



## NEW ALBANY CITY COUNCIL MEETING MINUTES

December 5, 2017

### **CALL TO ORDER:**

Council Member Briscoe, serving as President *Pro Tem*, called to order the New Albany City Council Meeting of December 5, 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, Law Director Mitch Banchefsky, Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, City Engineer Ed Ferris, Engineer Mike Barker, Public Service Director Mark Nemec, 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	P
CM Michael Durik	P
CM Chip Fellows	P
CM Glyde Marsh	P
CM Matt Shull	A

Clerk of Council Jennifer Mason reported that Mayor Spalding was attending an event and Council Member Shull was travelling. Both requested to be excused. Council Member Briscoe moved to excuse Mayor Spalding and Council Member Shull from the meeting. Council Member Brisk seconded and council voted with five yes votes to excuse Mayor Spalding and Council Member Shull from the council meeting.

### **ACTION ON MINUTES:**

Clerk of Council Jennifer Mason reported that, due to the short turn-around time between meetings, the November 28, 2017 minutes were still being prepared. Council Member Briscoe moved to table action on the minutes to the next meeting. Council Member Durik seconded and council voted with five yes votes to table action on the November 28, 2017 regular meeting minutes to the December 19, 2017 meeting.

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

Council Member Briscoe moved to remove the executive session because it was not needed. Council Member Fellows seconded and council voted with five yes votes to strike the executive session off the agenda.

### **HEARING OF VISITORS:**

NONE.



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### **BOARDS AND COMMISSIONS:**

PLANNING COMMISSION: No report.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: No report.

BOARD OF ZONING APPEALS: No meeting.

BOARD OF CONSTRUCTION APPEALS: No meeting.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

### **CORRESPONDENCE AND COMMUNICATION:**

NONE.

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

#### **ORDINANCE O-22-2017**

Council Member Briscoe ready 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, 2018.

Council Member Briscoe stated it was her understanding that council would table this until December 19, 2017 so that all of council could be present. Council Member Durik moved to table Ordinance O-22-2017 to the next regular council meeting. Council Member Fellows seconded and council voted with five yes to table O-22-2017 to the December 19, 2017 council meeting.

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

#### **ORDINANCE O-23-2017**

Council Member Briscoe read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 1.97+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the location of the parcel on the east side of Beech Road and south of State Route 161. The parcel was surrounded by other land that had already been annexed and rezoned. This



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land was part of the home of the future Facebook site. It was one of three "missing teeth" parcels which the subsequent annexations would address.

Council Member Briscoe set the ordinance for second reading at the next regular council meeting.

### **ORDINANCE O-24-2017**

Council Member Briscoe read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 2.4+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the location as being on the west side of Beech Road and approximately across the street from the parcel in O-23-2017. The surrounding land was already annexed.

Council Member Briscoe set the ordinance for second reading at the next council meeting.

### **ORDINANCE O-25-2017**

Council Member Briscoe read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 5.2+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the location as a little above the parcel in O-24-2017 on the west side of Beech Road, south of State Route 161. All of the above annexations were Expedited Type I which required an Annexation Agreement. That Annexation Agreement was approved by council and by Jersey Township several months prior. An Expedited Type I annexation basically incorporated all of the provisions of a standard annexation. It allowed the city to conform boundaries, and proscribed the kind of compensation to the township should the city do so.

Council Member Briscoe set the ordinance for second reading at the next council meeting.

### **ORDINANCE O-26-2017**

Council Member Briscoe read by title APPROPRIATION AMENDMENT ORDINANCE  
AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017.

Finance Director Bethany Staats told council that this appropriation amendment represented the end-of-year clean-up that was needed to be in compliance with budgetary requirements. She expected to have additional items included at the December 19<sup>th</sup> reading of this ordinance. Section 1 showed the increase to appropriations primarily to accommodate the payment of TIF revenue to the Licking Heights Local School District and Johnstown Monroe School District. Licking County should have been making the payment to the schools, but had paid the schools' portion to New Albany instead. Section 2 decreased the expenses that were appropriated out of the Infrastructure Replacement Fund which the city had not utilized. Section 3 authorized a transfer of appropriations. Director Staats expected that there would be additional amendments in these sections at the next reading when the city was closer to the end of its fiscal year. Section 4 allowed the finance director to make necessary transfers



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to bring the budget into compliance for the end of year. Appropriations could be transferred between line items within each fund. No appropriations would increase in this section, but staff would match up those appropriations with actual expenditures. Section 5 allowed for any unforeseen expenditures that would happen by the end of the year between the passage of this ordinance and December 31, 2017. Approval from the city manager would be necessary to use a contingent amount. Section 6 related to the Economic Opportunity Zone (EOZ) Funds. It allowed for the adjustment of those funds to agree with the actual revenues and expenditures. In order to be budget compliant, the appropriations had to be equal or less than the actual revenues. The city wouldn't know the actual revenues until the end of December.

