

August 15, 2017

### **CALL TO ORDER:**

Mayor Spalding called to order the New Albany City Council Meeting of August 15, 2017 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, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, City Engineer Ed Ferris, Engineer Mike Barker, Community Development Director Jennifer Chrysler, Public Information Officer Scott McAfee, and Clerk of Council Jennifer Mason, Attorney Benjamin S. Albrecht, Partner at Fishel Haas Kim Albrecht Downey LLP, attended in the place of Law Director Mitch Banchefsky. IT Director Loren McCauley arrived at 8:25 p.m.

Mayor Spalding led the assemblage in the Pledge of Allegiance.

#### **ROLL CALL:**

The following Mayor/Council Members answered Roll Call:

Mayor Sloan Spalding	Р
CM Colleen Briscoe	Р
CM Marlene Brisk	Р
CM Michael Durik	Р
CM Chip Fellows	Р
CM Glyde Marsh	Р
CM Matt Shull	Р

#### **ACTION ON MINUTES:**

Mayor Spalding asked if council had reviewed the July 31, 2017 meeting minutes and asked if they had any proposed additions or corrections. Hearing none, Council Member Briscoe moved to adopt the July 31, 2017 minutes. Mayor Spalding seconded and council voted with six yes votes and one abstention (Brisk) to approve the regular meeting minutes.

### ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

### **HEARING OF VISITORS:**

NONE.

### **EXECUTIVE SESSION:**

Mayor Spalding informed council that the executive session was no longer requested by the Development Department.

### **BOARDS AND COMMISSIONS:**

PLANNING COMMISSION: No meeting.



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PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: Council Member Briscoe reported that there were three applications for Certificates of Appropriateness (COA). The first application was for a sign on which the arm extended into the right of way. The second was for the demolition of a building across from the elementary school but tucked into the woods. The plan was to locate a daycare center there. The third application for a COA was for a storage building at Marburn Academy. The storage building was somewhat larger than the specifications in the city code, however, it would be tucked back near the freeway mounding and behind the school buildings. It was an attractive building that fit the architecture. All three COAs were recommended by loyees wouwere approved.

BOARD OF ZONING APPEALS: No meeting.

BOARD OF CONSTRUCTION APPEALS: No meeting.

CEMETARY RESTORATION ADVISORY BOARD: No meeting.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

### **CORRESPONDENCE AND COMMUNICATION:**

NONE.

### **EXECUTIVE SESSION**

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22(G)(4) for preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. Council Member Shull seconded and council voted with seven votes to go into executive session at 6:37 p.m.

Council Member Briscoe moved to come out of executive session and resume the regular meeting. Mayor Spalding seconded and council voted with six yes votes (Council Member Marsh returned to the meeting shortly thereafter) to come out of executive session at 7:34 p.m.

### SECOND READING AND PUBLIC HEARING OF ORDINANCES: ORDINANCE O-11-2017

Mayor Spalding read by title AN ORDINANCE AUTHORIZING A TAX INCREMENT FINANCING AGREEMENT WITH THE NEW ALBANY COMPANY LLC FOR THE DESIGN AND CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS AND DEDICATION OF PARK AND OPEN SPACE TO THE CITY.



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Administrative Services Director Adrienne Joly told council that Ordinance 11 and Ordinance 12 were two of three pieces of legislation that were needed to enact a proposed Tax Increment Financing (TIF) district over the Nottingham Trace project. Director Joly described the location of the project and explained to council that the property went through the public rezoning process and final development plan process earlier in 2017. The rezoning and plan allowed for 240 age-restricted and single family homes and five commercially-zoned acres for neighborhood services. A TIF would capture the incremental increase in property value before and after development. That revenue could be used for improvements that were directly or indirectly associated with the development, but also for projects that were more regional in nature. In the past, the city had used TIF revenues for the McCoy Center, parkland acquisition, and leisure trails. This was a non-school, non-fire TIF, meaning the New Albany Plain Local School District, the Eastland Vocation School District, and the Plain Township Fire Department would be made whole. Director Joly also noted that projects associated with the TIF were above and beyond what the city would require of a typical residential development. An example of a project for which TIF funds could be used included a leisure trail along the west side of State Route 605 down to New Albany Road East, connecting people into The Links subdivision and existing leisure trails. Additional potential projects could include park access to the new 25 acre park being built along with Nottingham Trace, and reaching out to Franklin County and/or Plain Township to improve the intersection of State Route 605 and Walnut. Staff thought that, with a conservative projected value of \$375,000 for each home, the TIF could generate \$12.4 million. The TIF agreement between The New Albany Company and the city authorized specific projects. The companion Ordinance O-12-2017 would enact a portion of this TIF over the five acres of commercial land. A future piece of legislation would enact the remainder of the TIF over the residential acreage.

