



## NEW ALBANY CITY COUNCIL MEETING MINUTES

October 4, 2016

### **CALL TO ORDER:**

Mayor Spalding called to order the New Albany City Council Meeting of October 4, 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, 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	P
CM Marlene Brisk	P
CM Chip Fellows	A
CM Glyde Marsh	P
CM Steve Pleasnick	P
CM Matt Shull	P

Clerk Mason reported that Council Member Fellows was travelling and asked to be excused. Mayor Spalding moved to excuse Council Member Fellows. Council Member Shull seconded, and council voted with 6 yes votes to excuse Council Member Fellows from the meeting.

### **ACTION ON MINUTES:**

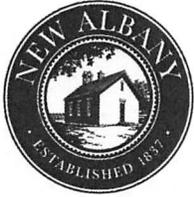
Mayor Spalding asked if council had reviewed the September 20, 2016 minutes and if they had any proposed additions or corrections to the proposed meeting minutes. Council Member Briscoe moved to approve the September 20, 2016 minutes. Council Member Marsh seconded and council voted with six yes votes to approve the minutes.

### **ADDITIONS OR CORRECTIONS TO THE AGENDA:**

NONE.

### **HEARING OF VISITORS:**

Proclamation Declaring October of 2016 as Energy Action Month – Mayor Spalding invited Christine O’Keeffe, Director, Energy & Air Quality for the Mid-Ohio Regional Planning Commission (MORPC) to talk to council about Energy Action month. Ms. O’Keeffe explained



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that MORPC's goal was sustainability. She noted that the mid-Ohio region used more energy than the typical American which could impact its competitive advantage. MORPC was partnering with Franklin County to conduct energy baseline studies for transportation, industry, commercial, and residential sectors. It was also working with gas and electric utilities to develop resources that would help its member communities.

Mayor Spalding asked about MORPC's services to income eligible households to become more energy efficient. Ms. O'Keeffe responded that, if a household qualified for the program, MORPC provided free weatherization services, conducted energy audits, and offered health and safety checks.

Mayor Spalding read the proclamation and presented it to Ms. O'Keeffe. He expressed his appreciation for MORPC and its efforts.

### **BOARDS AND COMMISSIONS:**

PLANNING COMMISSION: No meeting.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: No meeting

BOARD OF ZONING APPEALS: No meeting

BOARD OF CONSTRUCTION APPEALS: No meeting.

CEMETARY RESTORATION ADVISORY BOARD: Clerk of Council Jennifer Mason reported that CRAB met the prior week and would meet again on October 26<sup>th</sup> to continue discussing restoration options and cost estimates.

ECONOMIC DEVELOPMENT COMMISSION: The next meeting was scheduled for October 19<sup>th</sup>.

PUBLIC RECORDS COMMISSION: No meeting.

### **CORRESPONDENCE AND COMMUNICATIONS:**

NONE.



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### SECOND READING AND PUBLIC HEARING OF ORDINANCES:

#### **ORDINANCE O-25-2016**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 61.2+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the location. He reported that the annexation was approved by the Licking County Commissioners, the required waiting period had elapsed, and council was able to take action if it desired.

Mayor Spalding opened the Public Hearing. Edna Grindley, PO Box 106, New Albany, Ohio 43054, stepped forward and explained she was there to speak to the rezoning of the area. Mayor Spalding stated that council was working through the annexation ordinances, which took land from one jurisdiction to the other, first, and the zoning, changing the allowed use of the land, second. He promised to bring Ms. Grindley back up for Ordinance O-20-2016.

Mayor Spalding asked if anyone else from the public wished to speak to Ordinance O-25-2016. Hearing no further comments or questions from the public, he closed the Public Hearing.

Council Member Pleasnick moved to adopt the ordinance. Council Member Briscoe seconded and council voted with six yes votes to approve Ordinance O-25-2016.

