



NEW ALBANY CITY COUNCIL MEETING MINUTES

January 3, 2017

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of January 3, 2017 at 6:44 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Police Chief Greg Jones, Finance Director Chad Fuller, Law Director Mitch Banchefsky, Community Development Director Jennifer Chrysler, City Engineer Matthew Ferris, Public Service Director Mark Nemece, 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	P
CM Glyde Marsh	P
CM Matt Shull	P

ACTION ON MINUTES:

Mayor Spalding asked if council had reviewed the December 13, 2016 drafted minutes and if they had any proposed additions or corrections to the proposed meeting minutes. Having no additions or corrections, Council Member Briscoe moved to approve the December 13, 2016 minutes. Council Member Brisk seconded and council voted with five yes votes and one abstention (Shull) to approve the minutes.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

HEARING OF VISITORS:

Law Enforcement Appreciation Day Proclamation: Mayor Spalding read a proclamation naming January 9, 2017 as Law Enforcement Appreciation Day. Mayor Spalding presented the proclamation to Police Chief Greg Jones. Mayor Spalding thanked Police Chief Jones and the New Albany police officers for their service. Police Chief Jones expressed his appreciation for the support of the city and community members in New Albany.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Mayor Spalding reported that PC met and granted an extension for a residential model home at Straits Farm. PC also reviewed plans for the Brookshire Event Center



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and discussed screening, landscaping features, architectural features, and traffic flow. Some residents attended the meeting to voice their concerns.

PARKS AND TRAILS ADVISORY BOARD: No report.

ACHITECHTURAL REVIEW BOARD: Council Member Shull stated that the ARB considered two Certificates of Appropriateness and Waivers for signs for First & Main and Marburn Academy. Both applications were 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 COMMUNICATIONS:

Clerk of Council Jennifer Mason stated that she received an email from a resident about the proposed Johnstown/Greensward roundabout which she forwarded to council. Mayor Spalding reminded council that the email was in favor of the roundabout, but requested additional pedestrian crossings which were not currently planned.

Community Development Director Jennifer Chrysler told council that City Planner Stephen Mayer spoke with the resident. She reminded council that they hadn't approved street-level crossings due to the high speeds on State Route 62 and the potential size of the roundabout. The existing trail system and tunnel under SR 62 were preferred at that time. The resident had also spoken to the Parks and Trails Advisory Board which expressed interest in a pedestrian crossing on the roundabout from east to west. Director Chrysler stated that it was not too late in the design process to accommodate the crossing and that the city could have their engineers take a look at it. Council discussed whether pedestrians would cross anyway without a marked area and talked about the speed differential around Market and Main and State Route 62. Council agreed they would like to look at a design with the pedestrian crossings added.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

NONE.



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INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-01-2017

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 92.6 +/- ACRES OF LAND GENERALLY LOCATED WEST OF STATE ROUTE 605/ NEW ALBANY-CONDIT ROAD, SOUTH OF WALNUT STREET, AND EAST AND WEST OF SCHLEPPI ROAD FOR AN AREA TO BE KNOWN AS "NEW ALBANY NORTH ZONING DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL AND "L-GE" LIMITED GENERAL EMPLOYMENT TO "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT AS REQUESTED BY PULTE HOMES C/O AARON UNDERHILL ESQ.

Community Development Director Jennifer Chrysler described the area to be rezoned. Subarea A contained 88.7 +/- acres which was slated for age-restricted homes. Subarea B contained 3.8 +/- acres to accommodate neighborhood-associated retail and office uses. Community Development Director Jennifer Chrysler noted that the ordinance would go next to the Rockfork Blacklick Accord (RFBA) and then to the Planning Commission (PC). There would be a long process before it came back to council for second reading.

Director Chrysler told council that the applicant proposed to create a 225 lot, single-family, age-restricted residential subdivision. The age restriction was in accordance with the Housing For Older Persons exemption under the U.S. Fair Housing Act. In order to meet the requirements of the Act, at least 80% of the units must have at least one occupant 55 years or older. The majority of the site, located in the Office Campus District, was consistent with the city's strategic plan. The applicant requested that the uses in Subarea B include, but not be limited to, administrative, business and professional offices, and retail stores which could include grocery stores, restaurants, and banks. All of the PUD requirements were in place and stated that any site plans be approved by Planning Commission. The application was scheduled for review by the RFBA on January 19, 2017 and the PC, tentatively, on February 22, depending on the outcome of the RFBA meeting. Staff was still fully evaluating the application and was waiting on a full report from engineering and the law director.