Mayor Spalding solicited questions or comments from council. Hearing none, he 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 Briscoe seconded and council voted with seven yes votes to approve Ordinance O-11-2017.

#### **ORDINANCE 0-12-2017**

Mayor Spalding read by title AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; AND AUTHORIZING PAYMENTS TO THE NEW ALBANY-PLAIN LOCAL SCHOOL DISTRICT, THE EASTLAND JOINT VOCATIONAL SCHOOL DISTRICT AND THE PLAIN TOWNSHIP FIRE DEPARTMENT.

Administrative Services Director Adrienne Joly noted this was a companion piece to Ordinance O-11-2017 (above). This was the ordinance that would enact the TIF over Subarea B in Nottingham Trace which was comprised of five acres of commercial land. Director Joly told council that there would be a future ordinance that would enact the TIF over the residential acreage.



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Mayor Spalding solicited questions or comments from council. Hearing none, he opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Briscoe moved to adopt the ordinance. Council Member Durik seconded and council voted with seven yes votes to approve ordinance O-12-2017.

# INTRODUCTION AND FIRST READING OF ORDINANCES: ORDINANCE O-13-2017

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTER 351 OF THE CODE OF ORDINANCES ENTITLED "PARKING GENERALLY" BY AMENDING SECTION 351.13, ENTITLED "PARKING ON POSTED PRIVATE PROPERTY" TO INCLUDE PARKING ON PUBLIC PROPERTY.

City Manager Joseph Stefanov explained that, with the opening of the Market & Main II building, the city expected to see an increase in the volume of traffic behind it and the Heit Center. The city had received some concerns from the Heit Center and some of the businesses at Market & Main I about the availability of parking, especially during peak times of the day. The code change would give the city the ability to regulate parking in ways that it would determine to be the most beneficial and place restrictions as needed. The restrictions would be created administratively so that the city's code would not need to be changed each and every time an adjustment was required. The city expected the parking needs to vary over time. This legislation would cover any public parking within the city's jurisdiction. The Joint Parks District, Plain Township, or the school district could reach out to the city if they encountered issues with public parking.

Council Member Fellows asked and City Manager Stefanov answered that a possible scenario where this would be applied would be to the area behind the Heit Center and Market & Main II which was expected to open in October. As the city saw traffic increasing, if there were problems with people leaving their cars there to do business elsewhere or students using the lot because they didn't want to pay the school permit fee, this legislation would give the city the ability to regulate that lot. City Manager Stefanov suggested staff draft up an administrative policy and bring it back to council for approval. Amendments could then be made without delay. Council Member Shull asked if there would be specified time periods and if it would affect the cyclists. City Manager Stefanov answered that the policy wouldn't have to affect them. It would depend on the nature of the challenges in that lot. Additional actions the city could take would be to limit the number of hours in a parking space at a given time, which would address the needs of cyclists and reduce the number of students. Employees for the surrounding businesses could get a permit. As it stood, the city didn't know how significant the impact of the Market & Main II building would be. This legislation allowed the city to get ahead of parking issues instead of reacting to them later.

Mayor Spalding asked about on-street parking, including on Keswick, and whether the city would have the authority over those spaces. City Manager Stefanov answered that the city would have authority, but observed Columbus had issues with their parking program in the Short North. Council discussed parking permits for residents, and council and staff wanted to examine best practices.



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

# READING AND PUBLIC HEARING OF RESOLUTIONS RESOLUTION R-34-2017

Mayor Spalding read by title A RESOLUTION REAUTHORIZING AN AGREEMENT BETWEEN THE CITY OF NEW ALBANY AND THE BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, OHIO ON BEHALF OF THE CITY OF NEW ALBANY IN ORDER TO PARTICIPATE IN THE FRANKLIN COUNTY, OHIO DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD) ENTITLEMENT PROGRAM AND ABIDE BY THE COVENANTS OF THAT PROGRAM AS STATED HEREIN.