#### **ORDINANCE O-26-2016**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 4.0+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the location. He explained that the parcels would be annexed through the Expedited Type I procedure which required the Annexation Agreement with Jersey Township previously approved by council prior. Licking County had approved the annexation. The 60 required waiting period had elapsed and council was able to take action if it chose to.

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

Council Member Shull moved to adopt the ordinance. Council Member Pleasnick seconded and council voted with six yes votes to approve Ordinance O-26-2016.



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### **ORDINANCE O-27-2016**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 9.378 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the location. He noted that all of the same conditions applied as with the previous annexations. Council Member Pleasnick asked and City Manager Stefanov confirmed that Jersey Township and Licking County had approved the annexation.

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-27-2016.

### **ORDINANCE O-28-2016**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 18.168 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the location. He stated this was an Expedited Type I annexation. There was an Annexation Agreement with the usual language. The annexation was approved by Licking County, and the 60 day waiting period had elapsed. Council could take action that evening if it chose to.

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 Brisk seconded and council voted with six yes votes to approve Ordinance O-28-2016.

### **ORDINANCE O-29-2016**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 41.294 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the location and told council that all of the same conditions applied that were discussed in the previous annexation ordinances. The



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annexation was approved by Licking County and the 60 day waiting period had elapsed. It was ready for council approval.

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

Council Member Shull moved to adopt the ordinance. Council Member Pleasnick seconded and council voted with six yes votes to approve Ordinance O-29-2016.

### **ORDINANCE O-20-2016**

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 170.181 +/- ACRES OF LAND GENERALLY LOCATED WEST AND EAST OF AND ADJACENT TO BEECH ROAD AND TO THE SOUTH OF AND ADJACENT TO WORTHINGTON ROAD FOR AN AREA TO BE KNOWN AS "BEECH INTERCHANGE DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL TO "L-GE" LIMITED GENERAL EMPLOYMENT AND "L-OCD" LIMITED OFFICE CAMPUS DISTRICT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC.

City Planner Stephen Mayer gave a broad overview of the rezoning ordinances, explaining that MBJ Holdings had requested to rezone over 300 acres in Licking County as part of extending the business park. There were 5 different rezoning applications and the ordinances would rezone the land to the same type of zoning as the surrounding areas, including L-GE, L-OCD, and some retail.

City Planner Mayer described the location of the land to be rezoned in Ordinance O-20-2016 and stated that L-GE uses included manufacturing, production and warehouse, distribution, research, and data centers. These were the same type of uses as in the Personal Care & Beauty campus. The limitation text placed restrictions including screening of rooftop equipment and screening sounds and views. It also established larger setbacks from the roads and residential properties. For the areas to be zoned L-OCD, allowed uses included offices uses, administrative or telemarketing, and data centers.

City Planner Mayer told council that the Planning Commission recommended approval of the rezoning on September 19, 2016 based on the zoning text that was attached to the ordinance. The rezoning was aligned with the city's Strategic Plan and staff supported it.

Council Member Pleasnick asked and City Planner Mayer replied that there were conditions on the rezoning and that those were incorporated into the attached zoning text including larger setbacks, screening of mechanical equipment on rooftops, and the applicant also committed to tree preservation and pavement setback areas along the



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perimeter of the subareas. Also, where there was some abutting residential property, the Planning Commission placed more restrictions as set forth in the zoning text.

Mayor Spalding asked whether Edna Grindley's property was part of the annexation. City Planner Mayer confirmed that her property was not part of the annexation and was still in Jersey Township.

Mayor Spalding opened the Public Hearing and invited Edna Grindley, PO Box 106, New Albany, OH 43054, to speak. Ms. Grindley stated she didn't want to get into reclassification of her real estate taxes by getting rezoned. She understood her land would stay as it was. Mayor Spalding thanked her for attending the meeting.