Council Member Durik asked and Director Staats clarified that, in Section 1, the increase of \$280,000 paid out to The New Albany Company was from the Straits Farms TIF and paid back the related loan. The \$183,000 appropriation adjustment was an increase to account for the money that the county was supposed remit to the schools but had been giving to the city instead. Over the last two months, the four entities had been doing calculations and reconciliations to figure out the amount the Licking County schools should have received. Fortunately, the city had not spent the money it was overpaid and this appropriation would assist the city in passing through the monies.

Council Member Briscoe set the ordinance for second reading at the next council meeting.

### **ORDINANCE O-27-2017**

Council Member Briscoe read by title AN ORDINANCE TO AMEND FINANCIAL POLICY 4.20 "INVESTMENTS & DEPOSITS OF FUNDS POLICY" AND CHAPTER 157 "INVESTMENT POLICY" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES.

Finance Director Bethany Staats stated this ordinance was related to the investment policy within the city's financial policies. The current policy was last updated in 2009. Many of the proposed corrections changed "village" to "city." The Ohio Revised Code (O.R.C.) had changed requirements in investment policies, including types of allowed investments. The city's language did not address some of those. Proposed language stated that if the city's investment policy did not speak to a particular topic in the O.R.C., then the city would revert to the O.R.C. as the guide. In substance, there weren't material changes to what the city was allowed to invest in. This ordinance mostly cleaned up language as the redlined copy showed.

In the current investment policy, there was a reference to all of the TIF funds receiving the interest income. The policy only outlined the TIF funds that were in place in 2009. Since then, the city had determined that the TIF funds weren't required to receive interest per the O.R.C. or any standing agreements. This legislation provided that the interest would go into the General Fund. The proposed policy outlined the funds that would receive interest based on their Fund balance each month. Any other Fund that had a balance, if it accrued interest, that money would go to the General Fund. Director Staats told council that this policy was consistent with other local government practices and O.R.C. requirements.

Council Member Briscoe set the ordinance for second reading at the next council meeting.



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### READING AND PUBLIC HEARING OF RESOLUTIONS

#### **RESOLUTION R-60-2017**

Council Member Briscoe read by title A RESOLUTION TO AMEND, RENEW, AND EXECUTE THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER FOR 2018.

Based on prior discussion around wanting more council members present for this matter, Council Member Briscoe recommended tabling the resolution to the December 19<sup>th</sup> council meeting. Council Member Durik moved to table this resolution until the next regular council meeting. Council Member Brisk seconded and council voted with five yes votes to table R-60-2017 to the December 19, 2017 council meeting.

#### **RESOLUTION R-61-2017**

Council Member Briscoe read by title A RESOLUTION TO APPROVE AND ADOPT THE WESTERN LICKING COUNTY ACCORD AS REQUESTED BY THE CITY OF NEW ALBANY.

Administrative Services Director Adrienne Joly explained that staff had been working on the Western Licking County Accord (WLCA) for a long time. The WLCA was inspired by the city's experience of working with Columbus, and later Plain Township, on the Rocky Fork Blacklick Accord. The WLCA came about through several phases. During Phase I, the city met with elected officials in Johnstown and Jersey Township to gauge interest, learn from each other, and determine what future planning options could be. Phase II started with public outreach in December of 2016 and a process that included public workshops, on-line surveys, and a lot of outreach to the community. Phase II resulted in the draft Plan that was currently in front of council. Phase III was the adoption and implementation phase, including this resolution. Jersey Township held a public meeting in October with their constituents about the WLCA draft. Johnstown did the same and took it to their Planning Commission. This draft Plan had been approved New Albany's Planning Commission.

Director Joly described the representation on the WLCA during its creation, including the Working Group, the Elected Officials Group, and the Steering Committee. She showed a map of the planning area which was made up mostly of Jersey Township and an area north of Jersey Township. Monroe Township was invited to participate, but chose not to be involved at this point. Director Joly review the benefits of collaboration which included pooling resources and knowledge, addressing regional issues, and achieving a shared vision for the area. Director Joly described the process of sharing information among the jurisdictions, staying consistent, and gathering large amounts of feedback. She told council that the Working Group received over 1,000 comments.