City Manager Joseph Stefanov told council that this legislation represented a renewal of the existing agreement that the city had in place with Franklin County. The county benefitted by the number of jurisdictions and residents within the council that participated in the HUD entitlement program. With additional participating jurisdictions, the county was able to leverage additional CDBG funds from the federal government. From what the city had been told, all of the jurisdictions within Franklin County were planning to renew or adopt some type of legislation to support the county. The city had been a member of the program since before he was city manager. The city's eligibility for grant funds was limited based on the average income level within the community, but there could be individual New Albany residents who met the income requirements and may be eligible for various types of assistance.

Mayor Spalding solicited questions or comments from council. Hearing none, he opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Shull moved to adopt the resolution. Mayor Spalding seconded and council voted with seven yes votes to approve Resolution R-34-2017.

#### **RESOLUTION R-35-2017**

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE UNITED STEELWORKERS REGARDING WAGES, HOURS, TERMS AND CONDITIONS OF EMPLOYMENT FOR FULL-TIME MAINTENANCE AND FLEET MECHANIC WORKERS.

City Manager Joseph Stefanov stated that the city's current contract with the United Steelworkers (USW) expired on October 31, 2016 and the city had been in negotiations with the USW prior to that. The city and the USW were able to come to terms on the few, outstanding items several weeks ago. The new agreement would re-start the contract effective August 1, 2017 through July 31, 2020. The average wage increase was 2.5% over the term of the contract. The bargaining unit employees would be increasing their contribution to health insurance premiums to 10% of the cost of the premium.



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Mayor Spalding thanked the bargaining team for the hard work and long hours that went into the agreement. He also thanked the employees in the Service Department for their professionalism and for making New Albany look good at public events, snow events, leaf removal, and more.

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

Mayor Spalding moved to adopt the resolution. Council Member Brisk seconded and council voted with seven yes votes to approve Resolution R-35-2017.

### **RESOLUTION R-36-2017**

Mayor Spalding read by title A RESOLUTION ACKNOWLEDGING THE NEED TO ESTABLISH A CAPITAL IMPROVEMENT FUND JOINTLY FUNDED BY THE NEW ALBANY PLAIN LOCAL SCHOOL DISTRICT (SCHOOL DISTRICT), THE CITY OF NEW ALBANY, AND PLAIN TOWNSHIP (TOWNSHIP) TO PROVIDE FOR THE ONGOING CAPITAL IMPROVEMENT NEEDS OF THE JEANNE B. McCOY CENTER FOR THE ARTS AND AUTHORIZING THE EXPENDITURE OF \$54,570 AS THE CITY'S INITIAL CONTRIBUTION TO THE FUND CONSISTENT WITH THE TERMS OF THE AMENDED JOINT OPERATING AGREEMENT WHICH WAS PREVIOUSLY ADOPTED BY COUNCIL ON DECEMBER 13, 2016 WITH THE APPROVAL OF RESOLUTION R-58-2016.

City Manager Joseph Stefanov explained that, when the McCoy first opened, no one knew what the capital needs would be. The owners agreed to revisit the issue several years later and develop an annual contribution amount. This amount was to make sure the capital repairs would be addressed and forestall having to make large, lump sum contributions in the event a large system would break, the roof would leak, or carpeting would need replacing. With the recent amendment of the Joint Operating Agreement, the owners felt they now had enough historical information to develop a capital budget. The original thought was to use 2016 as the starting point for capital contributions, however, because the amendment to the Joint Operating Agreement wasn't finished until the end of 2016, the owners agreed to reconvene in 2017 to come up with recommendations. CAPA, which now operated the McCoy, worked with the school district to come up with a 10- and 14- year budget schedule. The owners preferred make a double payment for 2016-2017 based on the 10-year schedule. For the city, that equated to \$27,285 per year, or \$54,579 for both 2016 and 2017. Beginning in 2018, the owners preferred the 14-year schedule of \$40,924 in 2018 and continuing that amount through the remainder of schedule. The amounts were based on the ownership share of the entities. The city and school district both owned 38.5% and Plain Township owned 23%. The owners felt that, based on the recommended amounts, there would be adequate resources available for any capital expenses that might occur.

Council Member Durik asked and Mayor Spalding recalled that the total was in the \$350,000 range. Mayor Spalding added that CAPA had a lot of experience running these types of facilities, many older than the McCoy Center. CAPA's spreadsheet covered large projects, like a new roof, all the way down to doorknobs. Mayor Spalding noted that the support of the McCoy Center was important to the community,



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and it was responsible ownership to dedicate funds on a regular basis instead of dealing with a sudden need for revenue that may not be set aside.