Mayor Spalding invited Lynne Hamilton and Brenda Gerwig to speak to the ordinance. Ms. Hamilton noted that she owned the 435 Beech Road property but lived in Pataskala. Ms. Gerwig explained that her mother owned 435 Beech Road but had passed away. Ms. Hamilton, referencing the projected map, pointed to her mother's property which did not appear to be marked. Mayor Spalding asked and City Planner Mayer confirmed that the lack of marking on the 435 Beech Road property meant that it was not part of the annexation. Mayor Spalding explained that it often confused home owners that a New Albany zip code in one's mailing address did not mean that the residence was in the city limits. Ms. Hamilton and Ms. Gerwig expressed satisfaction that their property would not be annexed and rezoned. City Planner Mayer noted that the Hamilton/Gerwig home was on the opposite side of the road from the area currently being rezoned and that the rezoning for the land on the east side was done in past years.

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

Council Member Pleasnick moved to adopt the ordinance. Council Member Shall seconded and council voted with six yes votes to approve Ordinance O-20-2016.

### **ORDINANCE O-21-2016**

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 74.598 +/- ACRES OF LAND GENERALLY LOCATED NORTHWEST OF AND ADJACENT TO STATE ROUTE 161 AND MINK STREET FOR AN AREA TO BE KNOWN AS "MINK INTERCHANGE DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL TO "I-PUD" INFILL PLANNED UNIT DEVELOPMENT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC.

City Planner Stephen Mayer described the location. He explained that I-PUD would allow multiple uses include L-GE uses, and the PUD text also allowed retail uses. Planning



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Commission recommended approval with conditions including prohibiting hotels. The retail area would allow for travel centers to service the industrial trucks that travel to and from the business park, however, Planning Commission revised the zoning text to prohibit and deter through construction design the overnight parking of trucks. Within a subarea, the plan was to preserve trees within the setback along the perimeter where the commercial property abutted residential property. Larger setbacks were required in some places. With the additional limitations and the proposed land uses, the rezoning met the land use recommendations in the city's Strategic Plan. Staff also recommended approval.

Mayor Spalding asked and City Planner Mayer confirmed that there would be other retail opportunities in some of the annexed properties that would be considered by council.

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 Briscoe seconded and council voted with six yes votes to approve Ordinance O-21-2016.

### **ORDINANCE O-22-2016**

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 41.294 +/- ACRES OF LAND GENERALLY LOCATED SOUTH OF JUG STREET, EAST OF THE HARRISON EAST ZONING DISTRICT, AND WEST OF MINK STREET FOR AN AREA TO BE KNOWN AS "HARRISON EAST EXPANSION DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC.

City Planner Stephen Mayer described the location of the property and explained how the rezoning would fit the new land into the existing zoning. He set out the similar restrictions and requirements in the zoning text, including rooftop screening and preservation of landscaping in corridors. L-GE uses included offices, distribution warehouses, and data centers. The Planning Commission reviewed and voted for approval based on the surrounding zoning and because it met the city's Strategic Plan recommendations.

Mayor Spalding asked and City Planner Mayer agreed that there would not be additional setbacks where the two commercially-zoned areas met. Mayor Spalding asked and City Planner Mayer confirmed that tree preservation was included in the zoning text along the border where residential property abutted. Additional landscaping was also called for along Jug Street.



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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-22-2016.

### **ORDINANCE O-23-2016**

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 18.168 +/- ACRES OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF HARRISON ROAD AND INNOVATION CAMPUS WAY FOR AN AREA TO BE KNOWN AS "HARRISON WEST DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC.

City Planner Stephen Mayer described the location which was proposed to be rezoned as L-GE which included office, warehouse distribution, research and production, and data center uses. He reported that the Planning Commission required additional conditions including rooftop screening for sound and views and larger setback requirements from the property from the north. He stated that the Porters, local property owners, expressed concerns about the proximity to their land, so the Planning Commission placed a 50 foot pavement setback, a 100 foot building setback, and additional landscaping requirements along the northern property line. The proposed land uses met the recommendations of the city's Strategic Plan. The Planning Commission recommended approval of the rezoning request.

