

NEW ALBANY CITY COUNCIL SPECIAL MEETING MINUTES

October 1, 2019

CALL TO ORDER:

Council Member Briscoe, serving as President *Pro Tem*, called to order the New Albany City Council Special Meeting of October 1, 2019 at 5:45 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Law Director Mitch Banchefsky, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, and Clerk of Council Jennifer Mason.

Council Member Briscoe led the assemblage in the Pledge of Allegiance.

ROLL CALL:

The following Mayor/Council Members answered Roll Call:

| | |
|----------------------|--------------------------|
| Mayor Sloan Spalding | A |
| CM Colleen Briscoe | P |
| CM Marlene Brisk | A |
| CM Michael Durik | P |
| CM Chip Fellows | A/P – arrived at 6:05 pm |
| CM Kasey Kist | P |
| CM Matt Shull | P |

Clerk Mason told council that Mayor Spalding was attending an event and asked to excused. Council Member Briscoe moved to excuse Mayor Spalding from the meeting. Council Member Shull seconded and council voted with five yes votes to excuse Mayor Spalding from the meeting.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

READING AND PUBLIC HEARING OF RESOLUTIONS

RESOLUTION R-49-2019

Council Member Briscoe read by title A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MOTOROLA SOLUTIONS INCORPORATED FOR THE PURCHASE OF A DISPATCH RADIO CONSOLE TO IMPROVE THE RELIABILITY OF RADIO TRANSMISSIONS BETWEEN THE NEW ALBANY POLICE DEPARTMENT'S DISPATCHERS AND POLICE OFFICERS.

Police Chief Greg Jones reminded council that the Police Department used the state-wide radio system MARCS to facilitate communication between the dispatchers, officers, and other agencies. Over the last few years, the Police Department had been having some issues with Motorola, B&C Communications, and MARCS. The city met with all of the interested parties. At times, the dispatchers couldn't hear the officers, although the other officers on the street could hear the originating officers. The problem was that the radios in the dispatch center worked off of towers, like cell phones. Police radios would look for a tower that wasn't busy and sometimes the radio



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communication was being lost. The solution presented was to hard-wire into the MARCS radio system. Police Chief Jones found that New Albany was one of only two agencies that was operating with a wireless dispatch center system. Bexley was the other agency, but they had a much closer tower and served a smaller geographical area.

In September of 2018, the city was provided with a quote for a hard-wired radio system, and that was included in the 2019 budget. In early 2019, the city worked on the logistics and technical issues in the proposed contract. Police Chief Jones learned that the MARCS system, the hardware, software, and infrastructure, were all Motorola-based. For New Albany to hardwire in, Motorola was the only option to perform the work. Police Chief Jones introduced Stuart Johnston, Senior Account Manager with Motorola Solutions Inc., to answer questions.

Council Member Briscoe asked and Police Chief Jones answered that there was no "end of life" on this technology if it was properly maintained and updated. Council Member Briscoe stated she had expressed directly to City Manager Joseph Stefanov that she was concerned about the 20% difference between the purchase price and amount requested in the resolution. She was now satisfied that the city did not intend to pay the maximum amount. She understood the extra funds could be for an extended warranty or similar.

Council Member Kist asked if the \$206,000 was a firm contract price. Police Chief Jones stated that the quote the city received was \$166,000 plus change. There was a 2-year and a 4-year service agreement option. The system was under a warranty for the first year. The service agreement would start on year 2 and move on from there. Council Member Briscoe asked and Police Chief Jones confirmed that the service agreement was included in the \$206,000. The 1-year warranty was also included. Mr. Johnston walked through the steps of installing, then going live. The 1-year warranty would cover the system once New Albany went live. The service agreement would follow that. City Manager Stefanov told council that there was an option to go with a 5-year program for an additional cost. He built extra into the legislation because he didn't want to run short, however, he didn't anticipate any circumstance where the city would have to use the entire amount, even with the 4-year service agreement.