Council discussed age-restrictions on housing and the potential impact on the schools. Director Chrysler informed council a school impact study was in process. She said that these types of developments were expected to generate some students and, typically, those numbers were low. Aaron Underhill, attorney for applicant, explained the age-related restrictions, what federal law would allow, and the penalties for not following federal law.

Resident, Bud Zappitelli, owner of two lots, one on Schleppe Rd. and one on State Route 605, which were the only lots not owned by Pulte Homes, stated for this stage of the application, he would like to see the intersection of Walnut and State Route 605 addressed. He anticipated there would be a lot of traffic and it was an unsafe, offset intersection. Council discussed and determined that it was a



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Franklin County intersection. Resident Zappitelli hoped a roundabout and traffic flow would be considered there. Resident Zappitelli told council he would be involved throughout the process.

Mayor Spalding stated and council agreed that the matter would be referred out to the Rocky Fork Blacklick Accord and Planning Commission for further consideration.

READING AND PUBLIC HEARING OF RESOLUTIONS

RESOLUTION R-01-2017

Mayor Spalding read by title A RESOLUTION TO CLARIFY CERTAIN SECTIONS OF THE CITY OF NEW ALBANY'S PERSONNEL POLICIES TO DEFINE EARNABLE AND NON-EARNABLE SALARY AS REQUESTED BY THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM.

Finance Director Chad Fuller told council this legislation was passed each year at the beginning of year regarding the city's Code 155.11 which described the city's sick leave reciprocity. OPERS required the city to clarify that the cashed-in sick leave was earnable salary that could be paid into OPERS per Ohio Revised Code 145.01 and Ohio Administrative Code 145-1-26(E)(1). Mayor Spalding asked and Direct Fuller answered that his legislation was to pay out the 2016 sick leave in 2017.

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

Council Member Fellows moved to adopt the resolution. Council Member Shull seconded and council voted with six yes votes to approve Resolution R-01-2017.

RESOLUTION R-03-2017

Mayor Spalding read by title 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 STOOPS FREIGHTLINER OF DAYTON FOR THE PURCHASE OF A SINGLE AXLE DUMP TRUCK WITH SNOW PACKAGE AT A PRICE NOT TO EXCEED \$152,000 FOR THE PUBLIC SERVICE DEPARTMENT.

Public Service Director Mark Nemec told council that a 2002 International city truck broke down during the last leaf collection. It been in service for 14 years. It was not worth the estimated \$20,000 to repair the engine. A new truck would take 12 months to build and cost more than an existing truck already on the Freightliner lot. The available truck would need to be painted white with the city's gold detailing. The truck would cost \$151,032 versus \$163,990 through an ODOT/NJPA contract and would come with the dump body and snow equipment.



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Council Member Fellows asked and Director Nemeč replied that the truck was of the same quality as the comparable ODOT/NJPA truck. Council Member Brisk asked and Director Nemeč answered that the company which regularly did the city's detail paint work would re-paint the truck white for approximately \$5,000. Council Member Shull asked and Finance Director Chad Fuller answered that the money for the truck was budgeted and would come from the Capital Equipment Replacement Fund. Council Members Marsh and Fellows asked and Director Nemeč answered that the old truck would be auctioned on GovDeals.com "as is."

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 Briscoe seconded and council voted with six yes votes to approve Resolution R-03-2017.

RESOLUTION R-04-2016

Mayor Spalding read by title A RESOLUTION PURSUANT TO ORC §135.12 TO DESIGNATE PARK NATIONAL BANK AS THE DEPOSITORY OF ACTIVE PUBLIC MONIES FOR THE CITY OF NEW ALBANY, AND TO AUTHORIZE THE DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT FOR ACTIVE DEPOSITS AND BANKING SERVICES FOR THE CITY OF NEW ALBANY.