Mayor Spalding opened the Public Hearing.

Timothy and Maureen Porter, 2299 Harrison Road, New Albany, Ohio 43054, approached the podium to speak. Mr. Porter stated that their biggest concern was that the recommended screening wouldn't be enough and explained how screening on a prior commercial development was insufficient. Ms. Porter further expressed concern that the zoning text said that the commercial development "may" have mounding. Mayor Spalding recollected from Planning Commission that the Porters and the developer could work together to determine whether preserving trees or a mound would be preferable. Ms. Porter asked if the existing trees could be preserved and mounding placed behind the trees. Mayor Spalding and Council Member Briscoe explained that mounding next to trees often resulted in killing the trees. Ms. Porter stated that her preference was for trees and mounding. Ms. Porter stated that she did not believe there was enough space for a building and parking lot in the 18 acres being rezoned. Mayor Spalding appreciated the Porters coming out and sharing their concerns. He understood that the both land owners



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involved had rights to the land they purchased, and the city was making efforts to strike a balance for both owners.

Council discussed the merits of different types of screening and reviewed printed pictures brought by the Porters of their property views. Deputy Community Development Director Adrienne Joly explained that the property to the west of the Porter's property was the Bocchi project and there was landscaping installed, but there was no requirement in that zoning text for a mound. The landscaping from the Bocchi project had 5 years to reach maturity. Deputy Director Joly told council that, for this rezoning, the Planning Commission recommended the increased setback and also wrote into the zoning text, that prior to submitting a zoning permit which included a landscape plan with no mound, the applicant had to provide documentation that the adjacent property owner had deemed the plan acceptable. Aaron Underhill, Underhill & Hodge LLC told council that Planning Commission set, and applicant agreed to, a greater building setback than any they had implemented in the past. The applicant also committed to meeting with the adjacent property owner, and if the property owner did not want the trees for the screening, the developer would install the mound. The screening requirement was 75% opacity within five years of planting to a height of ten feet or installation of the mounding and these were enforceable and objective standards included in the zoning text. Mr. Underhill told council they were committed to working with the property owner before they landscaped as he wanted them to be satisfied with the chosen solution.

Council Member Marsh asked about access by the fire department to any proposed building. Mr. Underhill replied that the developer would ensure fire department access from the sides and front of the building.

Council Member Shull asked about a combination of mounding and trees. Mr. Underhill stated that the developer was open to that kind of compromise, and hoped to voice that intent in this meeting. He noted that the existing trees were very mature and in excess of the ten foot height of other potential screening. Community Development Director Jennifer Chrysler reaffirmed that this zoning text was different from any other zoning text as a result of all of these discussions.

Council discussed the specific mandates of the zoning text. Director Chrysler explained that the language of the text said the mound "may" be installed to allow for the Porters to choose to keep the existing trees instead. The Porters would be able to sit down with the landscaping plans and discuss them with the developer after it was determined what the use of the property would be as this might affect their decision. Council Member Shull and Council Member Brisk asked and Deputy Director Joly answered that the mound was required unless an alternate plan was presented that had the adjacent property owner's approval. Mr. Underhill stated that they were happy to make a commitment on the record



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to meet with the adjacent property owner before the landscaping decision was made. Mayor Spalding thanked the Porters for coming to the council meeting and sharing their concerns.

Mayer Spalding asked if anyone else from the public would like to speak to the ordinance. Hearing no comments or questions from the public, he closed the public hearing.

Council Member Briscoe moved to adopt the ordinance. Council Member Brisk seconded and council voted with six yes votes to approve Ordinance O-23-2016.

