

March 7, 2017

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of February 21, 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, Police Chief Greg Jones, Finance Director Chad Fuller, Law Director Mitch Banchefsky, 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	Р
CM Michael Durik	P
CM Chip Fellows	P
CM Glyde Marsh	P
CM Matt Shull	A/P – arrived at 8:20 pm

Clerk Mason noted that Council Member Shull was absent at roll call due to work, but was expected to arrive later in the evening.

ACTION ON MINUTES:

Mayor Spalding asked if council had reviewed the February 7, 2017 meeting minutes and if they had any proposed additions or corrections. Having none, Council Member Fellows moved to adopt the February 21, 2017 minutes. Council Member Durik seconded and council voted with five yes votes and one abstention (Briscoe) to approve the regular meeting minutes.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Mayor Spalding moved adjust the agenda to move Other Business – <u>2017 Board and Commission Appointments</u> until after the Executive Session. Council Member Briscoe seconded and council voted with six yes votes to adjust the order of the agenda.

HEARING OF VISITORS:

<u>Miracle League Presentation</u> – Kevin Klingele, Chief of the Department of Orthopaedics and Surgical Director of Children's Sports Medicine at Nationwide Children's Hospital, introduced himself as a 10 year resident of New Albany with 4 children in New Albany Schools and the Parks and Recreation programs. He brought up a Power Point presentation to show council while he spoke. He described the Miracle League as a baseball league for special needs children, including autistic children and children who were



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unable to walk/wheelchair bound. He showed pictures of the fields in Dublin and Canal Winchester and a Buddy League in Grove City. Adults with special needs also used the fields. The Miracle League field was a specially designed, solid-surface field with dugouts and facilities to accommodate special needs. He showed pictures of handicapped-accessible playgrounds which were often built alongside the baseball fields. Grove City built their field based on private donors and corporate and individual sponsorships. Total costs of construction and facilities were estimated around \$1.1-\$1.2 million. Dr. Klingele expected private sponsorship to be the primary source of funding. He stated that Dublin and Grove City were both receiving state and federal grants for their programs. He was asking for the city to donate land. After discussions with City Manager Joseph Stefanov and others, Dr. Klingele's and others' preference was for land in the Wexner Community Park at Swickard Woods. Infrastructure and parking were mostly in place, school and pool partnership would be a plus, and Safety Town and restaurants were nearby. Special Olympics and the other leagues were on board. Through a needs assessment, they identified more than enough kids to support a vibrant league in this area.

Council discussed the amount of available land at Swickard and whether it was sufficient. Council members Briscoe, Brisk, Durik and Fellows expressed their support. Council discussed the pros and cons of other locations. Council asked and Dr. Klingele enumerated others he had worked with and who he hoped to work with in the future to make the league happen. Council Member Fellows asked and City Manager Stefanov answered that the city had several options and could lease the land to the Miracle Field the same way the city leased land to Joint Parks. It could be done fairly quickly. Council discussed the number and length of games that would be hosted and how that would impact traffic and parking in the area. David Wharton, Director of the Joint Parks and Recreation District, answered that games could be scheduled around other activities to improve traffic flow. Council discussed ownership, maintenance, and governance of the facility in other communities. Mayor Spalding thanked Dr. Klingele for his presentation.

New Albany Parks and Recreation Update - Richard Williams, Board Member of the Joint Parks and Recreation Board, spoke to council to update them on the Joint Parks and Recreation Board for 2017. Mr. Williams went through financial aspects, programming, special events, and improvements. Financially, he stated that Joint Parks was in better shape since the passage of the levy. They continued to maintain their Maintenance Fund for unexpected expenses. In programming, they had nearly 4,300 participants, ages 3 and up, in their programs in 2016, the highest it's been. They were working on new and creative programming, like the New Albany Chess Club. They partnered with Engineering for Kids and the Little Medical School. For special events, they hosted eight major tournaments in 2016 and were adding two more events on 2017. They continued to partner with Pelotonia. Council Member Fellows asked and Mr. Williams answered that some special events generated revenue, some did not. The movie series program was popular and was free to the community. Under improvements, in 2016, the Joint Parks planted 300 trees and, this year, planned to plant 800 trees. They also received a grant to install outdoor fitness equipment at Bevelhymer Park. They put in a cost-effective, solar-powered street lamp at the entrance to Thompson Park. They were planning to resurface Thompson Park. Mayor Spalding thanked Mr. Williams and Mr. Demers for their service. He asked and Mr. Williams answered that the Joint Parks was continuing to work on connectivity with the Metro Parks. Mayor Spalding noted it would be great if the city



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could increase the connectivity on the Hamilton corridor with the idea to get people from Columbus all the way to Rocky Fork on a leisure path. Mr. Williams agreed.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Mayor Spalding reported that the organizational meeting was set for March 20th.

