



## NEW ALBANY CITY COUNCIL MEETING MINUTES

October 18, 2016

### CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of October 18, 2016 at 5 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 Banchevsky, Community Development Director Jennifer Chrysler, 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	Arrived at 5:28 pm
CM Glyde Marsh	P
CM Steve Pleasnick	P
CM Matt Shull	P

### ACTION ON MINUTES:

Mayor Spalding asked if council had reviewed the October 4, 2016 minutes and if they had any proposed additions or corrections to the proposed meeting minutes. Clerk of Council Jennifer Mason told council that one substantive change had been made to the minutes since a draft went out to council members. With the input of staff, Clerk Mason corrected the total height of landscaping screening to ten feet, not just the mound height. Council Member Briscoe moved to approve the October 4, 2016 minutes. Mayor Spalding seconded and council voted with six yes votes to approve the minutes.

### ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

### HEARING OF VISITORS:

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NONE.

### BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Mayor Spalding reported that Planning Commission met regarding two pool variances both of which were approved with additional requirements to be met. A



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development plan was presented for Home2Suites by Hilton and that project was expected to be started soon. A variance was also granted for that hotel. An application for a text modification variance for Abercrombie & Fitch's access to Central College was withdrawn and the matter would be heard by council. PC approved a zoning change for 6.7 acres. Mayor Spalding further reported that PC recommended that council approve a change to Section 1125.06 of the codified ordinances regarding the community authority. Also, the PC approved a change to the city's code to allow for flood damage reduction insurance to be issued in New Albany. Lastly, Mike Durik was appointed to PC and as the PC's representative to the Board of Zoning Appeals.

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: No meeting.

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

PUBLIC RECORDS COMMISSION: No meeting.

### **CORRESPONDENCE AND COMMUNICATIONS:**

NONE.

### **SECOND READING AND PUBLIC HEARING OF ORDINANCES:**

#### **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.

Community Development Director Jennifer Chrysler explained that the existing city code which authorized the implementation of the New Albany Community Authority (NACA) only referenced the original community authority. The city had subsequently created the New Albany East Community Authority (NAECA). Staff wanted to make sure the code was updated to reflect that the city had two community authorities and land assigned within the appropriate boundaries would follow the same process. Council Member Pleasnick asked and Director Chrysler confirmed that Planning Commission approved of the change.



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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-32-2016.

### **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.

Community Development Director Jennifer Chrysler stated that this was the tract of land left over after the construction of Innovation Campus Way. The developer found that they did not need that piece of property and requested to deed it back to the city as a part of the right-of-way. Council Member Pleasnick asked and Director Chrysler replied that there was a question as to how much right-of-way was originally needed and what would remain for development purposes. It made sense for that strip of land to come back to the city when the developer's property was south of the proposed road.

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-33-2016.

### **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 staff was requesting to postpone the second reading of this ordinance to give the city more time to work with the developer and to advertise the public hearing. She asked that the ordinance be tabled until the November 1, 2016 council meeting.



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Mayor Spalding moved to table ordinance O-34-2016 to the November 1, 2016 council meeting. Council Member Briscoe seconded and council voted with six yes votes to table ordinance O-34-2016 to the November 1, 2016 meeting.

### INTRODUCTION AND FIRST READING OF ORDINANCES:

#### **ORDINANCE O-35-2016**

Mayor Spalding read by title AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$6,350,000 FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE CITY FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTING, FURNISHING AND EQUIPPING A PERFORMING ARTS CENTER, TOGETHER WITH ALL RELATED COSTS AND NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

Finance Director Chad Fuller told council that the city had an outstanding principal balance on the McCoy debt of \$5,895,000. The maximum amount of the principal that the city was looking to refund was \$6 million. Refunding and issuing new bonds at the current interest rate would reduce the city's interest rate from about 4.5% to 2.469%. The interest savings would be approximately \$600,000. The term would not be extended and the debt would still be paid off in 2027. The city would try to do a bank placement instead of going out to the capital markets, considering bids from multiple banks. Director Fuller explained that the reason to declare the emergency was to waive the 30 day waiting period before ordinances became effective. Interest rates were at historic lows, however, since the last bank proposal, interest rates had jumped 10 basis points, meaning the savings had been reduced to \$525,000. Director Fuller stated that it was likely rates would continue to rise in 2017, so it was important to take care of this in 2016. If rates continued to jump in 2016, and it became less advantageous to refinance the debt, the city could wait on the market. The goal was still to save around \$600,000.

