



## NEW ALBANY CITY COUNCIL MEETING MINUTES

April 2, 2019

### **CALL TO ORDER:**

Mayor Spalding called to order the New Albany City Council Meeting of April 2, 2019 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, Police Chief Greg Jones, City Engineer Ed Ferris, Engineer Mike Barker, Community Development Director Jennifer Chrysler, Public Service Director Mark Nemec, Human Resource Officer Lindsay Rasey, 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 Sloan Spalding	P
CM Colleen Briscoe	P
CM Marlene Brisk	P
CM Michael Durik	P
CM Chip Fellows	P
CM Kasey Kist	P
CM Matt Shull	P

### **ACTION ON MINUTES:**

Mayor Spalding asked if council had reviewed the proposed March 19, 2019 regular meeting minutes and asked if they had any additions or corrections. Hearing no suggested changes, Mayor Spalding moved to adopt the March 19, 2019 regular meeting minutes. Council Member Kist seconded and council voted with seven yes votes to approve the regular meeting minutes.

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

Clerk of Council Jennifer Mason requested to add a Cemetery Restoration Advisory Board report under BOARDS AND COMMISSIONS.

### **HEARING OF VISITORS:**

NONE.

### **BOARDS AND COMMISSIONS:**

PLANNING COMMISSION: No meeting.

PARKS AND TRAILS ADVISORY BOARD: Council Member Fellows reported that the PTAB did not meet. The Leisure Trail Master Plan Steering Committee met to finalize their plan and recommendation. They would be taking the Leisure Trail Master Plan to the PTAB. After that, the Master Plan would go to the Planning Commission and Council.



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ACHITECHTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: Council Member Brisk reported that the BZA held their organizational meeting and elected Everett Gallagher as Chair, Andrea Wilttrout as Vice Chair, and Kerri Mollard as Secretary.

BOARD OF CONSTRUCTION APPEALS: No meeting.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CHARTER REVIEW COMMISSION: Council Member Shull reported that the CRC met to work on the last four articles in the Charter. The CRC's recommendations were being complied. Law Director Mitch Banchefsky and Clerk of Council Jennifer Mason would be meeting with the Franklin County Board of Elections on April 17<sup>th</sup> to determine what the ballot language would look like. Council would be receiving a report in early June. The first reading of an ordinance with charter changes would be June 18<sup>th</sup>.

Mayor Spalding asked and Law Director Banchefsky answered that the city would have to mail out the council approved charter language to all registered voters by a set deadline. Law Director Banchefsky could not recall the deadline.

CEMETARY RESTORATION ADVISORY BOARD: Clerk Mason reported that the CRAB held their organizational meeting. Brian Zets was elected as Chair, Victor Wilson was elected as Vice Chair, and Bill Resch was elected as Secretary. The CRAB voted to meet on second Wednesdays of each month at 3:30 p.m. The CRAB was discussing the historic marker for the New Albany Cemetery and talked about possible work on the Wagner Cemetery. The CRAB also heard the first presentation of Rose Run II concepts and plans given by Development Services Manager Stephen Mayer. Mayor Spalding asked and Clerk Mason answered that the CRAB's responded positively to the concepts presented.

### **CORRESPONDENCE AND COMMUNICATION:**

Council Member Kist asked and Clerk Mason answered that she would be working on the response to Dianne Carr. Council Member Kist asked how closely council should be looking at minutes for typos like the misspelling of Beech Road. Mayor Spalding answered that council should aim to make the minutes as accurate as possible. Clerk Mason asked that, for typos, to please communicate those to her ahead of the council meeting. This way corrections could be made prior to approval instead of interlineating. If the error was substantive, it should be discussed by council at the meeting.

City Manager Stefanov stated he was aware that Ms. Carr had been attending other meetings. At the Plain Township Trustee's meeting, there was a good conversation. One of the former trustees was in the audience and explained the history of the annexations, the township's relationship with the city, and how road maintenance and annexation agreements worked.



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

#### **ORDINANCE O-09-2019**

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 12.47 +/- ACRES OF LAND GENERALLY LOCATED NORTH OF AND ADJACENT TO U.S. 62/JOHNSTOWN ROAD, SOUTH OF AND ADJACENT TO BEVELHYMER ROAD, AND EAST OF AND ADJACENT TO WALTON PARKWAY FOR AN AREA TO BE KNOWN AS THE "WALTON-62 COMMERCE DISTRICT" FROM ITS CURRENT ZONING OF "I-PUD" INFILL PLANNED UNIT DEVELOPMENT AND "R-1" RESIDENTIAL DISTRICT TO "I-PUD" INFILL PLANNED UNIT DEVELOPMENT AS REQUESTED BY THE NEW ALBANY COMPANY LLC C/O AARON UNDERHILL, ESQ.