PARKS AND TRAILS ADVISORY BOARD: Council Member Fellows reported that the PTAB met and reviewed the Harlem Road trail options that were presented to the residents. The board noted that Harlem was becoming busier, was used as a cut through, and had no sidewalks for residents, making it dangerous to pedestrians. The board preferred putting a trail in on the west side. It made a unanimous recommendation that a Harlem Road leisure trail be the top priority. They looked at connecting the north part of Dublin-Granville Road near Hampstead Heath to the Safe Routes To School path. Deputy Community Development Director Adrienne Joly presented the Rose Run plans.

ACHITECHTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: Council Member Brisk reported that the BZA met to consider some variances for garages. One was tabled.

BOARD OF CONSTRUCTION APPEALS: No meeting.

CEMETARY RESTORATION ADVISORY BOARD: Public Service Director Mark Nemec reported that the CRAB worked on Board Member Nancy Ferguson's draft of the report and recommendation to council. Ms. Ferguson's report condensed the Ohio Valley Archeology report down to five or six pages and would contain the board's recommendations to council. Mayor Spalding asked and Director Nemec answered that he believed the CRAB would be making a single, consensus recommendation to council with costs.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CORRESPONDENCE AND COMMUNICATIONS:

NONE.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:



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ORDINANCE O-06-2017

Mayor Spalding read by title <u>APPROPRIATION AMENDMENT ORDINANCE</u>: AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017 AND TO ISSUE A THEN AND NOW CERTIFICATE.

Finance Director Chad Fuller reminded council of the detail covered in the first reading and offered to answer any follow-up questions. He told council that, after the Legislative Report came out, some invoices came in that were similar to those in Section 4. The first invoice was from Tyler Technologies for \$43,672 which was part of a 2015 Purchase Order that had been closed. The second invoice was from Franklin County EMA for \$12,673 for some additional licenses in the city's contract. Direct Fuller asked council for a floor amendment to add the two "Then and Now"s for those invoices to the ordinance. City Manager Joseph Stefanov added that for the Tyler Technologies invoice, the money was approved by council and put in the budget but, because of the timing, the invoice ended up being received prior to the Purchase Order being issued. The Then and Now indicated that the money was available at the time the expense was incurred and was available at the time the invoice needed to be paid. It was a housekeeping measure. Council discussed how Purchase Orders worked and under what circumstances they could be carried over or closed out at the end of a fiscal year.

Mayor Spalding moved to amend Ordinance O-06-2017 to include Then and Now certificates for two additional invoices for Franklin County EMA for \$12,673 and Tyler Technologies for \$43,672. Council Member Fellows seconded and council voted with six yes votes to approve the amendment.

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 ordinance. Mayor Spalding seconded and council voted with six yes votes to approve Ordinance O-06-2017 as amended.

INTRODUCTION AND FIRST READING OF ORDINANCES: NONE.

READING AND PUBLIC HEARING OF RESOLUTIONS

RESOLUTION R-09-2017

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO APPROVE AND SIGN AGREEMENTS WITH CRI INNOVATION, LLC RELATED TO INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE OAK GROVE II COMMUNITY REINVESTMENT AREA.



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Community Development Director Jennifer Chrysler presented to council the first project on the Innovation Campus Way extension. The CRI Innovation LLC project was a 300,000 square foot speculative, industrial facility meant to attract one to four tenants with an estimated capital investment of \$15 million. The owner anticipated that 150 to 200 new jobs would be created, with an aggregate annual payroll of \$5 million within three years of completion of the project. The estimated minimum payroll would generate about \$100,000 annually in income tax of which approximately \$30,000 would be directed to infrastructure, \$26,000 to the City of Columbus as part of the water & Sewer agreement, \$22,000 to the Licking Heights Local School District, and \$22,000 for the city's General Fund. Director Chrysler described how the two-part tax abatement formula was developed. Goals of the formula included paying back the infrastructure in five years and supporting well-built structures which would age and maintain their value better. The project could qualify for 10 or 15 years of tax abatement depending on which ECOS standards it met. Staff believed that this building met existing market demand.

