned the meeting. She also added Hope could receive the funds and then they could help distribute that to the cooling station in whatever way they would be able to, but the actual money would be sent to Hope for them to administer to Culbertson Baptist to cover the costs. She said however, Ms. Romans did not know if that was just a little bit off their target mission, and so she couldn't just openly say for sure they could do that, but she did say that she could certainly check into that to see if that would be a viable option. She added if it is not, then it would default back to Culbertson Baptist Church, but if that is the case, we would include a statement that made it very clear that these funds were being advocated to them for the purpose of facilitating the cooling stations and in no way were supporting anything directly related to the church or the operations of the church's business.

Mr. Dickey stated Ms. Romans did respond back to us and Hope is willing to serve in the capacity that Mrs. Collier has recognized. He also stated that he wanted to be clear and make sure that all three committee members agree with the statement of what was done at the committee meeting. He said it was to recommend in concept some amendments to the ordinance, but because Mrs. Manning needed time to finalize those and they were not ready for the committee proceeding, you all moved forward with moving this to this council and second reading, but were prepared to introduce at next meeting those amendments to essentially reflect some of the details that have not been reflected thus far. He asked if that is everyone's understanding?

Mrs. Collier replied yes. She also said Mrs. Manning has distributed those amendments but she just does not have them in front of her at the moment.

Mrs. Manning stated she sent it to Mrs. Collier, and she thinks the plan is if the council votes tonight to move it forward to third reading, then those would be distributed with the packet for the next meeting.

Mrs. Collier stated she could not hear Mrs. Manning.

Mr. Dickey stated Mrs. Manning is saying that she sent it to you for your sign-off, and the plan is that if, indeed, that's ready to be forwarded, that will be sent with the packet for the next meeting.

Mrs. Collier asked if the other committee members have those in front of them.

Mr. Dickey stated he doesn't think they have a copy of it. He stated they do not have a copy; it's only been sent to Mrs. Collier.

Mrs. Manning said she'd be happy to send it to the remainder of the committee if she'd like her to.

Mrs. Collier said yes, please.

Mrs. Gohmann stated isn't the cooling station under the purview of the homeless coalition?

Mr. FitzGerald replied no, that's the white flag shelter.

Mrs. Gohmann said but isn't the cooling station in with the white flag shelter?

Mr. Dickey replied no, and stated Pastor Snyder is here tonight and with Mrs. Collier's permission, if he would come forward, he can clarify that a little bit more.

Pastor Snyder stated no, the Homeless Coalition has not. He said they participated in several of the meetings, but have not offered to help with running of the cooling stations. He also stated he doesn't want that to be taken as a criticism.

Mrs. Gohmann said in relation to the pantry, there are a number of groups all focusing on this, and we're trying to coalesce into a forum, so to speak. She stated rather than having this group doing and this group doing, we're trying to organize, and you're on her list of people, to organize a forum where we can get together.

Mrs. Murphy stated that's part of what we talked about in our committee meeting. She stated we realized this doesn't solve the problem right, but it will help bridge the gap with the closure of the food pantry so that there will be some time for some solutions.

Mrs. Gohmann asked with the passes is there a way to coordinate with TARC?

Mrs. Murphy stated that's what we're working on.

Mr. Dickey stated there was a discussion in the meeting about how best to coordinate that between the various entities and make sure it gets to the individuals.

Mrs. Collier stated she wants to just kind of piggyback on that. She said essentially, if we could facilitate a payment to Hope to do this program, that would buy these other groups that are trying to organize something more long-term a little bit more time to be able to come up with something that would be more sustainable. She thinks that's what is important because as of right now, the library is not doing the USDA stuff anymore other than just by appointment only, and nobody is really certain as to when that is going to stop and it could be as early as June 1st, so it could be coming up very soon.

Mr. FitzGerald said but right now we are talking about the cooling stations.

Mr. Dickey stated just to be clear here and keep us centered, the legislation as it is written right now only deals with the funding for the cooling stations. He said the pantry issue came up as part of a discussion in the committee, and at this point, there is not a legislative vehicle for us to act on in that accord. He added the subject matter for tonight's meeting, to keep it germane under state law, is the cooling stations, and he just wanted to clarify that because we can get intertwined like spaghetti, and he doesn't want us to get confused.

Mrs. Griffith stated she was going to be honest, when we brought this up, it kind of worried her a little bit because we don't have a process in place for things like this. She said this is an emergency that needs to be done and she didn't want to open that up for the library and we're going to have all these other crises. She said the way she is feeling is since this is the unrestricted funds, going forward, she would like to see that those funds would be used for emergencies and that's how we're seeing this process. She also said that one thing that we were very worried about with the other opioid funds is getting that process in place like Mr. Fitzgerald brought up earlier last year, so that we're not being unfair or being untransparent. She stated this cooling station is opening June 1st so we've got to get that moving, and that's the reason why this is in front of us today. She added then if that happens again with the library, that's something we can, if the resources don't come together, address at that time.

Mrs. Murphy added that we realize that many of our unsheltered folks also have addiction issues and that this would be an appropriate use of the opioid settlement funds, and that they would have

some type of counseling or some kind of counseling resource at the cooling station, so that's how we felt that these funds would be appropriate for this crisis response.

Mr. Phipps asked how the vouchers were going to be distributed to the clients?

Mrs. Murphy stated we had talked about having vouchers based at Central Christian or based at Hope where the folks that worked there would be able to hand those passes out to people that were within New Albany.

Mr. Phipps asked are they individual passes for each day, or one would be good for the whole week if they're open for a week?

Mrs. Murphy stated we haven't quite worked out that detail, but we were talking about maybe a laminated pass. She said they were talking about, too, a sign-in sheet where if someone comes to Hope and gets a TARC pass to go to the cooling station, then the cooling station would check in and say, yes, they did come to the cooling station.

Mrs. Griffith stated there would be a follow-up report to kind of help us with that too.

Mr. Dickey stated just to clarify all of this, the committee's intent would be similar to how we do the other grants and receive an after-action report and whatnot, we would receive the full after-action report from, in this case, Hope and the cooling stations collective group, so that we knew how much was spent and all the details related to that and any struggles they had.

Mr. Blair asked how much money do we have in the unrestricted fund?

Mrs. Collier stated that as of our previous Public Health & Welfare Committee meeting that we had in March, we had \$27,664.00 and she didn't think that we had gotten our annual allocation this year yet.

Mr. Dickey stated you're correct on that, Jenny, that we haven't received the next allocation from the settlement, so hypothetically, when we do, that number will adjust accordingly.

Mr. Blair stated he knows we have another reading, but asked if somebody could just briefly say what the proposed amendments are?

Mr. Dickey asked Mrs. Manning to give an overview on those really quickly.

Mrs. Manning stated we will be amending the whereas clause that talks about where the cooling center is located. She said we're adding a little bit of detail there to specify that it would be June, July, and August open from 2:00 p.m. to 7:00 p.m. on any day when the heat index exceeds 95 degrees Fahrenheit. She stated we will be adding a statement to the whereas clause that talks about the fact that we believe the cooling center is utilized by individuals affected by substance use disorder. She added we will be adding additional language there to mention that substance abuse case management services will be provided while they're there. She said previously in the last whereas clause on the first page, it said had to be used for actual costs incurred. She is going to remove the word incurred just because of what she explained with regards to doing the \$3,500.00 up front, and that will be handled administratively, so it's not necessary in the legislation, but can be handled by the controller. She is also going to amend the actual language that says, now therefore be it resolved. She's changing it to up to \$7,500.00 from the Opioid Settlement Unrestricted Fund, and then she's adding more detail there as well to say to be used for the actual cost of operating the cooling center for New Albany residents, specifically to provide transportation, water, snacks, and staffing.

