



NEW ALBANY CITY COUNCIL MEETING MINUTES

May 17, 2016

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of May 17, 2016 at 6:30 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Deputy City Manager Debra Mecozzi, Police Chief Greg Jones, Finance Director Chad Fuller, Law Director Mitch Banchefsky, Deputy Community Development Director Adrienne Joly, City Engineer Ed Ferris, Public Service Director Mark Nemec, Public Information Officer Scott McAfee, and Clerk of Council Jennifer Mason.

Mayor Spalding led the assemblage in the Pledge of Allegiance.

ROLL CALL:

The following Mayor/Council Members answered Roll Call:

Mayor Spalding	P
CM Colleen Briscoe	A
CM Chip Fellows	P
CM Glyde Marsh	P
CM Michael Mott	P
CM Steve Pleasnick	P
CM Matt Shull	P

Mayor Spalding moved to excuse Council Member Briscoe. Council Member Pleasnick seconded and Council voted with six yes votes to excuse Council Member Briscoe from attending the meeting.

ACTION ON MINUTES:

Mayor Spalding asked if Council had reviewed the May 3, 2016 minutes and if they had any proposed additions or corrections to the proposed meeting minutes. Council Member Pleasnick moved and Council Member Marsh seconded the motion to approve the minutes. Council voted with six yes votes to approve the May 3, 2016 minutes.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Mayor Spalding asked if Council or Staff had any additions or corrections to the agenda. No additions or corrections were requested.

HEARING OF VISITORS:

Proclamation Recognizing Nicole M. Watters – Mayor Spalding stated that he knew the Watters family as neighbors and got to see the work that went into becoming a champion. Mayor Spalding read the proclamation aloud and presented it to Nikki Watters. Also in attendance were Ms. Watters' mother, Tammy Watters, and diving coach, John Coffman.



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Proclamation Recognizing David A. Dinsmore - Mayor Spalding noted that David Dinsmore could not be present as he was still in school at the University of Miami. Mayor Spalding read the proclamation aloud and presented it to Mr. Dinsmore's parents, Allan & Stephanie Dinsmore,

Proclamation Recognizing Nancy Ferguson as the 2016 New Albany Founder's Day Parade Grand Marshal - Mayor Spalding encouraged everyone to come out and celebrate Founder's Day with Nancy Ferguson, this year's Grand Marshal on May 21st. Mayor Spalding read the proclamation aloud and presented it to Nancy Ferguson. Founder's Day Committee representatives David Cline, Becky Knore, and Linda Honnaker also presented Ms. Ferguson with a brick inscribed with her name which would be placed on the walkway to the Ealy House.

Proclamation Recognizing Rocky Fork Metro Park as the Founder's Day Community Connection Award Honoree - Mayor Spalding described the new Rocky Fork Metro Park and encouraged those present to visit. Mayor Spalding read the proclamation aloud and presented it to Metro Parks Executive Director Tim Maloney. Founder's Day Committee representatives David Cline, Becky Knore, and Linda Honnaker also presented Mr. Maloney with an inscribed brick which would be placed on the walkway to the Ealy House.

Tim Maloney related his excitement for the Rocky Fork Metro Park. He told council that Rocky Fork won the Ohio Parks & Recreation Association's Best Award and the 2016 Governor's Award. He explained that that the park was in Phase II of its design which would include a wetland area, classrooms, and a shelter. He further stated that Metro Parks had plans to connect Rocky Fork with Blendon Woods and, ultimately, he would like it to connect to downtown Columbus.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Mayor Spalding stated that PC met to consider the New Albany Company's (NACO) request to reduce the rear setbacks on approximately 40 properties from 30 feet to 15 feet. Mayor Spalding reported that notices were given to adjacent property owners and no negative response was received. Planning Commission approved NACO's request.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: Council Member Shull reported that the ARB met on Monday, May 9th and 4 items were covered. 1) Allstate representative Al Donahey could not be present and the matter was tabled. 2) NACO presented a multi-unit development being built at Market Street and US 62. The development was approved with some conditions which would be handled in conjunction with New Albany staff. 3) Paige Langdale with Bungalow Home requested a Certificate of Appropriateness and Waiver for exterior changes. That item was tabled until the applicant could be present to answer



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questions. 4) Noah's Event Center requested and was approved for a Certificate of Appropriateness on their sign on the condition that it be no more than 1 inch thick.

