

**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 2<sup>ND</sup> READING (WHICH SHALL BE MADE DURING CONSIDERATION OF ORDINANCES ON 2<sup>ND</sup> 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            Collier 3**  
**Opioid Settlement Funds**

**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**

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| <b>G-26-04</b> | <b>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</b> | <b>Dickey/ 3<br/>Collier</b> |
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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 1<sup>st</sup>, 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 tree 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 amount, 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 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.

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Adam T. Dickey, President

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Vicki Glotzbach, City Clerk