### **ORDINANCE O-24-2016**

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 9.71 +/- ACRES OF LAND GENERALLY LOCATED TO THE NORTHWEST OF THE INTERSECTION OF BEECH ROAD AND SMITH'S MILL ROAD FOR AN AREA KNOWN AS "BUSINESS PARK EAST ZONING DISTRICT SUBAREA 5" FROM "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT TO "L-GE" LIMITED GENERAL EMPLOYMENT AND 3.68 +/- ACRES OF LAND GENERALLY LOCATED TO THE NORTHEAST OF THE SAME INTERSECTION FOR AN AREA TO BE KNOWN AS "INNOVATION DISTRICT SUBAREA B-1" FROM "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT TO "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT AS REQUESTED BY MBJ HOLDINGS AND AEP OHIO TRANSMISSION CO. C/O UNDERHILL & HODGE LLC.

City Planner Stephen Mayer described the location to be rezoned which was already inside the business park. The purpose of the rezoning was to move some retail rights from the west side to the east side of the street. AEP had purchased the property on the west side, did not need the retail rights to develop, and had requested to convert their property L-GE uses only. The applicant had proposed to move some of the retail rights to the northeast intersection of Beech and Smith's Mill Road. The retail uses included restaurants and most types of retail that did not have a drive-thru for sales. The zoning amendment proposed to expand the permitted retail uses to include gas stations, banks, and other services, with or without drive-through. Planning Commission had recommended approval. The rezoning fit the city's Strategic Plan. Restrictions that were recommended included rooftop screening and larger setbacks.

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-24-2016.



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### ORDINANCE O-30-2016

Mayor Spalding read by title AN ORDINANCE IMPOSING A SIX MONTH MORATORIUM, (WITH THE POSSIBILITY OF A SIX MONTH EXTENSION) ON THE ISSUANCE AND PROCESSING OF PERMITS FOR RETAIL MEDICAL MARIJUANA DISPENSARIES, CULTIVATORS AND/OR PROCESSING WITHIN THE CITY OF NEW ALBANY, OHIO.

Law Director Mitch Banchefsky told council that the State of Ohio's medical marijuana law became effective of September 8<sup>th</sup> and that the three state agencies that would be issuing regulations had not yet done so. He explained that the city that ability to prohibit, limit, or allow cultivation, processing and/or dispensing operations and stated that more time was needed to consider the ramifications of the law. The proposed ordinance created a six month moratorium on approval or operation within the city and gave the city manager the option to extend another 6 months.

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-30-2016.

### ORDINANCE O-31-2016

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE GENERAL WARRANTY DEEDS FOR THE PARCELS KNOWN AS:

- 222-004394 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 24)
- 222-004395 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 24)
- 222-004396 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 24)
- 222-004179 (RESERVE A OF THE VILLAGE HALL ROAD PLAT)
- 222-004180 (RESERVE B OF THE VILLAGE HALL ROAD PLAT)
- 222-004181 (RESERVE C OF THE VILLAGE HALL ROAD PLAT)
- 222-004498 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 25)
- 222-004499 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 25)
- 222-004642 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 26)
- 222-004617 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 27)
- 222-004618 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 27)
- 222-004619 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 27)
- 222-004620 (RESERVE D OF NEW ALBANY COUNTRY CLUB SECTION 27)
- 222-004621 (RESERVE E OF NEW ALBANY COUNTRY CLUB SECTION 27)
- 222-004622 (RESERVE F OF NEW ALBANY COUNTRY CLUB SECTION 27)
- 222-004623 (RESERVE G OF NEW ALBANY COUNTRY CLUB SECTION 27)
- 222-004624 (RESERVE H OF NEW ALBANY COUNTRY CLUB SECTION 27)
- 222-004625 (RESERVE I OF NEW ALBANY COUNTRY CLUB SECTION 27)



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222-004785 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 28)  
222-004786 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 28)  
222-004787 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 28)  
222-004856 (RESERVE E OF NEW ALBANY COUNTRY CLUB SECTION 28)  
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222-004858 (RESERVE G OF NEW ALBANY COUNTRY CLUB SECTION 28)  
222-004726 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 29)  
222-004727 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 29)  
222-004728 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 29)

FROM THE NEW ALBANY COMPANY LLC FOR PUBLIC PARKLAND.