Community Development Director Jennifer Chrysler described the location of the land proposed to be rezoned. The proposed zoning text included 50 foot setbacks for buildings and pavement from the edge of the right-of-way on State Route 62, 65 foot setbacks for buildings and pavement from street centerline on Walton Parkway, and 65 foot setbacks for buildings and pavement from the centerline on Bevelhymer Road. There were 10 foot pavement and 30 foot building setbacks from all perimeter boundaries that did not abut right-of-way in the zoning district. The existing PUD zoning would be enhanced by best practices learned from other areas. The proposed zoning text would allow a maximum height of 54 foot height for hotel uses only. Landscaping setbacks were increased and materials were specified to create a more cohesive development plan.

Director Chrysler showed council the map of the existing Strategic Plan with the proposed property highlighted. The city had conducted several studies in the "Triangle Area." Staff had talked extensively about how the west side of State Route 62, north of State Route 161, had developed both as a transitional area and as part of the business park. Staff determined a few years ago where a retail node would go, but wanted to plan for how the retail node would extend up State Route 62 and transition into a rural corridor. Aaron Underhill, attorney for The New Albany Company, and Tom Rubey, Development Director for The New Albany Company, were present to answer questions.

Council Member Durik asked, if council approved the zoning, was it approving a hotel at that location. Director Chrysler answered that the zoning text would allow for a hotel use in Subarea A of the subject property and would permit an increased height for a hotel user, however, that didn't mean a hotel would locate there. The zoning text would require a Final Development Plan to go through Planning Commission for final review. Council Member Briscoe asked and Director Chrysler replied that a hotel could occupy more than 15,000 square feet, unlike the retail uses.

Council Member Kist asked and Mr. Rubey estimated that the Market & Main apartments were around 36 feet tall. Mr. Rubey added that the height of the hotels located on State Route 62 were consistent with this proposal, and the zoning text for design, lighting, landscaping, etc. was meant to be identical. Council Member Brisk stated she was having a hard time picturing a hotel on the property. The current hotels on State Route 62 were further away from the road. There was more residential property on the east side of



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State Route 62. Even with smaller commercial users around it, a hotel would stand out. Mr. Rubey offered that the proposed zoning text allowed a gas station to be build further north and closer to a traffic signal, instead of on the corner. The second modification from the older text was to increase the height for the hotel use. The justification for the increase was, given the height of the hotels on the west side, to make the area feel more cohesive.

Council Member Durik asked and Mr. Rubey answered that the business park buildings south of State Route 161, on the south side of Walton Parkway and adjacent to State Route 62, could be up to 65 feet high. Council and Mr. Rubey discussed the height of other business buildings in the area. Council Member Fellows was in agreement to keep as much rural character going up Bevelhymer as was possible. He stated this rezoning would change the whole dynamic around Bevelhymer. Council, staff, and Mr. Rubey discussed the zoning going up Bevelhymer. Council Member Briscoe asked and Director Chrysler answered that, when staff reviewed the zoning application, the idea behind limiting the square footage of retail was to avoid big box stores locating there. A hotel seemed to fit a transitional use that was different than a retail business. Director Chrysler agreed the scale of the proposed hotel use was different than the scale of the proposed retail.

Mr. Underhill described where the closest residential area was in relation to the proposed zoning district. The nearest home was currently for sale as a development opportunity. The next parcel further north had a treed area. Mr. Rubey and Mr. Underhill talked about setbacks from the abutting roads. Council Member Durik asked and Mr. Underhill confirmed that the property immediately to the north of the proposed zoning district was currently zoned residential and any commercial use would require the property to be rezoned.