COMMUNICATIONS PUBLIC: G-26-04 Hazardous Tree Ordinance

COMMUNICATIONS PETITIONER: G-26-04 Hazardous Tree Ordinance

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/ 2 Collier
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Mrs. Collier introduced Bill G-26-04 and moved to approve the second reading, Mr. FitzGerald second, all voted in favor with the exception of Mr. Blair who voted no.

Mr. Dickey presented the following Public Works Committee Meeting Report:

To: New Albany City Council
From: Public Works Committee
Date: 5/15/26
Re: Committee Report – G-26-04 Hazardous Tree Ordinance

The following report is respectfully submitted by the Public Work Committee for consideration of G-26-04, heard on Friday, May 15, with Committee members Blair, Collier, and Dickey. Also present were City Council Attorney Corrie Manning and Chief Planner Krisjans Streips.

Following brief opening comments, Mr. Dickey presented the proposed ordinance, the substance of which was the subject of previous Public Works Committee meetings. The main provisions of the ordinance include:

- Amendment to environmental nuisance ordinance (Chapter 97) to provide process for property owners to object to amount of service performed.
- Amendment to hazardous tree ordinance (Chapter 100) to provide process for property owner to object to characterization of tree as hazardous and to object to amount of service performed.
- Addition of hazardous tree removal program that allows for residents meeting certain criteria of financial hardship to apply to the city for assistance with tree removal costs on property they own and reside on.

The Committee entered general discussion of the measure with Mr. Blair concurring with amendments outlining due process but questioned the assistance program including the responsibility of the private property owner and the initial appropriation of funding for the program. Mr. Dickey noted the assistance program is intended only as a relief valve for property owners who are in financial hardship and it was noted that City Attorney Shane Gibson stated the administration would make a recommendation on the funding amount during the regular budget cycle. Ms. Collier expressed concern over the possibility that an individual could face hardship, including the loss of their property, over a tree removal.

Ms. Manning explains that if city can recover costs for tree removal per the ordinance, and they bill the resident and resident doesn't pay, procedure under state statute is for the charge to be passed along to County for placement on the tax roll. Ms. Manning wasn't familiar with the process of forcing a tax sale or foreclosure. Committee agrees to seek clarity regarding the circumstances that lead to forcing a tax sale / foreclosure and Ms. Manning agreed to research whether other municipalities besides Bloomington have a tree assistance program and report the same to Council.

Ms. Collier motioned to recommend approval to the Council with Council provided additional clarification on lien / tax sale / foreclosure process. Mr. Dickey seconded the motion, which passed by a vote of 2-1.

With no further business, the committee adjourned.

Mr. Dickey stated having given the committee report and given you an understanding of where the necessity of this came from, he'd like to turn to Mrs. Manning for some additional information and comments, and then we can probably open general discussion at that point.

Mrs. Manning stated she'll try not to add too much onto what Adam just said because she thinks he did a good job summarizing. She said with regards to it being two different code sections, there's a code section that pertains to environmental nuisances that are maintained on private property more generally, and there's a state statute that authorizes local governments to deal with environmental nuisances. She stated what constitutes an environmental nuisance is defined under both state law and the ordinance. She said then we have a second section of the code which pertains specifically to hazardous trees, and that's pretty common for a lot of municipalities to have the availability of kind of both of those processes. She added Chapter 97 had more of a robust opportunity for somebody who is concerned about the city's notice to abate the environmental nuisance to come engage with the city about what constitutes the nuisance, and how much they may ultimately incur as a cost if the city undertakes to do the work to abate the nuisance themselves. She said that same robust process was not in Chapter 100 pertaining to

hazardous trees and so that's kind of what Adam highlighted at the beginning of his comments, and that's what these edits were intended to address. She stated then like he said in the committee discussions, a recommendation was made to look into whether we might be able to create some kind of program for the folks that kind of spurred the discussion where they have some kind of financial hardship that prevents them from being able to do the remedial action, so that was added in. She did do a little bit of research in connection with that latter part and found that the city of Bloomington has a program and she kind of loosely modeled this on that. She said also there are other existing sections of our municipal code that have similar types of programs. She stated Mr. Blair raised at the meeting and asked whether there were other municipalities that had those programs. She didn't find anything else that's defined in that type of way, but what she did find that was kind of interesting was that the way cities bill back to the owners because there's a lot of variation in that. She stated some cities don't bill them for the full cost; they only bill them for half the cost or some variation of that. She thinks the general sense of the city providing some kind of financial support may be broader than just in Bloomington, but it just doesn't take the form of a separate program. She said so with both of these code sections and again, this comes from state statute, when the city does the work, the first thing they're going to do is bill the resident directly. She stated if the resident pays it, then that's resolved and nothing else happens from there, but if the resident doesn't pay the bill within the prescribed time, which she thinks is typically 60 days, then the city maintains a list and sends it to the county to include those amounts on the tax bill. She added it becomes part of their tax bill and those costs get recouped as part of their tax bill. She stated one thing we didn't know was what kind of leads the county to make the decision that they're going to actually force a tax sale of the property because that's a pretty drastic remedy. She said she didn't know that information, but in her experience, they don't do that for lower amounts, but she can't say specifically what their process is for that.

Mr. Blair stated in his research, he found that Indiana is what's called a judicial foreclosure state, and that means that whoever the petitioner is, in this case the city, they would have to file a lawsuit, so they would have to take action in order to foreclose. He said if the city didn't take action, if they didn't file a civil lawsuit, they could not force a foreclosure, and he thinks that was the big concern that we had. He stated we did not want to force a tax sale because of an unpaid bill on a tree, and from his understanding, from our research, the only way that would happen is if the city officials forced a foreclosure and filed a civil lawsuit in front of a judge and they went through the foreclosure process.

Mrs. Manning stated she thinks that's correct. She said the only caveat she would add is oftentimes, if somebody has a large tax bill outstanding on their property, there may be multiple creditors. She agrees with what Mr. Blair is saying that if all that was outstanding was a charge from the city, it would have to be the city to do it, but if there are multiple folks who are owed, those other entities could also be the petitioner, and then that amount may get scooped up as part of that lawsuit.

Mr. Blair stated he thinks we have to file a specific lawsuit to recoup those funds for that billing; he doesn't think just because the sewer department or somebody else files doesn't mean they capture ours too. He just doesn't think that we can force a foreclosure because of a lien for tree removal.

Mrs. Manning said you don't think we can? She thought he was saying we would have to be the petitioner.

Mr. Blair said yeah, but the petitioner would have to do that and there has to be something that comes from the city to do that. He stated he knows, just from his experience with banks, that sometimes banks will do an annual review of liens, and then they bring it back to their mortgagee and say, you've got these liens and we need to get them cleared up. He said there could be issues on that sense that they got a lien out there, but unless we file a civil lawsuit, they would not have to pay for that fee at that point. He added eventually, they would have to typically on the sale of a property because they have to clear their liens at that point.