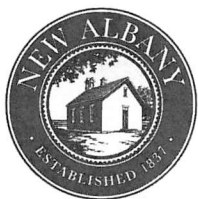
Council Member Durik asked, given as the city grew and added officers, did this system have the capacity to take on more traffic? Was there any limitation? Police Chief Jones answered that there was no limitation except for when officers talked over each other, for which circumstance, the city would have to expand to another channel. The Police Department was built in 2006-2007, the existing system was also designed back then and it had been in use to the present. With the expansion of the city, the existing system had outlived its useful life.

Council Member Briscoe opened the Public Hearing. Hearing no comments or questions from the public, she closed the Public Hearing.

Council Member Briscoe moved to adopt the resolution. Council Member Durik seconded and council voted with five yes votes to approve Resolution R-49-2019.

OTHER BUSINESS:

Council Member Shull reported Hans Schell, President of the Community Events Board (CEB) President estimated that there were over 3,000 at Oktoberfest on Friday and close to 4,000 on Saturday. The CEB



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was working through the preliminary numbers and would report back at the next council meeting. Council Member Kist noted a positive response from the public, despite the heat. Council Member Shull reported the night weather was great, and the CEB did a phenomenal job in a short period of time.

PUBLIC COMMENT:

Clerk's note: this item was not on the agenda. Council invited the guest to speak at the Special or Regular Meeting. Mr. Tarnapoll chose to speak at this meeting.

Peter Tarnapoll, 1 Richmond Square, with the Richmond Square Condo Association, addressed council about the gravel lot near adjacent to Richmond Square. Mr. Tarnapoll told council that he first moved to New Albany in 2000. His was the first family to move into the Pembroke section. He was well aware of construction in New Albany and considered it to be the mark of a thriving and growing community. However, the condo association believed the the parking lot next to Richmond Square crossed the line. As a member of the community and as a member of the board of the Richmond Square Condo Association – they were told the construction company asked to use that land as a staging area. They were also told they did not have a say in the matter. They were told that the construction company asked to maintain the land as a staging area post-construction, but it's only use was as an apartment resident parking lot, day and night. So, there was no need at the present time for a construction staging area.

Council Member Kist noted the area of concern behind Keswick, off of State Route 62, across from the apartments. It was in a dip in that area - a temporary gravel parking area. Mr. Tarnapoll said it had always been – he didn't know if it still was – supposed to be the final part of the Richmond Square are. They were also told that the construction company asked for the gravel lot to be left as a staging area and, as recently as yesterday, per the city, that construction would begin at the end of 2019 or the beginning of 2020 - and they needed staging area for that construction. Council Member Kist asked, once that last building was built, that last "U," what would become of where the current parking lot existed now? Council Member Durik said he thought part of that would be road access to the back garages of the properties, similar to the other part of the "U." There had to be a roadway to access their garages.

Mr. Tarnapoll told council that, as late as yesterday, he was told by someone at the city that they needed it to be a staging area at the end of this year or the beginning of next year. Just to clarify, it wouldn't be a staging area, it would be a construction site. The condo association was okay with it being a construction site, they were not okay with a staging area. They paid New Albany taxes and Country Club fees and he didn't think anyone in the country club community would expect to see a gravel parking lot right outside their front door. Although, he didn't know for sure, he was fairly confident the land was not zoned for its current use. He was fairly sure Mr. Wexner and Mr. Kessler or any member of the city council sitting there today would not sit idly by without a comment or a fight. The answer of, "you just don't have a choice," was just simply unacceptable. Mr. Tarnapoll came with possible solutions. There was no need for a staging area for construction in the neighborhood at this time. He would ask the city government to stop using that as a reason. If the parking for the apartments was the issue, which was the only logical conclusion at this point, why not cordon off this space and provide for parking next to CVS where there was a larger, empty lot, one which was not surrounded by residential users? If the gravel lot must remain for the construction company,



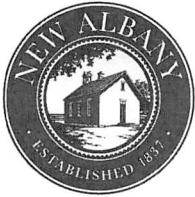
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the condo association would ask that the city beautify the space, similar to other beautification requirements in the city. As an example, he understood there was a lot of resident concern over the color of the doors of the new apartment building. That got taken care of pretty quickly. The condo association saw no reason why not to move on behalf of the residents, who paid taxes and fees for a certain expectation when living in New Albany, instead of on behalf of a construction company or landowner who would not be inconvenienced in the least. Mr. Tarnapoll did not know what the next logical course of action was, but he was asking for the city council's support in doing something because he didn't know where to go.