Council Member Brisk asked and Mayor Spalding answered that the residents who attended the Planning Commission meeting expressed more concerns about traffic than the proposed height of a hotel structure. Mr. Underhill added that, at public meetings, neighbors were concerned about depictions showing possible future connecting roads. Council, staff, and Mr. Underhill talked about the process a new road would undergo, including public hearing, to get approval. Council Member Fellows stated he was in favor of keeping the area close to Bevelhymer, not necessarily rural, but less dense than what a large hotel would add, particularly how a large hotel would impact traffic for those living in The Links and further north. Mr. Underhill told council that, as part of a Final Development Plan, the developer would be required to do a traffic study. From that, the city could determine whether street improvements were necessary. Council Member Durik asked and Mr. Underhill replied that the traffic study would be done before approval of a Final Development Plan. Council Member Brisk was concerned that council would be approving the size of the hotel before the traffic study was done. Mr. Rubey clarified that the potential size of a hotel was being considered by council. Council Member Kist asked and staff confirmed that, once a hotel was designed, it would have to go back to Planning Commission for approval.

Council Member Brisk reminded council that it had discussed a rural corridor with walking paths that would connect residents north and south of State Route 161. She felt a large hotel on the west side would defeat council's prior intentions. Council Member Fellows did not mind development on the west side so long as it





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was closer to State Route 62. He wanted a larger setback off of Bevelhymer and would prefer not to have traffic using Bevelhymer to access the commercial development.

Council Member Briscoe wanted to drive around the subject property to envision how a hotel would impact the area. She did not mind more retail there. Council Member Briscoe asked and Mr. Rubey answered that the rezoning was not time-sensitive. She then asked council to consider tabling the ordinance.

Council Member Shull offered that he walked the area the prior night and observed a lot of room for a hotel. He was mostly concerned about the residential neighbor and noticed the "For Sale" sign. Council Member Shull asked and Mr. Underhill confirmed what landscaping could look like, however, that would need to be designed along multiple frontages. Mr. Rubey added that the landscaping would be modeled after the landscaping for the other hotels. There would be parking and pedestrian access. The front door of the hotel would face State Route 62. Council Member Shull assumed there would not be much hotel-related traffic on Bevelhymer and expected more traffic on State Route 62 and Walton Parkway. Council Member Durik reiterated the 10 foot pavement setback and 30 foot building setback against the residential frontage versus the 60 foot setback from Bevelhymer Road. Council Member Brisk agreed with Council Member Briscoe in wanting to gather more information about how large the property was and how a large hotel would fit in that location all the way around. Council Member Brisk expressed how she received regular complaints about the size of the Market and Main apartments and imagined similar communications when a large building was being framed on this property. She wanted more assurance that a hotel would look appropriate for the area when completed. Part of her hesitation was that council did not know what would develop around the hotel.

Mr. Rubey encourage council to take more time to consider the matter. He reminded council of the number of public hearings that had taken place thus far. Mayor Spalding asked Mr. Rubey agreed to put together some graphics that would show council what certain building heights would look like on the property.

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

Council Member Briscoe moved to table Ordinance O-09-2019 until the next regular meeting. Council Member Brisk seconded and council voted with seven yes votes to table Ordinance O-09-2019 to the next regular meeting. *Clerk's note: see motion to reconsider further down in this section.*

Steven Puckett, 926 S. Pearl Street, Columbus, Ohio, 43206, approached council. He stated that he and his wife owned some property adjacent and toward the back of the subject property. He was there to listen to the proposal and the concerns. He stated that, off-hand, a very large structure would back to the property he owned, so they would definitely want to see what the proposal would be for the size, make-up, and offset to their property. Mr. Puckett understood there had been discussion about this matter with Bevelhymer residents. Mr. Puckett stated he had not been notified. Mr. Puckett expressed concern about an easement on his property. He stated he would be at the next council meeting. He understood council only approved the zoning, and not the design. He asked and Mayor Spalding answered that, once council



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approved the zoning, anything within the parameters of the zoning could be built, subject to approval of the final design. Council Member Kist asked, and Director Chrysler answered that, when the final design came back, there would be neighbor notification for the Planning Commission public hearing. Mr. Puckett understood, and Mayor Spalding confirmed, that the Planning Commission had the option of approving or denying the final plan. Mr. Puckett asked what happened after that. Council Member Briscoe answered that the matter did not have to come back to council after Planning Commissions. Mayor Spalding offered and Mr. Puckett agreed to have his name added the list of people being notified about the property. Mayor Spalding asked and Mr. Puckett confirmed that his Columbus address was the best one to use.