Mrs. Collier stated she understands his point that it would most likely ultimately be up to the city to actually file a lawsuit to force that foreclosure, and she thinks we all feel pretty comfortable that the current administration would not likely pursue that over a tree, but if we don't have something in place to prevent that, who's to say what a future administration might be willing to do. She added they might interpret it as that's what you have to do because several generations down the road, they may not realize that the intent was not to lose your house over a tree, so she thinks it's important to have the structuring in place. She added she doesn't want to pass something that makes that in any way feasible at all.

Mr. Dickey stated he just wanted to interject a couple things in here right now because he thinks it's important to kind of keep a few items of context. He said the first thing is the city is not going to run around, similar to a code enforcement situation, and look for a plethora of dangerous trees, right? He stated these are usually going to be rare instances where there is some public concern, maybe a complaint that comes in, and before any assessment is done, the arborist for the city would be dispatched to review those situations and make a determination about the status of the tree. He thinks that's important because there is a licensed, certified arborist who will go out and inspect the tree. He added he will have the various knowledge related to its lifespan, condition and maybe any disease or other ailments that it may suffer from and make a determination about whether or not it is indeed a hazardous tree. He stated if it is deemed hazardous, the individual property owner would essentially receive communication from the city indicating that they have a dangerous, hazardous tree on their property, and we would like to see this removed. He said at that point, that property owner would have the ability to exercise his or her property ownership rights to rectify the situation themselves however they chose to do that. He added if they ignored it for example, that would then fall to the Board of Public Works to go through its processes and what's outlined here to perform due diligence and essentially order the tree removed. He said that is when an amount would be triggered to be billed back to the property owner, and if the property owner deemed that they weren't going to pay, didn't have the ability to pay, that is also when you might see a request come in for assistance from that assistance program. He also said again, they have to qualify based on the economic outlines of the proposed ordinance. He stated the point he is making here is there are several pieces of process before we even get to the point in which the city is applying a lien seeking that funding. He said that he doesn't think that Mr. Gibson believes it will be a widely utilized section of our program of our city.

Mrs. Murphy stated she doesn't see us going after anybody because of a tree, but if there are other circumstances where the house does go up for a sheriff's auction or whatever due to taxes, do we have a vehicle to separate the money that's owed to the city for the tree removal from the overall sheriff's sale?

Mr. Dickey stated our part of the lien would be satisfied at that point if there's money left. He added he should say with any type of lien that we file, there is always the potential that government, whether it be the county, city or for that matter anybody else, doesn't get to recoup its full amount based on the conditions and the circumstances around that property, so we're talking in hypotheticals here assuming kind of a standard property.

Mrs. Gohmann stated in your notes it says, addition of a hazardous removal program allows for residents meeting certain criteria to apply for assistance. She asked do we often, when we have a program for someone who doesn't have the financial wherewithal, require them to have a lien put on their property?

Mr. Dickey stated the program is only for the criteria related to a hazardous tree determination. He asked Mrs. Manning if he is saying that correctly?

Mrs. Manning replied yes.

Mrs. Gohmann stated regarding assistance with tree removal costs on property they own and reside on, would it be explained to them that we're offering to help you, but we're going to take the money back on the back end?

Mrs. Manning replied no. She thinks the purpose of the program is to help people avoid having a lien on their property.

Mrs. Gohmann said okay, so it's two different things then. She said the purpose of the program is if you've got your senior citizen that is living on their \$1,000.00 a month Social Security who cannot pay to have a tree taken down, the city will enact this program provided but it's not then going to put a lien on their home.

Mrs. Manning said correct, the thought is it's two separate processes. She stated they would get the notice, they would come in and they would say, I have a financial hardship and I'm concerned that if you do this, I'm not going to be able to pay it and you're going to put a lien on my property, and then the city staff would be able to say, we do have this program available that you could apply to.

Mrs. Gohmann stated she just wanted to be able to reassure her constituents that a senior would not lose their house over a hazardous tree that needed to come down.

Mr. Dickey said the fact that we left that in the proposed ordinance illustrates our understanding and commitment to the fact that we do have certain populations that could not afford a large tree removal. He stated he serves on the tree board and one of the things that he will tell you is we're obviously not talking about, say, a small tree six foot tall. He said we're talking about large trees that may be 50, 75, 100 years old, legacy trees on a property, and at that point, they are so massive that they are dangerous. He added to remove them often requires an arborist utilizing specialized equipment. He also added the tree board has had to deal with some instances of city trees that are of that caliber, and he would say that it is easy to hit \$5,000.00 to \$10,000.00 in those instances.

Mrs. Griffith asked if we have a fund set up for that since this is the middle of the year as far as budget?

Mr. Dickey stated in consultation with City Attorney Shane Gibson and the administration, the discussion was basically to move forward with this ordinance and setting the pieces together, and then they believe that we can, as part of our normal budgeting process, decide what that amount should be. He said the mayor would make a recommendation and then we would obviously approve that as part of the budget. He added they do not feel that at this moment there is an urgent pressing need to move monies and can do a special appropriation if something were to occur before the end of the year and we couldn't address it.

Mrs. Griffith asked regarding the emergency maintenance program, what is it that they offer?

Mr. Dickey stated you're thinking of the emergency repair program that we do through redevelopment, through our Community Development Block Grant funds administered by New Directions. He said that program, similar to this, has guidelines for an individual to be able to apply and receive the funds. He said the short answer is it does have some similarity to this, but this would be a direct program, whereas we do that through that entitlement funds that come from the federal government.

Mr. Blair stated we mentioned the Bloomington program and when you read their program, it really centers more on tree preservation because there's a requirement if you have a tree removed, you actually have to plant another tree. He added they also, in their program, have caps and some of the caps are only \$2,500.00 and ours is unlimited, so ours is a lot more favorable as far as the assistance goes, but theirs is more towards tree preservation than financial assistance. He said we mentioned it was an unknown budget, unknown funds and we don't know what we're going to be budgeting for. He doesn't like to approve anything unless he has a feel for what it's going to cost us and how it's going to be, and to the point about future administrations, this thing may take off and be a really expensive program. He explained we're helping people because if somebody has an unsafe tree, the city is taking steps to have it removed and paying for it up front. He said they're allowing the owner to defer payment on that bill, and he might add interest-free, and then at the time of transfer of deed or sale, they can pay back the bill. He added we're helping people without doing the financial assistance program. He also added when you look at that financial assistance program, it says 200% of the federal poverty guidelines. He stated when he looked at his own situation, he is retired and he's drawing a salary from the city of New Albany and he qualifies, so he can make a case that he qualifies for this assistance program, and he doesn't think that's what this intent would be. He said he just doesn't think it's fair to require the taxpayers in New Albany to pay for a removal of a tree on somebody's private property because that's their responsibility. He stated yes, we can do emergency help and assistance, which we're doing here, but we don't have to go so far as to pay for the maintenance of their property just like we don't pay for grass cutting or other maintenance issues. He likes everything about this ordinance except for Section 100.1, which talks about the hazardous financial assistance program. He stated everything else is very solid.