Council Member Durik asked City Manager Stefanov if Mr. Tarnapoll's description matched the city's response – that that was just the way it was or they didn't have any other choice. City Manager Stefanov stated he didn't know what the exact response had been. He knew there had been an exchange in social media. That was all he was aware of. City Manager Stefanov stated he was asked for information about the status of the property and he provided the information about the 2019-2020 construction start on the third building in the "U." In terms of the users in the space, currently, it was the residents for the apartments. He talked to the New Albany Company that day and they said that they were restructuring leases with the tenants of the apartments to require the garages to be part of the lease agreements. He thought that they had, based on what Tom Rubey, Development Director for The New Albany Company, had told City Manager Stefanov that day, restructured enough so that all but 8 tenants had spaces either in a garage or in the parking lot. The city was using the parking lot behind CVS currently until it finished out the Rose Run project. It was being used by Messer Construction. As soon as the Rose Run project was done, that space would be freed up and those people in the apartments could actually move over to that CVS lot. In fact, he had talked to The New Albany Company (NACO) a number of times about allowing that to happen. The lot discussed by Mr. Tarnapoll would eventually be taken out by the building and by the access drives. The original time frame for the third building was sometime late 2019. It looked like it was now going to move into 2020 based on the approval process that needed to be undertaken. That was the reason the city didn't take out the gravel parking lot in the first place, because the city thought the apartments would be finished up, several months were going to pass, and then the third building would go up. With the delay, it didn't make sense to take out the gravel at this point. City Manager Stefanov thought the parking could be moved, but he thought the city probably needed to wait on that until the CVS lot was opened up.

Council Member Brisk asked what was happening over by Richmond Square. Mr. Tarnapoll told Council Member Brisk that it was a parking lot. Council Member Brisk asked and Mr. Tarnapoll answered that it was an ugly gravel parking lot with big, ugly cars in front of their doors. Council Member Durik asked and Council Member Briscoe answered that the New Albany Company owned the land. Council Member Briscoe stated that the city didn't allow gravel parking lots, so if the landowner was going to use it as a parking lot, they'd eventually have to pave it. She didn't understand that that was the intent. Council Member Briscoe stated that she asked City Manager Stefanov earlier if there was any chance the city could get a commitment from NACO to stop using the lot by the end of the year. NACO wasn't present to give an answer. Council Member Briscoe wanted to see NACO commit to stop using that land as a parking lot for the apartments by the end of the year. Mr. Tarnapoll asked why it was a parking lot in the first place.



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Council Member Kist thought that the lot had turned into a *de facto* parking lot. It was left there. People needed to park. The timing – he understood the third building was supposed to be under construction by now. Council Member Kist asked if the issue was more that it was a gravel lot or if the issue was more that there were cars parked there. Mr. Tarnapoll answered that it was a combination of both – that it was a parking lot. He understood the gravel was left there for construction, not parking. Mr. Tarnapoll pointed out that the lot behind CVS was empty all the time. There was plenty of room to park there now. City Manager Stefanov said a member of city staff was going to contact Messer Construction. There were employee private vehicles parking there at one point. Then it was a staging area. In anticipation of Oktoberfest, Messer Construction pulled some of the materials out of there. When City Manager Stefanov drove past it that day, the Messer lot was completely clear. If Messer didn't need it for the final months of the Rose Run project, perhaps residents could park there sooner. Council Member Kist said, for the amount of cars he thought were there, he thought there was capacity to do both. That was a good-sized lot. Mr. Tarnapoll said, at night there were 8-12 cars parked in the construction lot by Richmond Square. During the day, there were 2-3 cars. City Manager Stefanov stated the city would want to make sure that Messer Construction wasn't going to put any additional materials at the CVS gravel lot and damage someone's vehicle. If it was just construction vehicles or private vehicles, he didn't anticipate a problem.