Diane Blessing approached council and stated that she and her brother were trustees for her mother whose property was at 6735 Bevelhymer Road, across the street from the property being rezoned. Both Ms. Blessing and her brother had experience in the hospitality industry as far as full-service and limited-service hotels. She suggested, with this, that council find out what was going to be built. What was built would make a big difference. The traffic on Bevelhymer was terrible. She grew up in the area; her home was there as a child. She encouraged council to find out more about what type of hotel was going to be built. It would make a big difference. She also stated that she and her brother were only notified once that there was a meeting. Had she known before, she would have attended. She had attended when Broadway Bound was the subject of public discussion. Her mother would be present, however, her mother was in a nursing home. Ms. Blessing and her brother were trustees. She stated that she thought council's recommendation was very well taken. She recommended finding out what was being built, what the hotel chain was. Mayor Spalding stated council understood that a final user had not been identified yet. He expected a higher-level hotel. Ms. Blessing asked if it would be full-service, including meals, or limited service, like a Marriott at the airport. Mayor Spalding noted the hotels on the east side of State Route 62 did not have full restaurants. He was expecting another hotel of that nature, with combined retail around it.

Ms. Blessing referred to an adjacent property further north owned by a woman with the first name of "Corinne." That property was for sale. Ms. Blessing asked if anyone had spoken to Corinne about selling the property. Mayor Spalding stated that he didn't know the answer to Ms. Blessing's question.

Ms. Blessing urged council to do the right thing, this was a big deal. She stated she spoke with the City of New Albany four years ago and was told there would be no rezoning of these properties. Where her mother lived, it was all residential from Walton Parkway to Central College Road. Last year, Ms. Blessing spoke with them and asked if there was a possibility of having it rezoned and was told yes. Things were changing. It was going to be commercial, all of it, eventually. She just wished they had notified her and her brother and let them know what they were dealing with. Mayor Spalding asked if she wanted to be added to the staff's list to be notified. Ms. Blessing indicated that she did. Council Member Brisk asked and Ms. Blessing replied that she was not notified about the Planning Commission meeting about this topic. Ms. Blessing stated she only received the letter about this meeting.

Council Member Brisk asked and Mr. Rubey answered that two weeks was sufficient to put together more information for council. Council Member Brisk expressed interested in seeing the information ahead of the



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council meeting. Mr. Underhill suggested setting the ordinance back on for two meetings out and Council Member Brisk thought that would be good for everyone.

Council Member Briscoe moved to reconsider her motion to table Ordinance O-09-2019. Council Member Brisk seconded and council voted with seven yes votes to reconsider Council Member Briscoe's motion to table the ordinance.

Council Member Briscoe moved to table Ordinance O-09-2019 to the second regular council meeting after the present meeting. Council Member Brisk seconded and council voted with seven yes votes to table Ordinance O-09-2019 for two meetings out. Mayor Spalding clarified that would be the first meeting in May.

### **ORDINANCE O-10-2019**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A 0.133 ACRE OPEN SPACE EASEMENT AT 200 MAIN STREET AS REQUESTED BY THE NEW ALBANY COMPANY LLC.

Community Development Director Jennifer Chrysler described the location of the parcel. The easement was 0.133 acres and covered a portion of the property that had been approved for landscaping and benches for a passive park. The greenspace would be dedicated to the city and remain an easement in perpetuity. The land would be maintained by the home owners' association (HOA) of the project. Tom Rubey, Development Director for The New Albany Company, was present to answer any questions.

Council Member Briscoe asked if the city had set up any guidelines for what was expected maintenance. Director Chrysler replied that staff was actively working on two sections of policies. One section was related to parks that were maintained in perpetuity, for 20 years then turned over to the city, and the means by which the city would need to budget to maintain parks once they became the city's responsibility. The other section related to maintenance of trails. Director Chrysler hoped to have documents for council to review at the Annual Retreat and Capital Projects Workshop.

Council Member Briscoe stated that the city would want parks turned over to it in good condition. Council Member Briscoe asked if there was a mechanism to make sure parks that remained the responsibility of the HOA in perpetuity were well maintained. Director Chrysler answered that the city could use code enforcement and zoning code violation language to require HOAs to keep parks maintained. Council Member Briscoe asked and Law Director Mitch Banchefsky replied that, after a code violation was proven in court, the city could get paid by the HOA for the expense of taking care of a park as a remedy.

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

Council Member Kist moved to adopt the ordinance. Mayor Spalding seconded and council voted with seven yes votes to approve Ordinance O-10-2019.