Mrs. Collier stated she would just like to address the issue about Scott saying technically he feels like he would qualify if he was to apply for that program. She would like to say or ask if he took into account that people are required to submit their tax returns for the past two years, they're required to submit any financial resources they might have such as an IRA, a 401k that they haven't cashed out yet, any type of retirement account or any type of savings? She said all of that is required to be turned in as part of the allocation process. She stated it is not based strictly on the amount of income you're pulling in on your paycheck; your entire financial situation as a whole is taken into account.

Mr. Blair said well, then we need to modify this because it just says income verification is all it says.

Mr. Dickey stated he guesses there's a couple things he would just point out, too, with this. He said the Board of Public Works is ultimately going to be the body that carries administrative authority for this, and as part of this ordinance, they would still need to do some, he'll call it rulemaking on their own part to administer this. He stated as part of that, another piece clearly says verification of income shall be required in section c, but section d talks about program assistance shall not exceed the maximum amount established by the Board of Public Works & Safety, so they are going to have the ability to stipulate an amount of assistance maximum. He said then the board may require a copay from the homeowner and may waive the copay requirement in cases of demonstrated hardship. He said again, it's giving them the opportunity to have flexibility to review the particulars of the situation. He would beg that if himself or Mr. Blair came before the Board of Works and this provision was in place, he doesn't know that either of us would have much mercy, not just because of who we are.

Mr. Blair said he's just reading the rules.

Mr. Dickey said he understands, but he thinks we have to give a little bit of faith to the boards and bodies administering this too and allow them the flexibility to deal with the unique situations that they're often faced with.

Mr. Blair stated he just doesn't want the city being taken advantage of and that's the big concern and if somebody really has a desperate need and so forth, he would love to have the Board of Works use discretion, but when you put an ordinance down, you've got attorneys involved, they're going to interpret the way it's written. He said this could get out of control, and it could be something that we regret in the future. He added we've already, as we know, had inquiries about this program just because of committee meetings, so once the word gets out, you just don't know how far it's going to go.

Mrs. Griffith stated she had a suggestion just for discussion with this because she thinks everybody agrees that the process and everything in there is good, and the only questions that we have are on section three, so is there a way to table section three until we do our budget session and bring that back at that time, but pass everything else so the process can start?

Mr. Dickey stated he thinks probably what you have to do is propose an amendment in which the council would approve a separation for tonight. He also stated, remember, second reading is technically the approval of the committee action and related report and in this case, it's all one. He said the way he would answer that is to say yes, he thinks amendments could be offered on third reading if we wanted to further strike or amend, including striking that section for the time being.

Mrs. Griffith stated or adding a cap or something because she just thinks it's missing some language from the discussion we've just had here.

Mr. Dickey stated he thinks that would be the appropriate way to probably handle it.

Mrs. Collier stated if we were to just pass it as it is with that section with not having gone through the budgeting process for next year, we can always ask for a special appropriation to go forward to cover that expense should we have a need to fund that assistance program before we have the budget done for next year. She asked if that is that correct?

Mr. Dickey replied yes and stated if this is created through this ordinance, your budget is zero, meaning that the Board of Public Works has no funding to administer any assistance at this time. He said now, again, as Jenny pointed out, we could always do a special appropriation and fund that line. He is not saying there's a process that could be done, but effectively, it would have a budget of zero at this point if we created and pass this ordinance as it is written.

Mr. FitzGerald stated if we're going to be able to offer amendments at the next reading, if this is meant to approve the committee's action, then he thinks we all have ideas of how to finesse this section right now, and he thinks we have some time to work on that a little bit.

Mrs. Griffith stated she want to explain her vote. She said as of now, yes, but if the amendments are not proper, at the next one she'll be a no.

Mr. Daniel Harris, 200 Alley Road, stated he lives in a two-mile fringe area, and because of where we live, we're in a jurisdiction of city planning and zoning, so he didn't know if what was just passed affects anyone in the two-mile fringe area of the city and county. He said his second question is, are we talking about trees being endangered or trees causing hazards? He stated specifically an example, the Take-5 car wash on State Street, when it was approved, there was a

requirement for a privacy fence behind the Take-5 car wash there at Daisy and State because there were some issues with noise and lighting. He said there's damage being caused to the fence by the house at 405 Daisy Lane, which has trees and bushes encroaching on the fence into the car wash property damaging the fence, pushing the fence in, and possibly knocking the fence down. He asked if that would be an example of what you're talking about, or is that something totally different?

Mr. Dickey stated in short, he thinks that is a separate situation because obviously, a planning and zoning requirement would defer to the Planning Commission and whatever related enforcement they would have from a zoning standpoint. He said with regards to the last ordinance's application to the fringe, this is only a city program, so it would only apply to the corporate limits because we only have jurisdiction in the case of enforcement to the corporate limits. He stated if the county wanted to create a similar dangerous tree program, they would have the authority to do that for county unincorporated parcels.

INTRODUCTION OF ORDINANCES FOR THIRD READING:

COMMUNICATIONS PUBLIC: G-26-03 Extension of Moratorium

Mr. Zachary White, 1937 Spring Street, stated he has stood before this council before in opposition of this continued moratorium of multi-family construction within the city and he will reiterate, because his little helper last time kind of distracted him a little bit, that there is no real reason given the timeline that Mr. Wood has given to the passage of the new updated code of ordinances. He said that it will take around nine to 12 months for a multi-family project to get off the ground and that's just the pre-planning process, securing funding, and doing their analysis with the given property, if they can fit as many units as they can to be profitable. He stated then it'll move into the pre-design where then they come to the city with their plan and go through the process that can take anywhere from another eight months to a year and a half, depending on the back and forth and how acceptable their plan is. He said so by not extending the moratorium today, you still have at least a year buffer to finish the updates. He reminded the council that this is the third time that this moratorium has come up, second time for renewal. He predicted the first time that there's not a single instance in the United States where a moratorium enacted against multi-family construction has not been extended due to similar circumstances of updating their code of ordinances, and then such cities and towns have had a catch-up process with their peers around them where it's like a three-to-five-year lag. He stated if this moratorium is extended, we won't be seeing any new multi-family housing alleviating the rental prices in the area till around 2030 if his timeline holds. He added that doesn't take into account all of the kind of wonkiness that is the subcontractor market with how they are having a labor shortage with their workers not being able to come to the workplace, and then how that affects project timelines which would then extend it even further. He 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 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 3
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Mr. Phipps introduced Bill G-26-03 and moved to approve the third reading, Mr. Unruh second, all voted in favor with the exception of Mr. FitzGerald, Mrs. Gohmann and Mrs. Griffith who voted no. Bill G-26-03 becomes Ordinance G-26-06.

Mr. Phipps stated while the comments that Mr. White made may be valid in terms of the timeline of somebody getting the financing and moving forward before construction actually starts, he thinks it's still wise that we wait until we get the zoning ordinance passed, because one wouldn't want to put forth the effort and the expense of going through all that process on a property when it may not be zoned for multi-family after the new zoning code is put in. He added while part of his information was correct, he would still say that doesn't negate the fact that he thinks this is important to extend the moratorium until that process works out with the zoning code. He also added more than likely we will have a new zoning code in place at least by around January 1st, at which time we can always come back and repeal this. He said we pretty much talked about all the other details at the last meeting. He stated Mr. Wood did an excellent job of presenting and if you have any additional questions, he is sure Mr. Wood would be willing to address them.

