



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of August 16, 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, Community Development Director Jennifer Chrysler, City Engineer Ed Ferris, Public Service Director Mark Nemecek, 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 Steve Pleasnick	P
CM Matt Shull	P

Clerk of Council Jennifer Mason reported that Council Briscoe was traveling and asked to be excused. Mayor Spalding moved to excuse Council Member Briscoe from the council meeting. Council Member Pleasnick seconded and council voted with 5 yes votes to excuse Council Member Briscoe.

ACTION ON MINUTES:

Mayor Spalding asked if council had reviewed the August 2, 2016 minutes and if they had any proposed additions or corrections to the proposed meeting minutes. None were offered. Council Member Shull moved to approve the August 2, 2016 minutes. Council Member Marsh seconded and council voted with four yes votes and one abstention (Pleasnick) to approve the minutes. Motion passed.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

HEARING OF VISITORS:

NONE.



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Mayor Spalding reported that the Planning Commission met on August 15, 2016 and had 3 pool variances, all of which were tabled. A final development plan for the Home2 Suites by Hilton was also tabled so that the architect could have further conversations with Hilton. A conditional use approval for a residential model home at 7405 Steeple Chase Lane was approved for two years. A flag pole at that site was approved but up-lighting for that flag pole was denied. A sign was approved.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: Council Member Shull reported that the ARB considered four Certificates of Appropriateness, one of which included a waiver. The projecting sign for Allstate - Donahey Financial Group at 9 S. High Street was tabled. The landscaping for the two residential units at Main and Market was approved with architecture plans still subject to staff approval. Rocky Fork Company requested a Certificate of Appropriateness with Waiver for an entrance sign at Straits Farms. Eight residents spoke in favor of the sign. The Certificate was approved on the condition that the sign be moved to a reconstructed mound outside of the public easement. It was further agreed that the Home Owners Association would take over ownership and responsibility for the sign. Exterior changes to Bungalo Home were approved and a presentation on other potential improvements on that site, including a garden and new building, was heard.

At the ARB meeting, a separate discussion of the lighting of public buildings took place. City Manager Joseph Stefanov presented a proposal for lighting as it would be an environmental change in the landscaping and appearance of the building. It would also be necessary for the city to go to The New Albany Company's Architectural Review Committee (ARC) if it decided to go forward with lighting plans in the Village Center. The ARB made recommendations which City Manager Stefanov forwarded to council via email. The ARB was concerned about the volume, amount, color, and spacing of the lighting, and recommended that the city start small and experiment with one building before expanding the plan. The ARB preferred direct fixtures over angled fixtures.

Mayor Spalding asked and City Manager Stefanov replied that he had talked to Tom Rubey at The New Albany Company and their ARC would still like to verify, but would defer to the ARB's and city staff's recommendations. City Manager Stefanov stated that that rough cost to light all four sides of Village Hall would be around \$9,800. Ridge or eave holiday lighting would cost approximately \$2,000 more. The up-lighting lenses could be changed for holidays or other occasions. Lighting trees at the nearby roundabout would add around \$1,800 to the total. The city was seeking solutions that did not involve running extension cords around and up the building and was investigating installing an electrical socket near the eaves. Council supported following the ARB's recommendations to start small and to verify with the ARC as needed.



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

BOARD OF ZONING APPEALS: Staff reported that there was no meeting.

BOARD OF CONSTRUCTION APPEALS: No meeting.

CEMETARY RESTORATION ADVISORY BOARD: Clerk of Council Jennifer Mason reported that CRAB was scheduled to meet next on August 23rd and future meetings and agendas would be posted on the city's website as the group was meeting at more frequent intervals.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CORRESPONDENCE AND COMMUNICATIONS:

City Manager Joseph Stefanov told council that Public Service Director Mark Nemecek received an email from Wil Hollands, a resident on Harlem Rd., who was requesting improvements and citing safety concerns. Mr. Hollands was concerned about the narrowness of the road and that it lacked curbs in his area. Mr. Hollands expressed an interest in that section of Harlem looking more like the country club section with underground utilities. Mr. Hollands described low hanging wires causing issues with delivery trucks.

City Manager Stefanov noted that the utility companies were responsible for their lines and that he would reach out to them. Council Member Shull reported driving by the area and counting 11 affected homes. He observed the low hanging utility line. Council Member Marsh noted that jack poles may be installed by the utility companies, and that they unattractive but legal. City Manager Stefanov told council that cost of reconstructing Harlem Road could run \$750,000 to \$1 million and utility burial was running approximately \$1 million per mile.

Mr. Hollands was further interested in a sidewalks or leisure trail. City Manager Stefanov noted that, like other sections of Harlem Rd., the right-of-way was very narrow and the city would have to acquire additional right-of-way to build a trail or sidewalk. City Manager Stefanov offered to have staff reach out to Mr. Holland's neighbors to see if that neighborhood would be agreeable to assigning right-of-way for trail/sidewalk. He told council that the residents on Harlem had been approached in years past and had not support building a trail on their properties. Council Member Fellows asked and Council Member Pleasnick answered that this section of Harlem was not part of the current plan for trails. Council discussed where trail could be built given the restrictive layout and whether the matter should be referred to the Park and Trails Advisory Board (PTAB).