City Planner Stephen Mayer told council that the parcels were parkland that, at the time the subdivisions were platted, was promised to be dedicated to the city as public parkland. City Planner Mayer described the locations of parkland. None of the maintenance agreements changed as a result of this ordinance and the plats spelled out the responsibilities of the Home Owners' Associations. The parcels on Village Hall Road were the city's responsibility. In response to Council Member Marsh's question, Law Director Mitch Banchevsky agreed that the city was covered by the agreements in the plats.

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 Briscoe seconded and council voted with six yes votes to approve Ordinance O-31-2016.

### **ORDINANCE O-32-2016**

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTER 1125.06 "COMPLIANCE WITH NEW ALBANY COMMUNITY AUTHORITY" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES

Mayor Spalding moved to table ordinance O-32-2016 to give Planning Commission time to review the proposal before council voted on it. Council Member Shull seconded and council voted with six yes votes to table the ordinance to the next council meeting.

### **INTRODUCTION AND FIRST READING OF ORDINANCES:**

#### **ORDINANCE O-33-2016**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A 0.522 ACRE TRACT OF LAND FROM THE HEATH NEWARK LICKING COUNTY PORT AUTHORITY FOR THE PURPOSE OF PUBLIC RIGHT OF WAY.



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Community Development Director Jennifer Chrysler stated that when the Heath Newark Licking County Port Authority deeded some right-of-way to the city, there was a residual piece that was left over. They had since determined that that piece couldn't be developed as part of their project and so had asked to deed it to the city.

Mayor Spalding set the ordinance for second reading at the next council meeting.

### **ORDINANCE O-34-2016**

Mayor Spalding read by title AUTHORIZING AN AMENDMENT TO THE TAX INCREMENT FINANCING AGREEMENT (VILLAGE CENTER) WITH THE NEW ALBANY COMPANY LLC FOR THE DESIGN AND CONSTRUCTION OF CERTAIN SIDEWALK, STREETScape AND STORMWATER IMPROVEMENTS IN CONNECTION WITH THE DEVELOPMENT OF PROPERTY LOCATED AT THE SOUTHEAST AND SOUTHWEST CORNERS OF MARKET STREET AND MAIN STREET.

Community Development Director Jennifer Chrysler told council that this ordinance was an amendment to a TIF agreement with the New Albany Company originally authorized by council in 2014. The original projects included sidewalks and public areas surrounding the roundabout, the extension of Market Street, and debt service payments to backstop the Heit Center. This ordinance extended the agreement. Staff expected more work to be done to finalize the list of projects relative to the south side of Market Street and adjacent to the new, multi-family project currently under construction. Director Chrysler clarified that this was an addendum to the original agreement and none of the items would be reimbursed without the authorization of the city manager while making sure that projects that were already approved and provided for in the first agreement were performed, or not performed for good cause. Staff anticipated finalizing the list of projects for the addendum and presenting it to council.

Council Member Marsh asked if storm water projects were considered. Tom Rubey, Development Director for New Albany Company, confirmed that storm water was an issue in that area and that part of the original Village Center TIF agreement dealt with storm water issues also. Staff and the New Albany Company were working together to come up with a TIF appropriate project for dealing with storm water.

Mayor Spalding set the ordinance for second reading at the next council meeting.

### **RESOLUTIONS**

#### **RESOLUTION R-42-2016**

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH AN ENGINEERING FIRM AND A LANDSCAPE



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### ARCHITECTURE FIRM FOR THE DESIGN OF THE ROSE RUN ENHANCEMENT PROJECT WITHIN THE VILLAGE CENTER ALONG DUBLIN-GRANVILLE ROAD BETWEEN FODOR ROAD AND MAIN STREET

Deputy Community Development Director Adrienne Joly reminded council that their top priority at its capital project workshop in 2016 was the Rose Run project. The city began acquisitions 15-16 years ago to assemble that land and had made incremental improvements since then. The city was ready to build the next transformative project in the city center. Staff concluded the master plan project and toured the site with council. The next step to advance Rose Run development would be to enter into a design contract with MKSK and EMH&T to design the components of the extensive project. Both firms were present at the council meeting to walk council through the proposal and describe the deliverables at the end of the design process. Staff was seeking council's approval to move the Rose Run project into the construction document phase.