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

Council Member Briscoe moved to adopt the resolution. Council Member Durik seconded and council voted with seven yes votes to approve Resolution R-36-2017.

#### **RESOLUTION R-37-2017**

Mayor Spalding read by title A RESOLUTION TO AMEND THE PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF NEW ALBANY, OHIO AND ARCHITECTURE! OHIO, INC. TO INCLUDE ADDITIONAL CERTIFIED BUILIDNG OFFICIAL AND PROJECT MANAGEMENT SERVICES TO THE CITY.

Community Development Director Jennifer Chrysler told council that the city regularly contracted with Architecture! Ohio to provide commercial plan review services, back-up inspection services, and electrical inspection services. This resolution would amend the agreement to also allow them to provide back-up chief building official services and project management services on an as-needed basis. The city was hosting a lot of commercial construction, especially with the announcement of the Facebook project, and the city wanted to make sure it had additional contractual services in place. Director Chrysler assured council that staff did go out and get proposals from other firms to make sure Architecture! Ohio's fees were reasonable. The other firms averaged about \$100 more per hour than what Architecture! Ohio was charging. The additional services sought would allow the city to increase services as needed and the contract did not require that the city use the services offered.

Mayor Spalding appreciated that the city had long term relationships with companies and also thanked staff for making sure the city was still pricing competitively.

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 resolution. Council Member Brisk seconded and council voted with seven yes votes to approve Resolution R-37-2017.

#### **RESOLUTION R-38-2017**

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH AN ENGINEERING FIRM FOR THE DESIGN OF BEECH ROAD IMPROVEMENTS BETWEEN MORSE ROAD AND SMITH'S MILL ROAD AND THE DESIGN OF 1,800+/- FEET OF A NEW ROADWAY THAT WILL CONNECT BEECH ROAD TO A FUTURE EAST ROAD THAT CONNECTS TO WORTHINGTON ROAD.



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Engineer Mike Barker stated that Beech Road improvements had been identified in the 2014 Strategic Plan and the 2017 Beech Road South Landscape Plan for the area of Beech Road between Morse Road and Smiths Mill Road. The proposed improvements were divided into three sections. The north-most section would get restriped and aesthetic upgrades. The area had been improved in the past, so the roadway infrastructure was already in place. The city was looking to make the lanes more efficient and to tie into the proposed improvements to the south. The upgrades would include the addition of bike lanes, landscaping, and the design of approximately 1,800 feet of a three-lane, east-west "wishbone" roadway which would be used to facilitate access to Sidecat LLC. The middle section of Beech Road would have five lanes, two travel lanes in both directions as well as a center median that would turn into a center turn-lane when warranted. The south section of Beech would taper down and transition into three lanes with one lane in each direction and a center median. The scope of the design would accommodate all users including pedestrians, cyclists, and motorists. This design supported the sizeable development in the area. Engineer Barker noted, in 2016, the city entered into contract with EMH&T to design a regional booster station that would ultimately take water service from Morse Road and provide service to the Beech Road area, as well as support the existing business campus. Additionally, the Blacklick Sanitary Sewer was at 95% completion and would ultimately provide all of the sanitary sewer to Beech Road. The completion of the Beech Road design was a necessary component to finalize the design of the pending water improvements.

Council and staff discussed the number of lanes on Beech Road to the south and whether they would be sufficient in the future. Community Development Director Jennifer Chrysler told council that the city did a traffic study which considered the uses and potential development in the area. She reminded council that the Facebook data center would take a lot of land out of play while not locating a large number of jobs there. Also, there were wetland mitigation banks which could not be developed. She also told council that there were no plans to widen Morse Road there. The city preferred to direct traffic up to the five-lane interchange. Director Chrysler added that the road design and topologies were important to the Planning Commission. The residents of Babbitt Road came out to talk about the Beech Road area and were very pleased and encouraged by the city moving forward with the design and construction. The residents felt the Beech Road improvements would protect the Babbitt Road corridor and draw traffic away from Babbitt Road. Mayor Spalding asked and Chief Jones answered that accidents still occurred at the Morse Road and Beech Road intersection, but they had decreased significantly since making it a four-way stop.

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

Council Member Brisk moved to adopt the resolution. Council Member Durik seconded and council voted with seven yes votes to approve Resolution R-38-2017.