BOARD OF ZONING APPEALS: Council Member Mott stated that the BZA would be meeting in the coming week. Mayor Spalding noted that pool covers would be discussed and were also discussed at Planning Commission.

BOARD OF CONSTRUCTION APPEALS: No meeting.

CEMETARY RESTORATION ADVISORY BOARD: Council Member Mott reported he was unable to attend the CRAB meeting. Clerk of Council Jennifer Mason stated she was present and let Council know that the Ohio Valley Archaeology (OVA) had finished their excavation and dug up all the monuments for which the original location was not known. A full report was expected in June or July and the CRAB members were looking to present their recommendations along with the report. Council Member Mott noted that Nancy Ferguson told him that another monument appeared at the site, possibly returned by someone.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: Mayor Spalding stated the PRC met and approved updates to several retention schedules to reflect the proper amount of time to keep records before disposing of them, and also approved requests for destruction of documents pursuant to the retention schedule. The next meeting was scheduled for the first Tuesday in November.

CORRESPONDENCE AND COMMUNICATIONS:

City Manager Joseph Stefanov stated that he received a letter from Columbus Mayor Ginther thanking council members for their support of Columbus' Smart Cities grant application. Columbus was a finalist for the grant, being in the top seven cities nationally to apply. City Manager Stefanov sent a follow-up letter on council's behalf supporting Columbus for the next round. Council Member Shull asked and City Manager Stefanov clarified that Smart Cities was a 40 million dollar grant to develop smart technology in the transportation sector. Mayor Spalding reiterated his support for the grant which could benefit the region.

Council Member Shull stated he received a letter from Steve Doherty, a resident of New Albany. Council Member Shull met with Mr. Doherty and John McCure who both work for Big Data Masters, a company located in New Albany. Mr. Doherty and Mr. McCure had questions regarding the analysis, storage, and redaction of the data collection on police body cameras and cruiser cameras. Council Member Shull told council he would take the information he received from Mr. Doherty and Mr. McCure to City Manager Stefanov for follow-up.



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SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-09-2016

Mayor Spalding read by title AN ORDINANCE TO AMEND THE SMITH'S MILL ROAD, SMITH'S MILL ROAD NORTH AND BEECH ROAD DEDICATION AND EASEMENT FINAL PLAT TO REMOVE THE RECORDED 8.531 EASEMENT LOCATED ON THE EAST SIDE OF BEECH ROAD, SOUTH OF INNOVATION CAMPUS WAY AND TO AMEND THE INNOVATION CAMPUS WAY WEST FINAL PLAT TO REMOVE THE RECORDED 3.345 ACRE EASEMENT, THE 0.726 ACRE EASEMENT AND THE 0.679 ACRE EASEMENT AND TO VACATE A 0.304 ACRE EASEMENT AND A 0.031 ACRE EASEMENT LOCATED ON THE WEST SIDE OF BEECH ROAD AS REQUESTED BY THE NEW ALBANY COMPANY AND TO DECLARE AN EMERGENCY.

Deputy Community Development Director Adrienne Joly explained that next three ordinances O-09-2016, O-10-2016, and O-11-2016 concerned economic development projects at the Personal Care and Beauty Campus and were interrelated. This ordinance would vacate several easements on both sides of Beech Rd. The easement on the east side of Beech would be vacated to relocate and redesign a stormwater basin. On the west side of Beech, the ordinance would vacate some old drainage easements because the storm water would now be handled as part of the extension of Innovation Campus Way. Additionally, several easements in the interior were platted but were no longer needed as the multi-tenant building that was going to be developed there would now be built across the street. Deputy Director Joly noted that, for all three ordinances, the city had been working with the Ohio Department of Transportation (ODOT) since December of 2015 to deal with encumbrances and staff had expected to bring these items to council in February of 2016. Staff was again requesting that the ordinances be declared an emergency to waive the 30 days until the effective date to avoid further delays. Aaron Underhill was present to answer questions.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Pleasnick moved to adopt the ordinance. Council Member Shull seconded and Council voted with six yes votes to approve Ordinance O-09-2016.