Finance Director Chad Fuller explained that the Ohio Revised Code required the city to bid out banking service in three or five year increments. The city was already looking to review its banking options due to the fees. The city issued a Request for Proposal in November and reviewed the responses in December. Park National Bank was a clear winner when considering monthly fees, required balance on deposit, rate of interest paid on deposits, types of accounts, and potential income after fees paid estimated at \$27,000. The only drawback to Park National was the location of the branch at Stoneridge, however, Director Fuller anticipated fewer in-person banking trips and Park National Bank offered remote capture deposits. Law Director Mitch Banchevsky reviewed and approved of the banking agreement.

Council Member Briscoe asked and Direct Fuller replied that the contract was for three years with the option to extend an additional two years. Council Member Brisk asked if the bank could give notice and change provisions during the term of the contract. Direct Fuller answered that they could not during the three year term. It was a possibility if the city requested to a new contract for the additional two years. Council Member Shull asked and Director Fuller responded that Fifth Third was approached, but did not submit a bid. Mayor Spalding asked and Direct Fuller answered that he believed the proposed interest rates on deposits were higher because Park National stated it was actively interested in holding public monies and wanted to be competitive with STAR Ohio.



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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 Marsh seconded and council voted with six yes votes to approve Resolution R-04-2017.

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: Council Member Fellows reported that the School Board would be naming a new board president at their Organizational Meeting.
- C. Council Representative to Plain Township: Council Member Marsh reported that the township did not change any assignments at their Organizational Meeting.

REPORTS OF CITY OFFICIALS:

- A. Mayor: No report
- B. Clerk of Council: Clerk of Council Jennifer Mason reported receiving a letter from the Ohio Department of Liquor Control asking if council wanted a hearing on the new liquor permit applications from Nosh New Albany. Clerk Mason had made phone calls but did not have sufficient information on Nosh New Albany at the time. Council asked to have the discussion at the next council meeting. Clerk Mason reminded council of former Council Member Pleasnick's retirement reception on January 17th at Firefly Bistro between 7 p.m.-9:30 p.m.



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C. Finance Director: Finance Director Chad Fuller told council that the Finance Department was closing out the 2016 fiscal year. An annual report of the city's finances in 2016 would follow. In short, revenues in 2016 were strong and expenses were in line.

D. City Manager: No report

E. City Attorney: No report.

OTHER BUSINESS:

Procedure for appointment of new council member: Mayor Spalding recommended a similar process to the one for last two council appointments, including interviews this time. Council Member Briscoe suggested re-using the existing application/questionnaire and posting it on the website. Mayor Spalding and Clerk Mason described the prior outreach including posting on the city's website and social media, contacting past applicants, notifying the newspaper, and emailing board and commission members. Mayor Spalding brought up that the council had favored board and commission experience in the past. Council agreed that that would be a strong factor in their consideration. Council agreed that past applicants could opt to re-submit prior applications.

Council discussed and agreed on a timeline of having completed application packets due on January 20th, for the Clerk to transmit the applications to council on January 23rd, to convene a special council meeting for the purpose of reviewing the applications and determining which candidates it would interview, holding interviews on February 7th, and having a decision by the February 21st meeting. The goal was have the process completed by the end of February before the 60 days set forth in the Charter was up. Mayor Spalding told council that the application included wording that the selected candidate would have to run for office in 2017 if they wanted to keep the position.

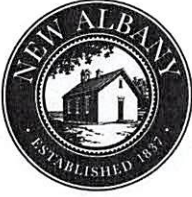
Council agreed that it didn't need to re-review the application form. Clerk Mason stated she would send an updated draft to Mayor Spalding and Council Member Fellows for their approval and then it would be published and advertised. Council discussed, and Law Director Mitch Banchevsky confirmed, the candidate would have to run for election in 2017 for the unexpired term.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

NONE.



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EXECUTIVE SESSION:

Mayor Spalding moved to go into executive session pursuant to Ohio Revised Code 121.22(G)(1) For discussion regarding appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. Council Member Shull and council voted with six yes votes to go into executive session at 7:54 p.m. with no expectation of action afterwards.

Mayor Spalding moved to come out of executive session and resume the regular meeting. Council Member Shull seconded and council voted with five yes votes and one absent (Briscoe) to come out of executive session at 8:45 p.m. No action was taken.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Fellows seconded to adjourn the January 3, 2017 Regular Council meeting at 8:45 p.m.

ATTEST:



Jennifer H. Mason, Clerk of Council



Sloan T. Spalding, Mayor

1/17/17
Date