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no other business before the board, the meeting adjourned at 8:37 p.m.

Adam T. Dickey, President

Vicki Glotzbach, City Clerk

THE NEW ALBANY CITY COUNCIL HELD A PUBLIC HEARING ON MONDAY, JUNE 1, 2026 AT 6:45 P.M. IN THE COUNCIL CHAMBER, ROOM 100, NEW ALBANY CITY HALL, 142 E. MAIN STREET.

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

ALSO PRESENT: Mrs. Manning, Mrs. Moeller and Mrs. Glotzbach

President Dickey called the public hearing to order at 6:45 p.m. He asked if anyone would like to speak on the following:

**A-26-02 Ordinance for Appropriation of Unrestricted
Opioid Settlement Funds**

Ms. Kathy Higgins stated she is the program director for Love Unlimited Community Outreach and they serve a meal to anybody who needs one every Saturday. She said a lot of our clientele have addiction issues, mental health issues and things like that. She stated she didn't know if this was maybe a space for us to apply for some of this money to make sure that it's at least going directly to the people that are affected.

Mr. Dickey stated the short answer is yes there could be the potential for opioid settlement funding to be divvied out to other organizations such as yourself. He said this request is obviously done with the intention to provide assistance to essentially cooling throughout the cooling location throughout the summer, and as part of that, there will be some counseling and related services made available to anyone who would need that there. He added there will be a future call that the Public Health & Welfare Committee of the Council is working toward, which will allow for organizations in the community to put forward an application and go through a process. He directed her back to that committee and Mrs. Collier as the chair of that committee for handling a new application if you've got one from your organization.

Ms. Higgins asked if this meeting is just to talk about the allocation for the cooling centers?

Mr. Dickey replied yes, it's a public hearing just for the allocation for the cooling center.

Ms. Higgins said good, because we are involved in that and there's one day that Love Unlimited has taken to be responsible. She also said that Pastor Paul, who she thinks talked to the council about this, is at the library board meeting. She stated that makes everything clear and thanked the council for their time.

ADJOURN:

There being no further business before the board, the meeting adjourned at 6:49 p.m.

Adam T. Dickey, President

Vicki Glotzbach, City Clerk

**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, JUNE 1, 2026 AT
7:00 P.M.**

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

ALSO PRESENT: Mrs. Manning, Mrs. Moeller 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:

COMMUNICATIONS – COUNCIL:

Mrs. Collier stated we spoke a little bit at the last meeting about trying to do something with the unrestricted opioid funds for Hope, and she just wanted let everyone know that she intends to see when we can have a committee meeting to get that on the agenda for the next meeting, but with the short turnaround, that just wasn't really feasible before this meeting.

Mr. Phipps stated June is LGBTQ+ Pride Month and he just wanted to point that Southern Indiana Pride will be this Saturday in Clarksville in front of the old Colgate property.

Mrs. Gohmann stated the only thing she has is school is out and there are kids everywhere. She said please, please, please observe the speed limit and watch for kids. She has seen kids on scooters, on skateboards, on bikes so please be careful. She stated the library has started the kids' summer feeding program, so any kids up to age 18 can go and get lunch. She was at the library this afternoon for something, and there were lots of kids sitting around having lunch and it was very nice.

Mrs. Griffith stated the Taco Walk is coming up soon on June 20th.

Mr. Unruh stated he just had a couple of reminders for everyone about things happening in the summer such as the farmer's market every Saturday from 8:00 a.m. until noon on Market Street here in downtown New Albany. He also stated that the Bicentennial Park Free Summer Concert Series has started, and it's at 6:30 p.m. every Friday this summer.

Mr. Dickey stated he did want to make note of the graduation. He said we had a very good graduation ceremony and congratulations to all those new high school graduates at both high schools, but particularly the ones at New Albany, who we hopefully represent. He wanted to give a shout out for Pride Month and respect what that means for our community and acceptance of others. He then stated just an advisory that at the next meeting, the second meeting in June, Claire Johnson will be on the agenda under other city department and city officials for a presentation on the build, operate, transfer projects. He said we also have the 4-H Fair coming up this next week, so for those of you who are around the Green Valley Road area, please A, be mindful of the associated traffic, and B, please come out and support the kids who are participating in the 4-H Fair and related programs.

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:

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-26-02 Opioid Settlement Funds

COMMUNICATIONS PETITIONER: A-26-02 Opioid Settlement Funds

A-26-02	Ordinance for Appropriation of Unrestricted Opioid Settlement Funds	Collier 3
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Mrs. Collier introduced Bill A-26-02 and moved to approve the third reading, Mr. Phipps second, all voted in favor with the exception of Mrs. Murphy who was present. Bill A-26-02 becomes Ordinance A-26-06.

Mr. FitzGerald moved to approve the amendments proposed by Mrs. Manning, Mrs. Gohmann second, all voted in favor with the exception of Mrs. Murphy who was not present.

Mrs. Collier stated as we discussed at the previous meeting, this is an appropriation out of our unrestricted opioid settlement funds. She said the Public Health and Welfare Committee unanimously recommended that we approve to help fund some of the needs at the cooling station at Culbertson Baptist Church including a coordinator, snacks, water and transportation to get folks out there to the cooling station from mostly probably the downtown area. She stated Mrs. Manning did make some amendments and she has passed those out. She added they're in red and are all amendments that we spoke about.

Mrs. Manning stated they are the amendments that she read into the record last meeting and were really just to add further detail and connect them to the use of the unrestricted opioid funds.

Mrs. Collier stated to be specific, the amendment adds to the whereas clause the dates of June, July, and August, open from 2:00 p.m. on any day when the heat index exceeds 95 degrees Fahrenheit. She added then at the bottom whereas in the very last sentence of that paragraph, we added such as substance abuse case management services to that. She said then we removed incurred on the last whereas of the first page. She stated then on the very last paragraph we added the up to \$7,500.00. She stated we also added that the opioid settlement unrestricted fund to be used for the actual cost of operating the cooling center for New Albany residents, specifically to provide transportation, water, snacks, and staffing, so we just added a little bit more detail than what was originally in there.

Mr. FitzGerald asked if there was a discussion about September as well?

Mrs. Gohmann stated to her knowledge, they're saying just June, July, and August and she didn't know of any discussion at this juncture.

Mr. FitzGerald stated \$7,500.00 will probably be spent before August anyway. He added he is just curious because we still get 90 degrees into September. He also added we can always come back if there's a reason.

Mrs. Manning stated they just told us that those were the months they operated.

Mr. FitzGerald stated if that was from them, okay, because he wasn't sure of that.

COMMUNICATIONS PUBLIC: G-26-04 Hazardous Tree Ordinance

COMMUNICATIONS PETITIONER: G-26-04 Hazardous Tree Ordinance

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/ 3 Collier
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Mrs. Collier introduced **Bill G-26-04** and moved to approve the third reading, **Mr. Phipps** second, all voted in favor with the exception of **Mr. Blair** and **Mrs. Griffith** who voted no, and **Mrs. Murphy** who was not present. **Bill G-26-04** becomes **Ordinance G-26-07**.

Mr. Blair moved to strike **Section 3** from the ordinance, **Mrs. Griffith**, all voted in no with the exception of **Mr. Blair** and **Mrs. Griffith** who voted yes, and **Mrs. Murphy** who was not present.