ORDINANCE O-10-2016

Mayor Spalding read by title AN ORDINANCE TO VACATE A 0.255 ACRE AND A 0.622 ACRE PORTION OF PUBLIC RIGHT OF WAY LOCATED ALONG THE WEST SIDE OF BEECH ROAD, NORTH AND SOUTH OF INNOVATION CAMPUS WAY WEST, AS REQUESTED BY MBJ HOLDINGS, LLC AND TO DECLARE AN EMERGENCY.



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Deputy Community Development Director Adrienne Joly stated this ordinance related to the same property as the prior ordinance. She reminded council that Beech Road used to have a 90 degree turn that was smoothed out by an ODOT project, but left some remnant right-of-way in that area. Director Joly told council that the city would keep the portion of the right-of-way needed to extend Innovation Campus Way, but the other two pieces were not needed for any public purpose and would be vacated and returned to the adjacent property owner, MBJ Holdings.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Pleasnick moved to adopt the ordinance. Council Member Fellows seconded and Council voted with six yes votes to approve Ordinance O-10-2016.

ORDINANCE O-11-2016

Mayor Spalding read by title AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 35.45 +/- ACRES OF LAND GENERALLY LOCATED SOUTH AND NORTH OF INNOVATION CAMPUS WAY WEST AND WEST OF BEECH ROAD FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL AND "L-GE" LIMITED GENERAL EMPLOYMENT TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC AND TO DECLARE AN EMERGENCY.

Deputy Community Development Director Adrienne Joly told council that this ordinance concerned the remnant pieces of land returned to the adjacent land owner, MBJ Holdings, in the previous ordinance. Staff was requesting to rezone the entire area, the property already zoned as L-GE and the remnant pieces from O-10-2016, as L-GE to simplify the administration of the zoning ordinance. This rezoning was recommended for approval by Planning Commission back in January.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Pleasnick moved to adopt the ordinance. Mayor Spalding seconded and Council voted with six yes votes to approve Ordinance O-11-2016.

ORDINANCE O-12-2016

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTER 1173 "PRIVATE SWIMMING POOLS" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES.



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Deputy Community Development Director Adrienne Joly noted that there had been several discussions in the city's boards and commissions over the past two years about appropriate regulations for pools. The BZA considered four requests for variances for pool covers instead of a five foot barrier. Two were approved citing limited access to those properties and sizable lots. Planning Commission (PC) heard a similar request for a six and one-half acre parcel. Staff reviewed the existing pool regulations and those of other communities and found that New Albany's requirement for a five foot barrier was the highest. Staff recommended lowering that requirement to four feet. Further, staff clarified that the purpose of the barrier was to prevent a child's unimpeded access to a pool. Staff considered writing exceptions into the code for situations heard by BZA and PC where variances had been granted but determined, as with similar communities, that a layer of review was needed and each case brought forth considered.

Council Member Shull stated he approved of the proposed changes and asked Deputy Director Joly for further explanation of staff's and PC's discussions around a pool cover in lieu of a barrier. Director Joly responded that, given the safety concerns, PC's members did not feel a cover alone could be written into the code in a way that provided the same level of public safety as a barrier. There were varying technical standards and questions of what would need to be in place to ensure good operating condition and assure that water was not ponding on top creating a drowning hazard. Council Member Fellows and Council Member Pleasnick were concerned about ensuring covers were closed when a pool was not being monitored. Deputy Director Joly reiterated that covers were not rejected outright. PC was willing to consider variances for sites and situations that were unique, but did not feel comfortable trying to write every situation into code and preferred covers go to a public body to be vetted. Mayor Spalding thanked Deputy Director Joly and staff for the time and effort involved.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Fellows moved to adopt the ordinance. Council Member Shull seconded and Council voted with six yes votes to approve Ordinance O-12-2016.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-13-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 74.598+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

City Manager Joseph Stefanov explained that the property involved was previously considered by council as part of resolution R-29-2015, approved on June 16, 2015, when the city manager was authorized to enter into an annexation agreement. The property was located immediately north of the Innovation Campus Way road extension. The annexation agreement was approved by the Licking County Commissioners on March 8,



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2016 via their Resolution #83-2016. There was a required 60 day waiting period which had lapsed and council could now take up this matter.