She read the vision statement for the WLCA. 86% of those polled agreed with the vision statement. The WLCA Working Group got the most positive responses around the idea of preserving the small town, rural character. They also heard that residents were missing parks and recreational areas. There was interest in creating more of an identity for Jersey Township. Lack of growth management was considered a threat.





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The results of on-line surveys, focus groups, and workshops were six bullet points as follows: (1) protect the community identity, (2) preserve rural character, (3) manage and focus growth, (4) build on agricultural roots, (5) advance employment opportunities, (6) extend parks and bike connectivity. In order to implement the goals, Director Joly listed ways forward including improving communication, creating a build land use agreement and plan for area amenities and infrastructure, create design standards, identify and map area-defining characteristics, and update related plans and codes. The WLCA members explored creating an implementation panel, like the Rocky Fork Blacklick Accord panel, and decided they weren't ready for that now, but wanted to improve communication by implementing quarterly staff meetings among the jurisdictions and instituting better information sharing methods.

In order to go forward with the WLCA, New Albany would review and update its Strategic Plan, zoning code, regulations, and design guidelines as appropriate. Director Joly recommended doing a natural resource inventory for the New Albany portion of the WLCA and make sure there were regulations in place to preserve the natural features. The city would designate staff and resources for quarterly, staff-level meetings. The city would also establish information sharing protocols for rezoning applications in the WLCA area. Director Joly praised City Manager Joseph Stefanov's leadership and guidance in the WLCA project, as well as for recognizing and reaping the benefits of regional collaboration.

Council Member Fellows asked and Director Joly answered that it was premature to form a board like the Rocky Fork Blacklick Accord panel until there was more for it to consider. The jurisdictions didn't want to appoint members to a panel and then not have work for that panel. Eventually, an implementation panel could be needed if development heated up in the WLCA region.

Council Member Briscoe moved to adopt the resolution. Council Member Durik seconded and council voted with five yes votes to approve Resolution R-61-2017.

### **RESOLUTION R-62-2017**

Council Member Briscoe read by title A RESOLUTION TO ACCEPT A 1.135 ACRE TRACT OF LAND FROM MBJ HOLDINGS LLC FOR THE PURPOSE OF PUBLIC RIGHT OF WAY.

Engineer Mike Barker described the area where the 1.135 acre tract was located. As part of the platting for Innovation Campus Way, the city accepted right-of-way for a portion of Harrison Road along the east side. The balance of the right-of-way for the east side remained. It was currently a highway easement. There was no pending development, however, the subject area was generating interest. Engineer Barker believed it was the intent of the property owner to get ahead in the development process knowing that this would have to happen when the site was developed. The right-of-way acceptance was consistent with both the zoning requirements of the site as well as the city's 2014 Strategic Plan. Engineer Barker offered to answer questions and council had none.

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



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Council Member Fellows moved to adopt the resolution. Council Member Brisk seconded and council voted with five yes votes to approve Resolution R-62-2017.

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

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

- A. Mayor: No report.
- B. Clerk of Council: Clerk of Council Jennifer Mason reminded council the Innovate New Albany holiday Open House was the following Tuesday from 5:30-8:00 pm.
- C. Finance Director: Finance Director Bethany Staats directed council's attention to the October summary report. The city's current revenue was about 11% higher than this time in 2016. Income tax revenues were 9% higher. Expenses had increase about 2.4%. The city's carry-over balance was projected to be about \$6.5 million.



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D. City Manager: City Manager Stefanov reported that a contractor had replaced the doors in Council Chambers. Trim work would happen later that week. Village Hall front and rear doors would be done before Christmas. In late spring or early summer of 2018, City Manager Stefanov expected work on the center doors to Council Chambers and the single door on the south side of the building to commence.

E. City Attorney: No report.

**POLL FOR PUBLIC COMMENT:**

NONE.

**POLL FOR COUNCIL COMMENT:**

NONE.

**OTHER BUSINESS:**


NONE.

**ADJOURNMENT:**

With no further comments and all scheduled matters attended to, Council Member Briscoe moved and Council Member Durik seconded to adjourn the December 5, 2017 Regular Council meeting at 7:22 p.m.

**ATTEST:**

  
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Jennifer H. Mason, Clerk of Council

  
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Colleen Briscoe, President *Pro Tem*

12/19/17  
Date