Council Member Briscoe asked and Director Chrysler answered that, if the project did not meet the city's benchmarks, they would not get the abatement. Ed Carey of Carey Realty Investments and the owner of the project was present to answer specific questions. He told council that he had always wanted to develop a property in New Albany and planned to build to a higher standard. He recognized and thanked Director Chrysler for walking him through and explaining the city's process. He anticipated that the building would be fully leased by time the project was completed. Council Member Durik asked and Mr. Carey responded that starting construction depended on weather, but the goal would be to complete the building in December of 2017.

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. Mayor Spalding seconded and council voted with six yes votes to approve Resolution R-07-2017.

RESOLUTION R-10-2017

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ADVERTISE, AWARD BIDS AND EXECUTE A CONTRACT FOR THE 2017 CITY OF NEW ALBANY STREET IMPROVEMENT PROJECT.

Public Service Director Mark Nemec stated that this resolution was part of the process of improving the city's roads each year. The Public Service Department started by surveying and rating the roads. Director Nemec directed council's attention to a map he provided (attached) and noted that the city's ratings were aggressive as the city liked to have its roads in great condition. The city estimated spending \$900,000 on road repair in its 2017 budget; \$200,000 was already approved for microsurfacing. The remainder would go towards paving, crack sealing, handicap ramp repair, and rejuvenating. The rejuvenating agent, which was applied one year after a road was repaved, extended the life of the road around 30%. The city had



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used it successfully for about 15 years and the product had been on the market for 40-50 years. Roads getting rejuvenating agent were marked in blue on the map. Street improvements were expected to cost around \$600,000, leaving a \$100,000 cushion in the budget. The city was able to bid out early this year because of the warmer weather. As a result, Director Nemec hoped for better pricing and more control over the summer construction schedule.

Director Nemec told council that David Wharton, Director of the Joint Parks and Recreation, approached him about bidding out the repaving at Thompson Park alongside with the city's bid. Director Nemec agreed as it would hopefully result in cost savings for the Joint Parks. Joint Parks would still pay for their portion.

Council discussed the particulars of the rejuvenating agent applied to the roads and the equipment used to apply it. The agent took several hours to dry, was non-toxic, and could be removed easily from cars with mild soap and water. Director Nemec stated that it was best for straight, high volume roads, not residential areas. Council further discussed when rejuvenating agent was appropriate versus when pavement overlay was appropriate. Most asphalt was expected to last 20 years. Council Member Marsh asked and Director Nemec answered that the city engineer trained him on repairing roads.

City Manager Joseph Stefanov told council that normally the city tries to repair all red roads by the end of the season, but a few sections would remain red. Jug Street from Countyline Road going east would not be repaired until the waterline was installed. Repair on alley in the center of town would be delayed a while longer. A section of State Route 62 would be redone, but the city was waiting for the First & Main construction to be completed.

Mayor Spalding asked and Director Nemec answered that sidewalk repair would be re-starting soon, weather allowing. Freezing temperatures were not good for poured concrete. Director Nemec expected sidewalk repair to begin in April and the targeted area residents would be notified.

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 Brisk seconded and council voted with six yes votes to approve Resolution R-10-2017.

RESOLUTION R-11-2017

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN ODOT CONTRACT LEGISLATION AND PROVIDE COOPERATION FOR THE REFERENCED PROJECT WHICH PROPOSES TO CONSTRUCT MULTI-USE PATH CONNECTIONS ON DUBLIN-GRANVILLE ROAD THROUGH ODOT'S SAFE ROUTES TO SCHOOL PROGRAM.



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Public Service Director Mark Nemec described the location where the Safe Routes to School path would be constructed, which was in the vicinity of the Chabad House. In 2014, the city was successful in getting an Ohio Department of Transportation (ODOT) grant to receive funding to complete this trail. The city had to provide a match which it approved by resolution in 2015. The city engineers worked with ODOT on the plans and also with Chabad House to obtain a section of right-of-way. Construction of the project was scheduled for 2016, but was pushed out to 2017. A few weeks ago, ODOT sent Director Nemec and email with a list of items to complete, including this new resolution. ODOT estimated the project to cost \$253,700 of which the city would contribute \$94,650. ODOT would bid, award, and inspect the project. The plan was to bid and sign a contract in April, with construction to start in June, and to be finished by September. The project was about 600-800 feet of trail. Many utilities had to be dealt with and storm sewer installed. Trees in the way of the path were brought down last year. The path would be ten foot wide per ODOT's regulations, but would otherwise look like the city's leisure trails.