Mrs. Collier stated she thinks we covered it pretty well at our last meeting and she does feel strongly about the assistance program, but just wanted to reiterate that there's a big difference between fixing a driveway that needs to be fixed or us telling a resident that they have to do something with the tree. She said they might be able to plan for the driveway, whereas, if we give them a notice that they have to deal with the tree and incur that cost that's kind of something they can't plan for, so she thinks it's very important that we pass this with the assistance program.

Mrs. Griffith stated she is good with everything except for **Section 3**, only because she doesn't feel like we've got the funding in place since we're in the middle of the year. She thinks some of the wording needs to be updated. She asked if there are any amendments that are being made by anybody to that section?

Mr. Dickey asked if she is talking about **Section 3, 100.1**?

Mrs. Griffith replied yes and stated he feels like we had a lot of discussion on that last time.

Mr. Blair asked like putting a limit in there or something?

Mrs. Griffith replied yes and said she just feels like we're jumping the gun on that one. She wouldn't mind doing that when we go through budget season.

Mr. Dickey said again, he guesses he would just add that in creating it, the initial budget will be zero because we're in this budget year and there was no budget appropriated for it, so when the mayor would make his budget recommendation and we would begin work on the budget ourselves, there would obviously be the opportunity to put funds in for next year, 2027. He also said good, bad, and ugly, what the administration has outlined is to obviously get the code set up with that without having a budget, and to handle that at budget time when we've got more time to sort through those details.

Mr. Blair asked what are we going to do if somebody this year came and asked for financial assistance and they met all the guidelines and so forth?

Mr. Dickey stated again, it has to go through the process.

Mr. Blair said so this isn't effective until January 1st?

Mr. Dickey replied no, he thinks there's no budget until January 1st, unless the administration would come back and ask for a special appropriation. He stated but again, just to remind everybody, there are certain catches and one of those catches being that we've actually deemed a tree a hazard, so there's process there. He said then there would also be other pieces that would include that their household income must fall at or below the 200% of federal poverty guidelines. He also said verification has to occur and the tree again must be a high risk, the applicant must be the owner, and the property must be located obviously in the city. He supposes at that point the question would be how would the administration and the Board of Works like to proceed since it would be their subject matter. He thinks it would be appropriate, and Mrs. Moeller is here to correct him if he is wrong, but traditionally at that point the administration would bring forward a request if there was some need for funding.

Mrs. Moeller stated if it's not in the 2026 budget, we'd have to do an additional and establish it in the 2026 budget. She is not sure how much money you're talking, but if you've got a tree that we feel is going to fall on a house, the city would allow financial assistance to remove the tree? She asked is that where we're going with this?

Mr. Dickey replied yes, if we are essentially deeming a tree to be hazardous and ordering it to be removed, that individual would then have the ability to argue financial hardship.

Mrs. Moeller asked if it would go before the tree board?

Mr. Dickey stated it would go before the Board of Works.

Mr. Phipps asked if it wouldn't go through the tree board?

Mr. Dickey replied no, the tree board is advisory to the Board of Works.

Mrs. Moeller asked wouldn't the arborist have to deem it to be?

Mr. Dickey replied yes.

Mrs. Moeller said so in a way it does go through tree board budget, so if there's something in 2026 that could be a possibility.

Mr. Dickey replied yes and said he supposes that's a good point and guesses you could look at something like moving money over or something. He doesn't know that that would be his first choice.

Mr. Phipps asked if you could delay the issuing of the award to the client until 2027 when there's budget there, or does that create issues from one year to another?

Mr. Dickey stated he guesses he would look at it this way; it's kind of like you can't get blood from a turnip, right? He said hypothetically there's a process that the Board of Works would go through if they got to the point of deeming the tree a hazard and ordering its removal. He said at that point, the option would be to put that essentially against the property owner as a lien or have them satisfy the cost. He stated if they failed to satisfy the cost, it would go on the lien but they have this process to seek relief. He stated if the Board of Works then wanted to provide relief, he is assuming they could hold that out and forestall action until we resolved the budgetary consideration, whether that be as part of 2026 with the special appropriation or as part of 2027.

Mrs. Moeller said it could go through Board of Works budget for other services.

Mr. Dickey replied yes, there's that option as well, he guesses.

Mr. FitzGerald stated because he definitely had similar concerns about creating a program that's not funded as well, but he thinks that from the conversations he had in the previous couple of weeks about whether an amendment was needed at this moment, since nothing has been appropriated for it, and he doesn't think that we would have to wait until the new budget because we could do a special allocation, and then there's also the special projects within the Board of Works budget as well. He felt that satisfied his concerns about not having an amendment for that that's stipulated either allocated before or the next budget cycle.

Mr. Dickey stated his ultimate concern, just being frank, without that section, he thinks we're setting up the potential that we have a resident who is in financial hardship and the Board of Works does its duty, it calls a spade a spade and says, the arborist says this tree is dangerous, we agree this tree is dangerous, it's threatening the public safety and we need to remove it. He stated they remove it, but there's no potential for relief for that property owner.

Mr. FitzGerald stated he thinks his concern wasn't the inclusion of the section, it was notifying about when funds would be available.

Mr. Phipps stated he is concerned about that too because you think about it because you say it would have to go through all these steps, and if you have worst case scenarios where all that stuff could happen in one year, and then people are scrambling either through Mrs. Moeller or the Board of Works or whatever to figure out how they're going to fund it. He stated to him it would make more sense to just make this effective January 1st as opposed to going into effect right now.

Mr. Blair stated the only thing he sees with that is there are some trees out there that are hazardous and this gives us the ability to deem a tree hazardous and get it removed right away. He said it's a whole process, but even if we did take somebody's tree down and it goes as a lien against their property, they don't have to pay it until they sell the property. He stated they'll eventually have to pay it, but not until that point. He looks at it where almost some of these things we're helping people despite themselves maybe from other damage to their home. He said to him, it's regular maintenance in somebody's yard, just like grass cutting and so forth. He was concerned in the committee meeting about somebody losing their house, but from what he found out, because we're a judicial lien state, we have to force that bill to be paid to remove the lien and we wouldn't do that as a city. He also talked to the treasurer and he said he doesn't think it will go to a sheriff's sale or anything like that, so it just sits there until somebody does something with the lien. He doesn't think we really have any obligation at that point because it's helping people; it's deferring it and we're not charging an interest on it. He added by that time, hopefully, they have some equity in their house and they can pay the final expenses on that property, so he just doesn't see the need for financial assistance in that sense. He knows it's a big-ticket item, but it's still a private property.

Mr. Phipps stated he is not opposed to it, he was just saying he thinks the funds should probably be there before we pass this.

Mr. Blair stated he agrees with that too.

Mr. Dickey stated to be clear, he does want to just stipulate that through the Community Development Block Grant Program, we do have a repair program that allows for similar individuals of a financial category to seek relief to help improve and stay in their home, whether it be to put on a new roof or put in a hot water heater or whatever the improvement may be to keep the home livable.

Mr. FitzGerald stated with the urban enterprise area, there are grants and reimbursement grants for facade improvements as well so it's not just big ticket items, the furnace and

roof, there's also paint and doors and siding as well that residents, owner-occupied residents within the urban enterprise zone area also have available too.