Chris Hermann and Jeff Pongonis from MKSK made a presentation to council, including a slide show showing the history of the area and containing numerous conceptual drawings of potential development that could connect New Albany Schools' learning campus and a future amphitheater with the library and Market Square. The development could include reworking Dublin-Granville Road in front of the school, installing the first piece of the Velo Loop, building a bridge over Rose Run creek, and opening up the foliage around the creek. They stated that development of Rose Run would take advantage of the area at back of the library and empty ground in front of the schools to better accommodate public events.

Mayor Spalding noted that council had been discussing ways to improve the Rose Run/Dublin-Granville corridor for many years and thanked Mr. Hermann and his team for taking input and feedback from council and staff to envision the development. Council Member Shull asked about connecting the village center once a Rose Run project was completed. Mr. Hermann speculated that was possible. Council Member Marsh asked about including a veteran's memorial and Mr. Hermann said that a memorial could be incorporated in this area or in an expansion to the east.

Council Member Briscoe stated her enthusiasm for the project and asked, assuming council committed the money to have the Rose Run development planned, if the city had the money to start construction. Finance Director Chad Fuller answered that he and City Manager Joseph Stefanov worked together to identify available money in the residential TIFs to approve the expenditure for the design. The city would look to finance the remainder of the project with bonds, and the payment of those bonds would primarily come from the revenue from the residential TIFs. The city was prepared to pay for the project and make it happen with appropriate financing, assuming interest rates did not go up substantially. If interest rates rose dramatically, that would shrink what the city could pay for, however, if the city could get to the bond market soon, there were good rates that could be taken advantage of. Council Member Pleasnick asked and Director Fuller answered the city was considering 15 year bonds and he did project the city having enough of a surplus to sustain a small rate increase. Mayor Spalding acknowledged that the expenditure was large and that the project had great merit.



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Todd Cunningham at EMH&T estimated that it would take three to four months to complete the first phase of the design project. From that point, the decision could be made to advance the rest of the project. In response to Council Member Pleasnick's question, Mr. Cunningham estimated phase two of the design project would take six to eight months including construction documents and permitting. City Manager Stefanov expected this would be a 2018 project assuming plans were approved and debt was issued. Council Member Pleasnick and Mr. Cunningham discussed the importance of doing construction when school was not in session.

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 resolution. Council Member Brisk seconded and council voted with six yes votes to approve Resolution R-42-2016.

### **RESOLUTION R-43-2016**

A RESOLUTION TO WAIVE THE COMPETITIVE BIDDING REQUIREMENT AS SET FORTH IN SECTION 9.04 (C) OF THE NEW ALBANY CHARTER AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH METTLER-TOLEDO INCORPORATED FOR THE PURCHASE AND INSTALLATION OF A TRUCK SCALE WEIGHING SYSTEM AT THE PUBLIC SERVICE DEPARTMENT AT A PRICE NOT TO EXCEED \$55,000

Public Service Director Mark Nemecek told council that one of the largest operations of the New Albany Public Service Department was snow and ice removal. It was expensive and required expenditures on road salt, equipment, and facilities. Currently, the city used an older system to measure road salt usage. The city now shared its road salt and facilities with the school district, Plain Township, and Franklin County. The current system was ninety percent accurate but did not account for salt loaded into trucks that was subsequently returned to the salt barn. The city invoiced for its salt and wanted more accuracy and also wanted to be able to track more precisely what was used on a particular route to be able to adjust if necessary for efficiency.