### STANDING COMMITTEE REPORTS:

A. Finance Committee: No report.

B. Safety Committee: No report.

C. Public Utilities: No report.



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- 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 Joint Parks and Recreation: No report.
- C. Council Representative to New Albany Plain Local Schools: No report.
- D. Council Representative to Plain Township: No report.

### REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported that he met with Michelle Heritage, Executive Director for the Community Shelter Board in Columbus. She was meeting with suburban leaders to make them aware of the pressures and issues surrounding homelessness in Central Ohio. He was impressed with her leadership and with the efforts of the Community Shelter Board. The Board was seeking, and likely to soon receive, the designation of not having any homeless veterans in Franklin County. All veterans would be identified and given a housing opportunity.
- B. Clerk of Council: Clerk of Council Jennifer Mason reported that Kirk Wade was leaving the Tax Incentive Review Council so council would have two pending appointments, TIRC and BZA. She asked council to let her know if they had nominations for those positions. Additionally, the 2017 New Albany Chamber of Commerce State of New Albany Luncheon was scheduled for September 19<sup>th</sup>. Clerk Mason polled council, all of whom were interested in attending.
- C. Finance Director: Finance Director Bethany Staats presented to council the results of the Capital Projects Workshop. She planned on using council's priorities as she developed the budget for 2018 and beyond. Mayor Spalding requested that she email the results to council members. City Manager Stefanov stated he hoped to be able to apply available funds to each of the projects and come up with a strategy to accomplish as many as possible over the next couple of years.



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Direct Staats discussed with council the proposed 2018 budget calendar. November 14<sup>th</sup> would be the Budget Workshop and staff suggested moving the second regular council meeting in November to November 28<sup>th</sup> due to the Thanksgiving holiday week. Mayor Spalding asked everyone to mark their calendars for the November 14<sup>th</sup> workshop and a regular council meeting plus a budget discussion on November 28<sup>th</sup>. There would be no meeting on November 7<sup>th</sup> due to Election Day. Clerk of Council Jennifer Mason stated she would advertise the changes in October.

Director Staats went through an overview of the General Fund with council. She explained that the city had about \$4.7 million left in the Fund. To date in 2017, expenditures were at 62% of revenue. The city showed a 6.6% increase in revenues of \$760,000 over 2016. The income tax revenue was up 3.4%. Expenses were tracking the same as last year. In the coming weeks, Director Staats would doing the mid-year budget review to assess where appropriations stood. She would be submitting a supplemental appropriation amendment at the September 5<sup>th</sup> council meeting. Council and staff discussed the new software and how that could change the budgeting format. The new software would come on-line on January 1, 2018.

- D. City Manager: City Manager Joseph Stefanov stated that he asked IT Manager Loren McCauley to come to the meeting to discuss iPad and laptop options for council. He invited council to talk to Manager McCauley about any technical questions or issues.
- E. City Attorney: No report.

#### POLL FOR PUBLIC COMMENT:

NONE.

#### POLL FOR COUNCIL COMMENT:

Mayor Spalding commended council and staff for the Facebook press conference earlier that day. He thought the city showed well and recognized the efforts of everyone in reaching this point.

### OTHER BUSINESS:

Public hearing in support of a proposed TIF ordinance pursuant to ORC 5709.40(C)(2) – Administrative Services Director Adrienne Joly told council that this public hearing was a state statute requirement. This hearing regarded the proposed TIF over the Nottingham Trace development. For a residential TIF, state law called for notification of the property owner(s) and a public hearing 30 days after that notification. The New Albany Company was the only property owner of the 95 acres and they were given notice on July 14<sup>th</sup> of the public hearing date. There was also a 30 day waiting period after the public hearing before the TIF could be enacted. Director Joly stated the residential TIF ordinance would be presented at the September 5<sup>th</sup> council meeting.



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Mayor Spalding solicited questions from council. Hearing none, he opened the public hearing pursuant to O.R.C. 5709.40(C)(2) in support of the TIF ordinance. He solicited comment from Tom Rubey, Development Director for The New Albany Company. Mr. Rubey stated he was "good." Hearing no further comment, Mayor Spalding closed the public hearing.

### **ADJOURNMENT:**

Jennifer H. Mason, Clerk of Council

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Marsh seconded to adjourn the August 15, 2017 Regular Council meeting at 8:30 p.m.

ATTEST:

Sloan Spalding, Mayor Glydu A. Marsh,

Date