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 Brisk seconded and council voted with six yes votes to approve Resolution R-11-2017.

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:

REPORTS OF REPRESENTATIVES:

A. Council Representative to MORPC: City Manager Joseph Stefanov reported that there was no meeting, but he had some items to relay to council. The Transportation Improvement Program and Open House was scheduled for April 4 from 3:30-6:30 pm. The region had \$1.9 billion for projects to be constructed between July of 2017 and June of 2021. Projects



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were scheduled out four to five years in advance. The Age Friendly Columbus survey results were out at www.agefriendlycolumbus.org. Columbus was hosting an annual conference on freight from August 2-4.

- B. Council Representative to Plain Local Schools: Council Member Brisk reported that the board held a special meeting to appoint Mike Busch for the vacant board position.
- C. Council Representative to Plain Township: Council Member Marsh stated that the meeting was short and there was nothing to report.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported that the City of Columbus was hosting the Ohio Municipalities Business Conference and Expo on August 2-3. Leaders from Ohio municipalities were invited to attend. Mayor Spalding and City Manager Stefanov attended a Central Ohio Mayors and Managers Association (COMMA) meeting the prior Friday at the new OSU Wexner Medical Center Outpatient Care of Upper Arlington. City Manager Stefanov reminded council that they had authorized him to enter into discussions with a law firm regarding a legal response to SB 331 which law allowed telecom companies to erect cell tower in right-of-way with very little oversight from the city. COMMA discussed entering into a lawsuit to defend the public right-ofway. About 30 municipalities wanted to join in the effort, making city's share of the cost of the initial filing with the Common Pleas court around \$2,000. Any unused retainer would be returned. Ice Miller LLC would be counsel of record. If the case were appealed, the city could make a decision whether to continue with the case. Cleveland and Toledo would be filing their own suits in different courts. City Manager Stefanov stated that he would have a resolution for counsel authorizing the city to enter into the suit at the next meeting if council was interested. Council indicated interest. COMMA also passed a motion opposing centralized business tax collection, opposing the governor's proposed cuts to the Local Government Fund, and several other motions.
- B. Clerk of Council: Clerk Mason polled council about two Ohio Department of Liquor Control permit applications from Board & Brush Creative and the Estate at New Albany. Council did not request a hearing on either permit.
- C. Finance Director: No report.
- D. City Manager: City Manager Joseph Stefanov reported working with Public Service Director Mark Nemec and his team on the possible conversion of street lights from standard configuration to LED. He would have more information for council at subsequent meetings.



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E. City Attorney: Law Director Mitch Banchefsky reported that the city hired special council to oppose an FCC matter. The FCC opened a discussion on 5G technology and made a statement that they wanted to pursue it as quickly as possible. This meant potential impact on the city's right-of-way and encouraged the creation of more cell towers. A telecom company filed a petition for a declaratory ruling which would say that they didn't have to comply with local right-of-way ordinances or follow a variety of other city zoning codes. The comment period was open and the city retained special counsel who filed a response on March 7th.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

NONE.

OTHER BUSINESS:

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 and reserved the right to take action after the executive session. Council Member Briscoe seconded and council voted with 6 six yes votes to go into executive session at 8:16 p.m.

Council Member Fellows moved to come out of executive session and resume the regular meeting. Council Member Briscoe seconded and council voted with seven yes votes to come out of executive session at 9:22 p.m.

Council Member Fellows moved to reappoint New Albany board and commission members pursuant to the Memorandum to Council from Clerk of Council Jennifer Mason dated March 7, 2017 (attached). Council Member Briscoe seconded and council voted with seven yes votes to reappoint board and commission members per the memorandum.