Mr. Tarnapoll stated, in a community where, if a resident put up Christmas lights too long, they got a notice, he thought that relocating the parking was fair. Council Member Briscoe clarified that notices about holiday lights did not come from the city. Council Member Durik said he would like to hear from NACO at the next council meeting to understand what they would do to resolve this issue. Council Member Durik drove by the lot next to Richmond Square every day. He noted that the loop in front of Richmond Square was lined with cars from the apartments. Mr. Tarnapoll stated that issue had subsided because NACO put up signage that said, "Resident Parking Only." Council Member Brisk said that changing the leases so that apartment residents used a garage also alleviated that issues. Council Member Durik agreed that the gravel lot next to Richmond Square was an eyesore, and was not what it was intended to be. If NACO had an alternative, they needed to block the Richmond Square lot off until they began construction.

Council Member Shull expressed concern that moving the parking to the lot behind CVS was "kicking the can down the road." Council Member Brisk understood that the new requirement for tenants to use garages would mean fewer on-street parkers. Council discussed the ratio of tenants to parking spaces. Several council members were not convinced that there was adequate parking provided by the developer for the apartments. Council and staff discussed available on-street parking in the area. Council Member Brisk said that city needed to ask NACO what they were doing for adequate parking for their residents. It shouldn't be the city's problem to solve. Council Member Durik agreed that this was a NACO problem that needed to be fixed, and that the city needed to hear from them. Council Member Durik pointed out nearby property which belonged to NACO where they could create additional parking. He wanted NACO to fix the problem as they had the land and space to do it.

Mr. Tarnapoll asked if there were any restrictions in the commercial corridor, for example, parking overnight by Starbucks. Mr. Tarnapoll observed that no one parked there when he passed those spaces at 5 am.



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There was plenty of parking for cars there. Council clarified that, on the street, it was all 2-hour parking. Council further discussed available parking. City Manager Stefanov noted that when development occurred on Market Street further east, the 2-hour on-street parking restriction would be extended there. City Manager Stefanov said he'd talked to Mr. Rubey about a paved parking lot where Council Member Durik suggested. He'd also talked about the need, if the parking lot behind CVS become more permanent, to pave that lot, as it couldn't remain gravel in perpetuity. This was a stop-gap measure because the residents in the apartments were city residents as well. Some of them were transitioning into or out of homes. The city was trying to be accommodating without making the private developer's issue, in terms of providing a permanent parking solution on the city's public streets, the city's issue. City Manager Stefanov observed that the gravel lots provided some temporary relief, but the long term solution was for the developer to provide separate, off-street parking.

Council Member Brisk knew the city had communicated with the developer about parking. Her impression was that the issue was something they were actively working on. She didn't know what solutions they had come up with so far, but she wanted to ask. She expressed that the city should resolve Mr. Tarnapoll's complaint. She didn't think the city should be creating parking for the developer. Council Member Kist asked if Mr. Tarnapoll was okay, if the cars parked elsewhere, with the gravel lot by Richmond Square staying there until construction started. Mr. Tarnapoll said that was okay as long as it was a construction site, not a parking lot. Richmond Square residents understood that - anyone who had lived in New Albany for the last 30 years understood construction.


Council Member Briscoe told Mr. Tarnapoll that they would talk with NACO and hopefully have some answers by the next council meeting. Mr. Tarnapoll appreciated that. Council thanked Mr. Tarnapoll for coming.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Council Member Briscoe moved and Council Member Brisk seconded to adjourn the October 1, 2019 Special Council meeting at 6:14 pm.

ATTEST:


Jennifer H. Mason, Clerk of Council


Sloan Spalding, Mayor

15 OCT 19
Date