Staff gathered estimates from Thurman, Mettler-Toledo, and Rice Lake. After consideration of the pricing, the cost of installation, a power cell upgrade, and available warranties, staff recommended the Mettler-Toledo truck scale. If council approved the measure, Director Nemecek believed the system could be installed prior to the coming winter season.

Council Member Briscoe asked and Director Nemecek confirmed that the increased cost of the system could be shared with the other jurisdictions which benefitted from New Albany's resources. City Manager Joseph Stefanov asked and Director Nemecek answered that the life of the new system was projected to be 30-50 years. The electronic parts were covered by the ten year warranty. Mayor Spalding asked and Director Nemecek answered that the city bought 2,500 tons on



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average of salt each year and the salt barn held 4,500 tons on average. The city spent between \$105,000 and \$200,000 annually on salt in the past few years for just New Albany's use.

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 resolution. Council Member Briscoe seconded and council voted with six yes votes to approve Resolution R-43-2016.

### **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: No meeting.
- B. Council Representative to Plain Local Schools: No report.
- C. Council Representative to Plain Township: No report.

### **REPORTS OF CITY OFFICIALS:**

- A. Mayor: Mayor Spalding reported that he toured the new Wesley Woods facility in New Albany. He told council that development was progressing well and that they had done a great job of integrating with the city. They were already sponsoring community events and were active with the New Albany Chamber of Commerce.



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- B. Clerk of Council: Clerk of Council Jennifer Mason polled council to see who had tickets Jefferson talk on October 18<sup>th</sup> at 7 pm. Mayor Spalding suggested moving the council meeting on October 18<sup>th</sup> up to 5 pm. Council supported this suggestion and Clerk Mason stated she would notice the new time and remind council.
- C. Finance Director: Finance Director Chad Fuller reported on the third quarter of 2016. He stated that revenue was strong, increasing 8.6% year to date. The strength was in income tax collections which were up 14.5%. The strongest indicator of continued strength was the 24.5% year over year growth in withholdings. Withholdings indicated wage and job growth. The numbers were due to the recent success of the city's economic development efforts.

Expenses, excluding transfers to debt service and surplus funds, were up 5.5%. The majority of the growth was attributed to the staffing initiatives implemented in 2016.

Due to the favorable variance between revenues and expenses, the city was able to make full contributions to the Capital Equipment Replacement, Severance Liability, and Infrastructure Replacement Funds during the third quarter. The city's Carryover Balance was at 97.5% of its target balance of 60% annual revenues. Director Fuller expected to reach this benchmark in the upcoming quarter. If not, he projected the city would achieve its goal when open encumbrances were closed at year end. Director Fuller told council that 2015 was a good year, financially. The city was beating that in 2016 and he expected the city to accomplish all of its financial goals.

- D. City Manager: City Manager Joseph Stefanov stated that he attended 2 days at the annual meeting of CEOs for Cities which was hosted by and featured the City of Columbus. Additionally, the sample holiday lights, uplighting, and landscape lighting were temporarily stalled at the rear of Village Hall for viewing after the council meeting.
- E. City Attorney: No report.

### **OTHER BUSINESS:**

#### Approval of new Council Rules

Clerk Mason told council she had made Council Member Shull's suggested change to include notification of special meetings via the city's designated email address.

Council Member Briscoe moved to adopt the new Council Rules. Council Member Shull seconded and council voted with six yes votes to approve the new Council Rules.

### **POLL FOR PUBLIC COMMENT:**

NONE.



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**POLL FOR COUNCIL COMMENT:**

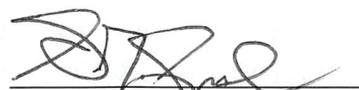
NONE.

**ADJOURNMENT:**

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Pleasnick seconded to adjourn the October 4, 2016 Regular Council meeting at 8:54 p.m.

**ATTEST:**

  
Jennifer H. Mason, Clerk of Council

  
Sloan T. Spalding, Mayor

10/04/16  
Date