Council Member Fellows motioned to appoint new board and commission members to open positions as follows:

Andrea Wiltrout to the Board of Zoning Appeals – 1/1/17-12/31/19

Hans Schell to the Planning Commission for a full term – 1/1/17-12/31/19

Kasey Kist to the Planning Commission for the term expiring on 12/31/2018

Mayor Spalding seconded and council voted with seven yes votes to appoint the new members to the open positions.

ADJOURNMENT:



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With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Briscoe seconded to adjourn the March 7, 2017 Regular Council meeting at 9:25 p.m.

ATTEST:

Jennifer H. Mason, Clerk of Council

Sloan T. Spalding, Mayor

la.

Date

21 March /7

PROPOSED 2017 LIST OF IMPROVEMENTS BY STREET Engineer's Cost Estimate \$600,000

PAVEMENT OVERLAYS*

East Main Street
Maynard Pl.
Maynard Pl. East
Pembrooke Pass
Pembrooke End

Pembrooke Green West

Cromewll End

Pembrooke Green East

*CURB REPAIRS

*ADA CURB RAMPS

CRACK SEALING

Abbotsbury Ct
Alban Mews
Aldie Mill Dr
Arboretum Ct
Baughman Grant
Beech Rd
Berkley Sq N
Berkley Sq S
Billtmore Ct

Bishops Wood Dr Blackstone Edge Dr Brandon Rd

Bulrush
Butterworth Green Dr
Central College Rd
Pamplin Ct

Pamplin Way Ratchford Ct Richmond Sq

Riverview Ct Sailors Creek Dr Charlotte Hull Ct

Chelsea Green E Chelsea Green N Chelsea Green W

Cherry Alley
Cunningham Dr.

Dean Farm Rd

Vaux Link Vaux Link

Drayton Hall N & S

James River East Fenway Rd Forest Dr. Fort Ward Dr Gilg St.

Goodhart Ct

Grate Park Dr. Grate Park Sq.

Gray Loop Harlan Sq. Harlem Rd Harper Ln

Hearthstone Park Dr

Highgrove

CRACK SEALING cont.

Jason Ct
Jersey Dr
Keesee Cir.
Kitzmiller Rd
Lark Ln
Lee Hall Ct
Loomis Dr
Marwaithe Ct.
Marwaithe Pl.
Mcclellan Dr
Miller Ave
Milton Ct

Morgan Rd
Olmsted Rd
Pamplin Ct
Pamplin Way
Ratchford Ct
Richmond Sq
Riverview Ct
Sailors Creek Dr
Scarborough Hall Dr