Council Member Briscoe asked what the savings would be to do a bank placement versus going to the capital markets. Director Fuller replied that he anticipated saving around \$8,000 in costs by going with the bank placement. The cost of issuance, including factoring in obtaining the bond rating and bond council fees, made bank placement less expensive overall.

Mayor Spalding set the ordinance for second reading at the November 1, 2016 council meeting.

#### **ORDINANCE O-36-2016**

Mayor Spalding read by title APPROPRIATION AMENDMENT ORDINANCE  
AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016



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Finance Director Chad Fuller explained that this ordinance was the companion to ordinance O-35-2016. This ordinance would appropriate the money to receive the proceeds from the new issuance and pay off the existing debt.

Mayor Spalding set the ordinance for second reading at the November 1, 2016 council meeting.

### **ORDINANCE O-37-2016**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A 1.082 ACRE TRACT OF LAND FROM THE NEW ALBANY COMPANY FOR THE PURPOSE OF PUBLIC RIGHT OF WAY

Community Development Director Jennifer Chrysler described the location of the tract of land across the street and east of the Ashton Green subdivision. This ordinance would accept the land for right-of-way purposes on Johnstown Road. The city engineer has reviewed and supported the amount of this dedication. Director Chrysler noted that Tom Rubey from The New Albany Company was present to answer questions. Council discussed the development, including driveways and curb cuts, of the three lots along that right of way.

Mayor Spalding set the ordinance for second reading at the November 1, 2016 council meeting.

### **ORDINANCE O-38-2016**

Mayor Spalding read by title ANNUAL APPROPRIATION ORDINANCE  
AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW ALBANY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017

Finance Director Chad Fuller told council that this appropriation was for the 2017 city budget. It would approve the initial appropriations for 2017. He noted that council had received notebooks with the first draft to go with the first reading of this ordinance. Director Fuller stated that, as in previous years, council would do a workshop specifically to go over the budget in detail with a focus on the General Fund. Then council would discuss the funds outside of the General Fund. At the December 6<sup>th</sup> council meeting, Director Fuller anticipated that council would review any changes made to the budget and adopt the 2017 budget at that time. Council discussed the schedule and it was agreed that Clerk of Council Jennifer Mason would send out emails to determine the best date and time for the first budget workshop.

Mayor Spalding set the ordinance for second reading at the November 1, 2016 council meeting.

### **READING AND PUBLIC HEARING OF RESOLUTIONS**



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### RESOLUTION R-44-2016

Mayor Spalding read by title A RESOLUTION TO APPROVE AN AGREEMENT AND AUTHORIZE THE ADMINISTRATOR TO SIGN THE AGREEMENT WITH GHDC COLI, LLC (GREEN HARBOR DATA CENTERS) TO PROVIDE INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE CENTRAL COLLEGE COMMUNITY REINVESTMENT AREA

Community Development Director Jennifer Chrysler told council the city and the New Albany Company had started working with Green Harbor several months ago. Director Chrysler noted that Green Harbor had a new data product to bring to the market which didn't exist in Central Ohio. Director Chrysler appreciated that Green Harbor had worked with the city extraordinarily well and presented a site plan that staff supported. This resolution authorized the city manager to enter into a 65% real property tax abatement for seven years. The Green Harbor project included a single-story, 55,000 sq. ft. data center. The data center project would include a capital investment of \$25.1 million, with approximately \$9 million dollars of land acquisition and construction and an additional \$16 million in machinery and equipment. It was anticipated that the project would create jobs for 8 full-time employees at a minimum with an average annual payroll of \$250,000. The facility would be multi-tenant with the potential to house more businesses and employees. Director Chrysler stated that the estimated value of the proposed incentive was \$193,000 and, based on the incentive's benchmarks, staff estimated the project would generate approximately \$258,000 annually for the community. Scott Pitcher, President of Green Harbor Group, and Doug Goddard were present to answer any questions.