Mayor Spalding solicited comment on the ordinance. Hearing none, he set the ordinance for second reading and public hearing at the next council meeting scheduled for June 7, 2016.

RESOLUTIONS

NONE.

STANDING COMMITTEE REPORTS:

- A. Finance Committee: No report.
- B. Safety Committee: No report.
- C. Public Utilities: No report.
- D. Service and Public Facilities Committee: No report.
- E. Planning and Economic Development Committee: No report.
- F. Administration Committee: No report.
- G. Grants and Non-Profit Funding: No report.

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: City Manager Joseph Stefanov reported that the MORPC State of the Region Meeting was held and the keynote speaker's presentation concerned demographic changes in Ohio. Information from the speech would be made available by MORPC. Additionally, the Transportation Improvement Program application period was open for projects in the 2021-2023 calendar years. City Manager Stefanov recommended that the city look at its projects to see what would be eligible for funding through that grant. Lastly, the Clean Ohio Fund's 100 million dollars was approved in the state's Capital Budget.
- B. Council Representative to Plain Local Schools: Council Member Fellows stated that school let out that week and that the next board meeting would be May 23rd. Mayor Spalding noted that a petition to reduce "pay to play" fees had been circulating and that he understood that the



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superintendent had made a recommendation to possibly reduce the fee to the extent revenue was available.

- C. Council Representative to Plain Township: Council Member Marsh let council know that Plain Township did not take any actions that impacted the city. Mayor Spalding and Council Member Marsh reported that the Plain Township Fire Department had been working on plans to modernize their kitchen.

REPORTS OF VILLAGE OFFICIALS:

- A. Mayor: Mayor Spalding stated he received very positive comments from residents regarding the city's Annual Report and commended Finance Director Chad Fuller, Public Information Officer Scott McAfee, and everyone who worked on it. Mayor Spalding noted that the city was already on OhioCheckbook.com and that anyone could review the city's finances in detail at their leisure.
- B. Clerk of Council: Clerk of Council Jennifer Mason reminded council that the Founder's Day Parade was May 21st and took a poll of who would be attending.
- C. Finance Director: Finance Director Chad Fuller circulated an Audit Exit Declaration Form. He explained that the auditors were willing to meet with council to discuss the outcome of the audit. Historically, council had declined an exit conference. Director Fuller reported that the city had a positive audit and that he and City Manager Joseph Stefanov would follow up on some action items. Council members individually indicated their preferences on the Exit Form.

Director Fuller also distributed a financial report (report attached) through the end of April 2016. He told council, it was still early in the year, but that the city was tracking right on budget with both revenue and expenses. He noted that May and June were the biggest months in the year for income tax revenue so the next two reports would give a better idea of how 2016 finances would shape up.

- D. City Manager: No report.
- E. City Attorney: City Manager Joseph Stefanov reported that the Ohio governor signed the Capital Budget without any line item vetoes, so it appeared that New Albany would receive a 1 million grant towards the construction of an amphitheater. Council Member Fellows asked and City Manager Stefanov answered that the expected budget of the amphitheater was fluctuating around 4 million dollars.



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OTHER BUSINESS:

New Albany East Community Authority Appointments: Council Member Fellows moved that council remove the executive session from the agenda. He told council he did not believe an executive session was necessary as the existing representatives were being nominated for reappointment. Council Member Pleasnick seconded the motion and council voted with six yes votes to remove the executive session from the agenda.

Council Member Fellows moved to reappoint Tammy Krings and Michele Shuster for another one year term to the New Albany East Community Authority. Council Member Shull seconded the motion and Council voted with six yes votes to reappoint Tammy Krings and Michele Shuster to the New Albany East Community Authority.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

NONE.

EXECUTIVE SESSION

The executive session was removed by council under "Other Business."

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Council Member Fellows moved and Mayor Spalding seconded to adjourn the May 17, 2016 Regular Council meeting at 7:39 p.m.