Sedgewick Ct
Sudbrook Sq
Sudbrook Sq E
Sudbrook Sq W
Swickard Woods Blvd

Tarytown Ct

REJUVENATING AGENT

Fodor Rd
Johnstown Rd
Market St
Pickett Place
West Campus Rd

PAVEMENT REPAIRS

Various locations

2017 Street Improvement Program

Resurfacing = \$268,129

Asphalt Surface Patch = \$33,480

Crack Seal = \$109,732

Rejuvenating Agent = \$47,808

Thermoplastic = \$41,566

Curb Repair = \$4,406

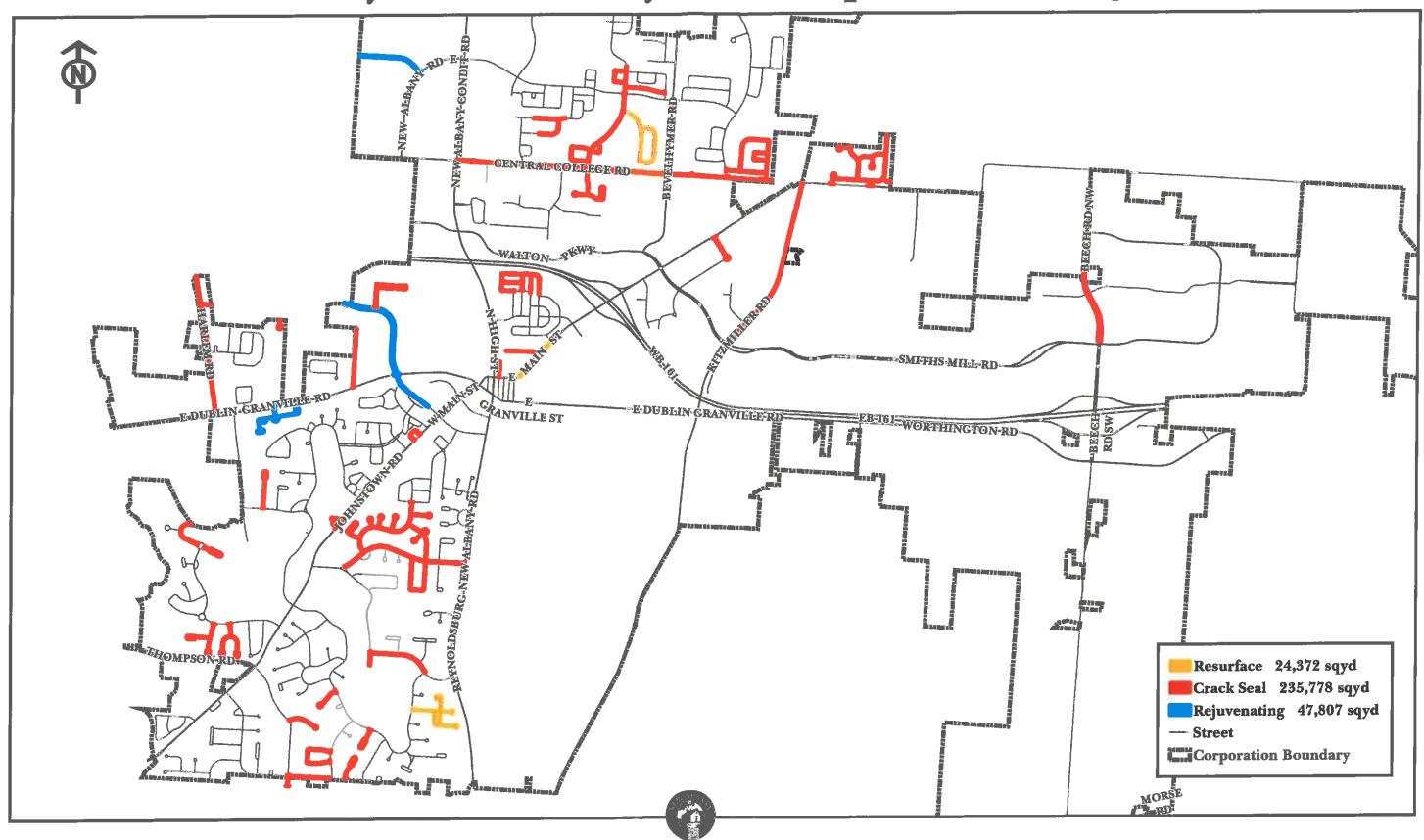
Berming = \$11,700

Bump Grinding = \$24,000

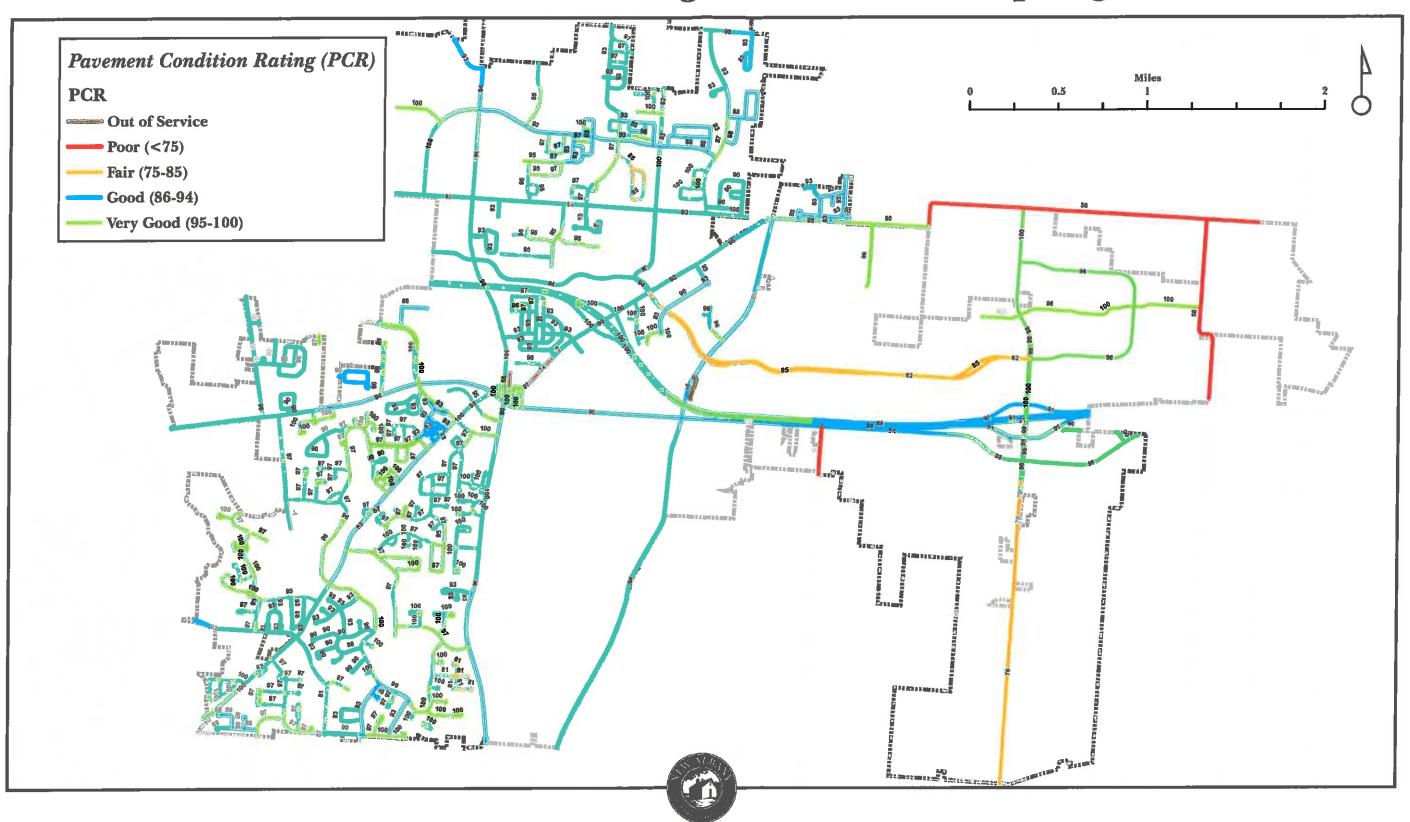
ADA Ramp Work = \$43,566

Total Cost = \$584,400

2017 City of New Albany Street Improvement Project



Pavement Condition Rating (PCR) Streets - Spring 2017



Department of Public Service



TO:

Council

FROM:

Jennifer Mason, Clerk of Council

DATE:

March 8, 2017

RE:

Board and Commission Appointments

Below is a listing of reappointments and open seats.

Architectural Review Board

3 year terms

- E.J. Thomas is willing to be reappointed 1/1/17-12/31/19
- Jim Brown is willing to be reappointed -1/1/17-12/31/19
- Kim Comisar is willing to be reappointed 1/1/17-12/31/19

Board of Construction Appeals

3 year terms

• Ralph Fallon is willing to be reappointed – 1/1/17-12/31/19

Board of Zoning Appeals

3 year terms

• Open seat appointment is available for full term - 1/1/17-12/31/19