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

Council supported City Manager Stefanov reaching out to the residents about right-of-way and the utilities about addressing the low lines. Mayor Spalding requested that, if the residents were behind installing a trail, that the matter be referred to PTAB to consider for its priority list.

Clerk of Council Jennifer Mason reported receiving an email from William Phillips, a resident on Ackerly Farm, on August 6th regarding junk mail, circulars, and advertisements left on the ground and near his door. Mr. Phillips explained that items were not delivered by the Post Office. He would like to see a prohibition on items left on the ground, that delivered items only be those requested by the resident, and that fines be levied against delivery personnel or companies not in compliance. Mr. Phillips reported contacting his Home Owners Association and delivery companies and not finding them helpful, and he asked Clerk Mason to bring up the issue to council.

Law Director Mitch Banchevsky told council that City Manager Joseph Stefanov requested that to look into the legal ramifications of restricting these sorts of deliveries. He noted there were first amendment issues depending on the types of materials. If a mailer contained commercial speech, it could be regulated. If it contained political speech, like a newspaper, it could not be regulated. The U.S. Post Office already prohibited placing anything other U.S. mail in mailboxes. Law Director Banchevsky noted that some cities had Departments for Litter Control but that New Albany did not have the staff for that kind of effort, and that he had not heard much about successful enforcement of older ordinances against mailers. Law Director Banchevsky said that the city was exploring its options and would report back to council.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-16-2016

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE GENERAL WARRANTY DEED FOR THE PARCELS KNOWN AS NEW ALBANY COUNTRY CLUB SECTION 20 PART 3 (LANDSDOWNE) RESERVES P, Q, AND R (PARCELS 222-004531; 222-004530; AND 222-004529) FROM M/I HOMES OF CENTRAL OHIO, LLC FOR PUBLIC PARKLAND AND OPEN SPACE.

Community Development Director Jennifer Chrysler explained that this ordinance concerned New Albany Country Club Section 20, Part 3. This action accepted the reserves totaling 5.34 acres as set forth in the final plat. The subdivision was near completion. Reserves Q and R would be maintained by the Home Owners Association (HOA) in perpetuity and Reserve P would be maintained by the HOA for 20 years from the date of the recording of the plat, therefore the city would take over maintenance for that reserve in October of 2032. In response to Mayor Spalding's question at the prior meeting, staff reported that this was the final section of the Landsdowne subdivision for which the HOA was already established. The developer would likely turn the properties over to the HOA in October. The HOA believed it was already billing appropriately for the addition of the preserves and could properly maintain them.



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

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 five yes votes to approve Ordinance O-16-2016.

ORDINANCE O-17-2016

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTER 1147 "C-2 GENERAL BUSINESS (COMMERCIAL) DISTRICT" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES.

Community Development Director Jennifer Chrysler explained that the city's commercial districts were set up as a hierarchy where the higher numbered uses were inclusive of the lower numbered uses. Likely because of an oversight, the C-2 approved uses did not include the C-1 uses, even though the C-3 district did include them. She noted that the proposed change allowed antique and second-hand stores, sporting goods stores, commercial photography, nursery schools and daycare facilities to be included in the C-2 districts. Planning Commission approved this recommended code change at their July 18th meeting.

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 five yes votes to approve Ordinance O-17-2016.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-18-2016

AN ORDINANCE TO AMEND AND READOPT THE OFFICIAL ZONING MAP

Community Development Director Jennifer Chrysler told council that the last time the official zoning map was approved, council also changed language in the zoning code to clarify what readopting accomplished. Readopting was not rezoning properties without public notice and due process. The purpose of readoption was to allow staff to review approved ordinances, compare the text of those ordinances to existing maps, and clean up any discrepancies in the official zoning map.

In this readoption, there were approximately three acres on the official zoning map that were labeled as R-1, but the applicable PUD zoning text in the original 1998 ordinance included those parcels CPUD. The city reviewed other maps in its possession and found conflicting designations and combed through 170 different amendments to the PUD text. Including the three acres creates a near match to the total



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

number of acres supposed to be in the CPUD. Staff concluded that the R-1 designation on those three acres was an error and notified the property owner, The New Albany Company, who also believed the intent of the 1998 PUD was to rezone those properties. Director Chrysler noted that more errors in the Official Zoning Map could be discovered and staff may need to approach council again to clean up remaining pieces.

Council Member Pleasnick asked and Director Chrysler confirmed that the map was being updated to reflect what council had already approved. City Manager Stefanov added that the city's code required an act of council to update the Official Zoning Map. Council Member Shull asked and Mayor Spalding answered that there were rental homes in the area.