Council Member Briscoe asked and Director Chrysler answered that the city would not have to put in any infrastructure.

Scott Pitcher spoke to council about the uniqueness of the project and told council how excited he was to be coming to this market. He stated it was a pleasure to work with staff and he appreciated how the process had gone in New Albany. Mayor Spalding asked if the city's redundancies in fiber and power were a draw to locate in New Albany. Mr. Pitcher confirmed that the city's resources were well planned out and would make the Green Harbor data center attractive and easier to market. Mayor Spalding thanked Mr. Pitcher for his company's engagement and responsiveness at Planning Commission meetings.

Mayor Spalding asked Director Chrysler about related road construction. Director Chrysler explained that the city had a memorandum of understanding (MOU) with the New Albany Company because staff was not sure how the city would want to direct the road to the north. The MOU obligated the developer build the road and, at such time, to work with the city on the placement of the road dependent on adjacent development.

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



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Council Member Pleasnick moved to adopt the resolution. Council Member Briscoe seconded and council voted with seven yes votes (Fellows was present) to approve Resolution R-44-2016.

### **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: City Manager Joseph Stefanov reported that the Sustainability Conference was sold out. A weatherization program showcase was scheduled for November 25<sup>th</sup> in Groveport. He further reported that the population estimates were computed and New Albany's 2017 estimated population was 9,457, comprising 2,886 households. Finally, he directed council's attention to the city's e-newsletter which contained a link to Columbus Age-Friendly survey which closed on October 31<sup>st</sup>. He encouraged residents over 50 years-old to contribute.
- B. Council Representative to Plain Local Schools: No report.
- C. Council Representative to Plain Township: Council Member Marsh reported that the township fire department hosted a successful open house.

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

- A. Mayor: Mayor Spalding reported attending a conference where AT&T introduced a gigabyte platform it would market to commercial and residential users. He sat on a panel with Representative Anne Gonzales to talk about New Albany's and Westerville's connectivity.

Mayor Spalding further congratulated Finance Director Chad Fuller and his staff, and City Manager Joseph Stefanov, on New Albany receiving a Certificate of Financial Reporting



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Excellence from the Government Finance Officers' Association of the United States and Canada. This award was only given to about 5% of communities in the United States.

- B. Clerk of Council: Clerk of Council Jennifer Mason polled council regarding whether they wanted a hearing on the Freights Sales DBA New Albany Dutchess liquor license. Council agreed a hearing was not needed and Clerk Mason said she would report that back to the Ohio Department of Liquor Control. Clerk Mason further reported that Mayor's Court September 2016 payout to the city was \$8,104.40.
- C. Finance Director: No report.
- D. City Manager: City Manager Joseph Stefanov stated he would have a written report out to council by the end of that week.
- E. City Attorney: No report.

**OTHER BUSINESS:**

NONE.

**POLL FOR PUBLIC COMMENT:**

NONE.

**POLL FOR COUNCIL COMMENT:**

NONE.

**EXECUTIVE SESSION:**

Mayor Spalding stated that an executive session was not needed.

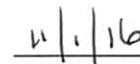
**ADJOURNMENT:**

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Briscoe seconded to adjourn the October 18, 2016 Regular Council meeting at 5:42 p.m.

**ATTEST:**

  
Jennifer H. Mason, Clerk of Council

  
Sloan T. Spalding, Mayor

  
Date