Community Reinvestment Corporation

2 and 3 year terms

• Open seat appointment is available for term expiring 12/31/18

Cemetery Restoration Advisory Board

3 year terms

- Denise Kohn is willing to be reappointed -1/1/17-12/31/19
- Open seat appointment is available for non-voting position 1/1/17-12/31/19

Community Reinvestment Area Housing Council

3 year terms

- Rebecca Slayman is willing to be reappointed 7/1/17-6/30/20
- Open seat is available for term expiring 6/30/19

Income Tax Board of Review

Appointed as needed - selected by city manager with input from council

• Open is seat available

Joint Parks and Recreation Board

3 year terms

• Richard Williams is willing to be reappointed – 1/1/17-12/31/18 (synchs up city appointments)

McCoy Performing Arts Center

3 year terms

• Tom Hill is willing to be reappointed – 1/1/17-12/31/19

Planning Commission

3 year terms

- Open seat is available for full term 1/1/17-12/31/19
- Open seat is available for term expiring 12/31/18

Parks and Trails Advisory Board

3 year terms

• Frank Korth is willing to be reappointed – 1/1/17-12/31/19

Rocky Fork Blacklick Accord

3 year terms – 4 terms maximum

- Kasey Kist is willing to be reappointed full term is 7/1/16-6/30/19
- Open seat is available for future term 7/1/17-6/30/20