Mayor Spalding asked for any questions or comments on the ordinance. Hearing none, he set the ordinance for second reading and public hearing at the next city council meeting on September 6, 2016.

RESOLUTIONS

NONE.

STANDING COMMITTEE REPORTS:

- A. Finance Committee: Council Member Marsh reported that the Finance Committee met. That report would be given by Finance Director Chad Fuller under the Reports of City Officials.
- 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: No meeting.



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

- B. Council Representative to Plain Local Schools: Council Member Fellows reported that school started that Thursday. Mayor Spalding added that busing was restored for grades K-5 and thanked staff for the signs reminding motorists that school was back in session.
- C. Council Representative to Plain Township: Council Member Marsh reported that the township trustees were concerned about the lack of bids on the proposed new kitchen for the fire station. Trustees were also interested in purchasing a new ambulance which costed approximately \$280,000 for the chassis. The next meeting was scheduled for August 17th at 6:45 a.m.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported that he, Council Member Pleasnick, and Council Member Shull attended the ribbon cutting and open house for the New Albany Ballet Company (NABC). The event was well attended and the building was magnificent. This was the NABC's third location and they had served over 800 students in their 16 year existence. Mayor Spalding congratulated them for all of their hard work.
- B. Clerk of Council: Clerk of Council Jennifer Mason relayed that the July 2016 Mayor's Court payout to the city was \$6,716. Additionally, she asked council members to RSVP for the New Albany Chambers State of New Albany Breakfast scheduled on September 15th at 7:30 a.m.
- C. Finance Director: Finance Director Chad Fuller reported that he, Council Member Marsh, and City Manager Joseph Stefanov met with the city's investment advisors which meetings happen on a quarterly basis. Interest rates remained low which was good for borrowing money but less good for investing in fixed income instruments. The Finance Committee determined it would stick to its strategy of keeping the average investment duration short to be in a position to act in case of a rise in interest rates. Council Member Marsh added that the city was still beating Star Ohio's returns. Star Ohio was a fund where many local government monies were invested.
- D. City Manager: City Manager Joseph Stefanov reported on a water main break that on Smiths Mill Rd. that prior week. The city determined the cause of the break was a set of zinc-plated bolts that were secured to a valve. The zinc bolts had deteriorated and broken, and the force of the water pressure pushed the cap off the main. Mueller was the vendor who provided the valves with the zinc bolts. Many of these were installed from the late 1990s to the mid-2000s. Mueller was the only company using zinc bolts at that time and had since switched to stainless steel bolts. City Manager Stefanov told council that these bolts posed a potential problem in the future wherever they were installed. City Manager Stefanov told council the city would reach out to Mueller to discuss the matter and would start an investigation to identify the scale of the problem and develop a solution.



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

Council Member Marsh asked and City Manager Stefanov answered that thousands of valves may be affected. Council Member Pleasnick noted that the valves were buried 5-10 feet deep. Council Member Shull asked and City Manager Stefanov estimated that a half million gallons of water was drawn down from the cities tanks during the break, but there was no way to separate out how much was lost in the water main leak and subsequent break versus how much was used in the normal course of business.

E. City Attorney: No report.

OTHER BUSINESS:

Holiday Lighting –This agenda item was addressed during City Manager Stefanov's portion of the ARB report.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

NONE.

EXECUTIVE SESSION:

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22 (G)(1) to consider appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official with the possibility of taking action afterward. Mayor Spalding asked and staff confirmed that an executive session was not needed pursuant to New Albany Charter section 403 (E) for economic development purposes. Council Member Fellows seconded and council voted with five yes votes to go into executive session at 7:22 p.m.

Mayor Spalding moved that council come out of executive session and resume the regular meeting. Council Member Fellows seconded and Council voted with five yes votes come out of executive session and resume the regular meeting. Council resumed the regular meeting at 7:40 pm.

Council Member Pleasnick moved that council appoint Marlene Brisk to the vacant seat of Mike Mott. Council Member Fellows seconded and council voted with five yes votes to appoint Marlene Brisk to the vacant council seat.



NEW ALBANY CITY COUNCIL MEETING MINUTES

August 16, 2016

Mayor Spalding congratulated Marlene Brisk. He noted that council had had several opportunities to appoint members and that some of the candidates participated in those application processes multiple times, demonstrating their commitment to the city. Marlene Brisk had served on the BZA and PC for many years and Mayor Spalding was thankful she had continued to show interest in being a member of council. Mayor Spalding explained that New Albany was a lucky community to have so many civic-minded residents and expressed how impressed council was by the second round of applicants this year. Many candidates had served the city for a long time. Mayor Spalding encouraged those interested in serving to stay engaged in the process.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Pleasnick seconded to adjourn the August 16, 2016 Regular Council meeting at 7:42 p.m.

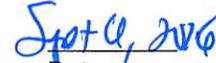
ATTEST:



Jennifer H. Mason, Clerk of Council



Sloan T. Spalding, Mayor



Date