Mr. Blair stated but they're not coming from our general fund, is what he should have qualified that. He said this is the only program he thinks that's coming from our general fund to help people with their private property. He stated those other programs are great, and they help people and so forth, and in a sense, we're helping people here. He said we get the trade removed and they don't have to pay for it up front so he thinks that's a big benefit to them. He stated the other thing is we're putting a lot of burden on the Board of Works because we're asking them to establish application procedures, forms, and guidelines, so they're going to have to probably engage somebody to help them with that piece of it. He really thinks if we're going to pass it to the Board of Works, we should go ahead and put those guidelines in place, make it easier for them. He added the council probably has more resources to help them with that than the Board of Works. as far as them doing it.

Mr. Dickey stated he doesn't know that he would quite see that the same way as Mr. Blair because obviously, every ordinance that we pass, there's a certain amount of policy or rulemaking that has to be done in the administration, documents, whatever. He added they have obviously attorneys and staff and we have one individual on our payroll to do that, who is amazing, but he doesn't think that's really, though, in the grand scheme of it, the nut of the point but we can just dispense with the discussion on it.

Mr. Blair stated again, he just doesn't think we should provide assistance for people for property maintenance so he would like to make a motion to amend this ordinance to remove that Section 3 about the financial assistance and not even include that in the ordinance.

Mr. Dickey asked Mrs. Manning if we need Section 4 then at that point?

Mrs. Manning replied yes and stated that would become Section 3.

Mrs. Collier stated she thinks that if we want to entertain this assistance program, we need to pass it now so that way when budget time does come up in just a couple of months, it's there so we can have the option to fund it. She stated if we don't pass that now, it's not going to be on the radar to have even a line item on the budget. She added with the process for the program, it's, from her understanding, pretty consistent with what we do for emergency repair, so that's pretty much already in place and would be easily facilitated for the process of applying for the program.

Mrs. Griffith asked where does that funding come from for the assistance?

Mrs. Collier stated the emergency repair program comes from CDBG. She added even though this is not intended to come from CDBG, the process and the qualifications are all the same, so it's just pretty much the emergency repair program application process would be the same process, which we've had in place for years.

Mr. Blair asked is that state-funded or federal-funded?

Mrs. Collier stated the emergency repair program is CDBG-funded through community development.

Mr. Dickey said we receive federal block grant assistance which then we have to do both a long range and a yearly action plan.

Mrs. Collier said she was trying to that the application process that the Board of Works would follow is pretty much already in place. She stated it would just be done for the tree program instead of the emergency repair program, and again, she thinks that it's important to pass this now so that way it is a line item on the budget when budget sessions start in just a couple of months.

Mrs. Griffith asked along those lines, is there a way this could be funded through the CDBG grants versus the general fund since it's already set up that way?

Mr. Dickey stated not at this point without altering those plans, and we would not be able to do that until basically mid-year next year because we just approved the action plan in the last month or so

Mrs. Collier stated that is something that could be considered next year when those decisions are being made.

Mr. Dickey stated he would also add that we would need to double check compliance with our redevelopment staff because there are parameters on those funds that come to us from the federal government that we have to meet. He said while the idea may work, the compliance may not, so he would just add that.

Mrs. Griffith stated she would rather see the funding coming from the block grant versus the general, until we get more guidelines set up.

Mr. Dickey stated the last thing he'll say on this is that it's a discussion about the chicken and the egg and which came first. He said the administration, through discussions, was the one who made the recommendation to move forward with the proposed program without moving ahead with a budget given where we're at in the year. He said again, from his standpoint, he trusts them to do their part of this as the executive branch and the Board of Works to do its part in this to be able to provide the other development and put this into place. He said in that regard, he sees it the same as if we were proposing funds for any other public works related feature. He said we're not going to do that directly, the Board of Public Works is going to administer that whether it be for say something with regards to communications or something with regards to roads or what have you. He stated he'll support this if we amend it out or if we keep it in because he thinks that this is an area that needs to be cleaned up. He added this is an area that we do occasionally see some need in, and let's face it, our city has many areas that do have large trees and other things, and he thinks it's good to have to have a system in place through this section to provide some relief. He doesn't think that the federal government and monies that come from them is the only place and that the local government and state government should do their part to provide some relief when it makes sense and is most appropriate, and that's ultimately what he thinks we're doing here. He added with that being said, he'll leave it up to others to make their determination.

Mr. Blair stated first of all, public works only fund things that are public property, things of the easement and the roads and so forth. He thinks this is the first time we're actually funding things on people's private property. He said second of all, it's coming from local taxpayers, so we're requiring our local taxpayers to pay for maintenance on people's property, and he thinks those are the two big differences. He agrees with a lot of what everyone is saying, but the other piece is it's not an immediate burden on somebody because it gets deferred. He said they'll have to eventually take care of it, and it could be a big dollar round, but it's not an immediate burden. He stated the other thing is, from a little bit of research he did, Bloomington was more tree preservation, where it's like a tree replacement program. He said it really wasn't financial assistance to remove a hazardous trees and he doesn't see any other community doing this.

Mr. Dickey stated he guesses his only rebuttal back would be, remember, Scott, there are times where we have to clear vegetation that technically is on private property because there are site distance issues. He doesn't know that he would say that the Board of Works never currently deals with things that are not impactful from a private property standpoint. He thinks sometimes they have to wade through those waters and figure out what's the best way to deal with a situation, and he see this kind of as the same thing. He said regardless, he thinks we're clear on our points here.

INTRODUCTION OF RESOLUTIONS:

BOARD APPOINTMENTS:

Floyd County Economic Development Commission – Dickey

Mr. Dickey stated the Floyd County Commissioners, through their council, have let us know that the Floyd County Economic Development Commission needs to be reappointed. He said we receive one appointee on there as the fiscal body of the largest municipality in the county, according to the state statute. He stated that Mr. Sam Charbonneau has been serving for the past several years on that body and he would nominate that Mr. Charbonneau be retained, and they do have a meeting tomorrow, so the county attorney is patiently awaiting his response.

Mr. FitzGerald moved to reappoint Mr. Sam Charbonneau, Mrs. Collier second, all voted in favor with the exception of Mrs. Murphy who was not present.

COMMUNICATIONS – PUBLIC (NON-AGENDA ITEMS):

ADJOURN:

There being no other business before the board, the meeting adjourned at 7:40 p.m.

Adam T. Dickey, President

Vicki Glotzbach, City Clerk

Vicki Glotzbach

From: Jennie Collier
Sent: Thursday, June 11, 2026 10:05 AM
To: Vicki Glotzbach
Cc: Adam Dickey
Subject: Public Health and Welfare Committee Meeting Report - June 10, 2026

Public Health and Welfare Committee Meeting

Wednesday, June 10, 2026 - 11:00 AM
City Hall - Council Conference Room
142 E Main Street
New Albany, Indiana 47150

In Attendance:

Jennie Collier - Committee Chair
Stephanie Griffith - Committee Member
Elaine Murphy - Committee Member
Corrie Manning - Legal Counsel
Andrew Raker - HOPE Southern Indiana Volunteer

The Public Health and Welfare Committee met to discuss appropriating \$15,000 to HOPE Southern Indiana to give additional funding to their food pantry program. The committee discussed the changes that have been made to the food pantry program at the Floyd County Library and even though their board decided to forgo eliminating their food pantry, it will not be able to operate in the same capacity that it was originally since they have already terminated contracts with Dare to Care and the USDA.