ATTEST:

Jennifer H. Mason, Clerk of Council

Sloan T. Spalding, Mayor

Date

City Council of New Albany, Ohio
April YTD Financial Summary (Budget Year = 33.3% Complete)
Numbers adjusted to reflect 2014-2015 Income Tax Revenue Sharing Adjustment Posted April 2016

General Fund	2016			2015			YTD Variance
	Budget	YTD	%	Budget	YTD	%	
Revenue	16,234,640	5,359,804	33.01%	14,163,247	4,627,527	32.67%	732,277
*Income Taxes	13,284,250	4,410,908	33.20%	11,403,000	4,063,552	35.64%	347,356
Property Taxes/Other Taxes	1,329,294	489,319	36.81%	1,185,650	70,372	5.94%	418,947
Permits	626,260	180,866	28.88%	502,500	228,280	45.43%	(47,414)
Intergovernmental	61,636	58,839	95.46%	65,538	28,284	43.16%	30,555
Charges for Services	458,200	108,287	23.63%	418,500	134,371	32.11%	(26,084)
Other Sources	475,000	111,585	23.49%	588,059	102,668	17.46%	8,917
Expenses	15,495,227	4,555,166	29.40%	15,378,724	4,055,944	26.37%	499,223
Police (100)	3,844,837	1,156,448	30.08%	3,729,563	1,033,307	27.71%	123,142
Building/Development (200)	2,366,096	785,587	33.20%	2,483,407	667,416	26.88%	118,171
Municipal Building (700)	204,572	94,814	46.35%	521,815	53,429	10.24%	41,385
Admin/Council/Mayor's Court (701-703)	2,002,075	564,739	28.21%	1,962,902	628,300	32.01%	(63,561)
Public Service (705)	3,284,468	966,677	29.43%	3,182,796	761,986	23.94%	204,691
Finance (706)	960,672	289,125	30.10%	863,333	263,463	30.52%	25,662
Attorney (707)	401,996	73,608	18.31%	464,376	124,316	26.77%	(50,709)
Engineer (708)	536,253	96,316	17.96%	555,281	104,089	18.75%	(7,773)
Lands & Building (710)	442,091	105,486	23.86%	366,390	63,242	17.26%	42,244
IT (711)	526,609	158,234	30.05%	526,441	155,886	29.61%	2,348
Service Complex (715)	89,516	29,413	32.86%	97,362	35,430	36.39%	(6,017)
Other Charges (720)	723,494	184,360	25.48%	503,828	140,563	27.90%	43,798
Other City Properties (725-755)	112,548	50,360	44.75%	121,230	24,517	20.22%	25,843
Revenue less Expenses Variance	739,413	804,637		(1,215,477)	571,583		
Labor	9,505,226	2,990,262	31.46%	8,879,369	2,514,102	28.31%	476,160
Contractual Services	2,857,265	640,889	22.43%	3,105,374	686,296	22.10%	(45,407)
Operating	2,769,046	820,629	29.64%	2,674,834	755,298	28.24%	65,331
Capital Outlay	363,690	103,386	28.43%	719,147	100,248	13.94%	3,138
Income Tax Breakdown		YTD	% Total		YTD	% Total	
Withholdings		3,305,104	74.93%		2,934,381	72.21%	
Net Profits		438,751	9.95%		353,212	8.69%	
Individuals		667,052	15.12%		775,959	19.10%	
Total		4,410,908	100.00%		4,063,552	100.00%	

City Council of New Albany, Ohio
2016 Impact of Appropriation Ammendments

	Original	O-1-2016	O-8-2016	FINAL
101 General Fund	16,369,923.00	0.00	8,000.00	16,377,923.00
220 State Highway Fund	95,000.00	0.00	(50,000.00)	45,000.00
222 Economic Development	7,755,393.00	223,830.47	0.00	7,979,223.47
230 Wentworth Crossing TIF	121,800.00	0.00	1,109.00	122,909.00
301 Debt Service	4,414,150.00	0.00	15,059.00	4,429,209.00
401 Capital Improvement (CI)	5,180,000.00	1,896,668.62	0.00	7,076,668.62
403 Bond Improvement	0.00	194,196.62	0.00	194,196.62
420 OPWC - Greensward Roundabout	0.00	0.00	1,437,120.00	1,437,120.00
422 Economic Development CI	0.00	0.00	11,125,000.00	11,125,000.00
Total		2,314,695.71	12,536,288.00	