The committee briefly discussed asking the county's JRAC program to match the \$15,000 from the City of New Albany, also from their unrestricted opioid settlement funds. However, the city's allocation would not be contingent on the county agreeing to match the appropriation.

The committee also asked the chair to reach out to Becki Romans from HOPE Southern Indiana and ask her to attend at least one of the regular council meetings in which this appropriation will be discussed.

The committee unanimously agreed to allocate \$15,000 to HOPE Southern Indiana to help fund the additional need they have that has been brought on by the changes made to the food pantry program at the Floyd County Library.

Committee meeting adjourned at 11:34 AM

Jennie E. Collier
New Albany City Council - 1st District Representative
812-987-3324

Bill No. **A-26-03**

Ordinance No. _____

ORDINANCE DESIGNATING THE USE 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, an appropriation was duly made for unrestricted opioid settlement funds to be utilized during the current fiscal year, and the Common Council has the authority to direct and designate the specific use of such funds within the amount previously appropriated.

WHEREAS, HOPE Southern Indiana, a nonprofit organization serving residents of New Albany, operates a food pantry that provides groceries and emergency food assistance to individuals and families experiencing food insecurity.

WHEREAS, the demand for food assistance from HOPE Southern Indiana has recently increased, in part because other food assistance resources within the community have closed or scaled down their operations, including the food pantry currently operated by the Floyd County Public Library, which is governed by its own separate board of directors.

WHEREAS, the population served by the food pantry includes individuals and families affected by substance use disorder, and access to stable, reliable food assistance supports their health, recovery, and well-being and provides an opportunity to connect such individuals with additional resources and services.

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.

WHEREAS, the Council therefore wishes to designate up to \$15,000 of previously appropriated unrestricted opioid settlement funds to be used to support the operation of the HOPE Southern Indiana food pantry.

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 and designates the use of up to \$15,000 from the Opioid Settlement Unrestricted Fund to support the HOPE Southern Indiana food pantry in distributing food to New Albany residents in need.

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:

**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**

ORDINANCE NO. Z-26-02

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF NEW ALBANY, INDIANA APPROVING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF DATA CENTERS

WHEREAS, the Common Council (the “Council”) of the City of New Albany, Indiana (the “City”) finds that the City, as well as the unincorporated two-mile fringe area in which it exercises planning and zoning jurisdiction, currently has limited and finite land suitable for large-scale industrial development;

WHEREAS, the Council has observed a recent nationwide proliferation of data center development driven, in large part, by the rapid growth of artificial intelligence and other cloud computing and digital services, and availability of large amounts of federal money offered via the recent passage of the Big Beautiful Bill;

WHEREAS, the Big Beautiful Bill has allocated many dollars and resources to expand data centers throughout rural and urban areas without due process and review of the potential impact and negative consequences on the environment and finances of local residents;

WHEREAS, on December 23, 2025, by Resolution No. R-25-20, the Council adopted the “City of New Albany & Unincorporated Two Mile Fringe Area Comprehensive Plan: Year 2045” (the “Comprehensive Plan”) setting forth the City’s development plans, policies, and objectives for the promotion of public health, safety, morals, convenience, order, and the general welfare of the City;

WHEREAS, among the goals set forth in the recently updated Comprehensive Plan are the development of policies to promote an appropriate balance of industrial development in the City, maintenance of industrial land for modern manufacturing, logistics, and other essential industries, while ensuring the alignment of such industrial development with the existing character of the City and its residential and commercial areas;

WHEREAS, on February 4, 2019, the Council adopted “An Ordinance for the Development Through Zoning of the City of New Albany Indiana, and the Unincorporated Two-Mile Fringe Area within the Jurisdiction of the New Albany City Plan Commission” (the “Zoning Ordinance”);

WHEREAS, the City’s Plan Commission and Council are currently preparing and considering an updated zoning ordinance, which will amend certain provisions of the current Zoning Ordinance, to guide the growth and development of the City in accordance with the newly adopted Comprehensive Plan (the “Zoning Ordinance Update”);

WHEREAS, the Council finds that the current Zoning Ordinance does not adequately address the potential development of data centers and their appropriate role in the City, including their effects on public and municipal infrastructure and services and the overall character of the City;

WHEREAS, in light of the foregoing, the Council desires to implement a temporary moratorium, for a period of up to one (1) year from the date of adoption of this Ordinance, suspending the construction of new data centers within the City (the "Moratorium"); and

WHEREAS, the Moratorium will afford the City reasonable time to review, evaluate, and study how best to address data centers in the Zoning Ordinance Update.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City as follows:

1. The above recitals and findings are incorporated herein by reference as though fully set forth herein.
2. As used in this Ordinance, the term "data center" shall mean an establishment or facility used for the storage, management, processing, and transmission of digital data, which may include the housing of computer and/or network equipment, systems, servers, appliances, and other associated equipment and components related to digital data storage, processing, and related operations, including, without limitation, batteries, generators, air handlers, water cooling and storage facilities, and utility substations. Data centers shall include data storage facilities, server farms, artificial intelligence training or processing, image processing, cloud computing, email servicing, and similar uses. For avoidance of doubt, server rooms and/or information technology infrastructure that is ancillary to the principal use of a facility shall not be considered a "data center" for purposes hereof.
3. The Moratorium is hereby adopted, approved, and enacted, and based upon the findings set forth above, during the Moratorium, the following activities and actions are temporarily suspended pursuant to this Ordinance: all activities relating to the development and construction of new data centers and all appurtenant facilities, including, without limitation, acceptance and review of applications for zoning approvals, permits, site plans, preliminary or primary plat, or other official City action relating thereto. The Moratorium shall commence as of the adoption of this Ordinance (the "Commencement Date") and continuing until the earlier of (i) that date which is one (1) year following the Commencement Date or (ii) such time as the Council does, by the adoption of an Ordinance, elect to end the Moratorium.
4. The Council requests the City's Department of Planning and Zoning, as well as the City's Plan Commission, to (i) undertake review of the impact or potential impact of data centers on the City, including, without limitation, the effects of data centers

on public and municipal infrastructure and services, economic development, and the overall character of the City, and (ii) as part of the Zoning Ordinance Update, and consistent with the goals of the new Comprehensive Plan, propose appropriate zoning regulations for the development of data centers in the City in order to address the impacts thereof.

5. If any terms or provisions of this Ordinance are determined by a court of competent jurisdiction to be invalid or unenforceable, the invalidity or unenforceability of such term or provision shall not affect or impair the validity or enforceability of any other provision hereof.
6. This Ordinance is effective upon passage.

PASSED and **ADOPTED** by the Common Council of the City of New Albany, Indiana on the ___ day of _____, 2026.

PRESIDENT, COMMON COUNCIL
CITY OF NEW ALBANY, INDIANA

ATTEST:

VICKI GLOTZBACH, CITY CLERK
CITY OF NEW ALBANY, INDIANA

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, CITY CLERK
CITY OF NEW ALBANY, INDIANA

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 **ACCEPTS** and **APPROVES** the above ordinance as evidenced by my signature affixed below.

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

ATTEST:

VICKI GLOTZBACH, CITY CLERK
CITY OF NEW ALBANY, INDIANA