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### **INTRODUCTION AND FIRST READING OF ORDINANCES**

#### **ORDINANCE O-11-2019**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A CONSERVATION EASEMENT OF 2.323 ACRES, AS REQUESTED BY MBJ HOLDINGS LLC.

Engineer Mike Barker stated this ordinance authorized the acceptance of a 2.323 acre conservation easement. He described the location, which was where a substation would be built to support continued growth of the business campus. There was a golf course pond at the location. It was an aesthetic pond and had no stormwater management purpose. It was connected to a stream, also known as a jurisdictional waterway, which was protected by the Army Corps of Engineers. In order to repurpose the pond for stormwater management, a nationwide permit was approved Army Corps of Engineers to realign the ditch around the pond so that the pond would no longer be fed by the existing stream. Developers could then re-form the pond to be used as a stormwater management basin.

This legislation put a conservation easement in place over the newly created ditched alignment. The easement was required for the permitting process to ensure that the new ditch and stream course were encumbered by an easement granted to a public entity and adding impact restrictions.

City Manager Joseph Stefanov told council that the city had done these before. The city had local control of the easement, but no financial or legal responsibilities. If someone were to detrimentally impact the stream, the prosecution and restoration would be handled by the Environmental Protection Agency (EPA), and the city could choose to oversee.

Council Member Briscoe asked and Engineer Barker answered that the pond was originally man-made as a golf course amenity. Mayor Spalding recalled and Engineer Barker confirmed that the connection from the stream to the pond was also artificially created.

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

### **READING AND PUBLIC HEARING OF RESOLUTIONS**

#### **RESOLUTION R-17-2019**

Mayor Spalding read by title A RESOLUTION TO APPROVE THE FINAL PLAT FOR THE INNOVATION CAMPUS WAY WEST IMPROVEMENT PROJECT, AS REQUESTED BY THE CITY OF NEW ALBANY.

Engineer Mike Barker described the location of the road extension. The project consisted of approximately 3,000 linear feet of roadway extending west from the existing Innovation Campus Way and terminating at a cul-de-sac. The extension would provide an additional access point to the Abercrombie & Fitch campus, giving another path of circulation for traffic and helping to relieve congestion. This legislation accepted the right-of-way which came with a public roadway.





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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 Durik seconded and council voted with seven yes votes to approve Resolution R-17-2019.

### **RESOLUTION R-18-2019**

Mayor Spalding read by title A RESOLUTION TO APPROVE THE FINAL PLAT FOR 43 AGE RESTRICTED SINGLE FAMILY LOTS ON 9.94 +/- ACRES FOR PHASE 2 OF THE "NOTTINGHAM TRACE" SUBDIVISION GENERALLY LOCATED WEST OF STATE ROUTE 605, EAST AND WEST OF SCHLEPPI ROAD, AND SOUTH OF WALNUT STREET, AS REQUESTED BY PULTE HOMES.

Community Development Director Jennifer Chrysler stated this resolution would approve the final plat for 43 homes on 9.94 acres as part of Phase 2 of the Nottingham Trace subdivision. She described the location. Nottingham Trace was zoned as age-restricted, with 80% of the homes required to have at least one occupant aged 55 or older. Phase 1 included 57 homes. The applicant had submitted the age-restricted deed language and declaration that would be recorded concurrently with this plat. Planning Commission recommended approval at their March 18, 2019 meeting.

Mayor Spalding solicited further questions from council. Hearing none, 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 Kist seconded and council voted with seven yes votes to approve Resolution R-18-2019.

### **RESOLUTION R-19-2019**

Mayor Spalding read by title A RESOLUTION TO APPROVE THE FINAL PLAT FOR 35 AGE RESTRICTED SINGLE FAMILY LOTS ON 9.56 +/- ACRES AND ACCEPT RESERVE "F" FOR PHASE 3 OF THE "NOTTINGHAM TRACE" SUBDIVISION GENERALLY LOCATED WEST OF STATE ROUTE 605, EAST AND WEST OF SCHLEPPI ROAD, AND SOUTH OF WALNUT STREET, AS REQUESTED BY PULTE HOMES.

Community Development Director Jennifer Chrysler stated this legislation was similar to R-19-2019 but was for Phase 3, including 35 homes in the age-restricted Nottingham Trace subdivision. She described the location. Reserve area F, equaling 2.629 acres of open space, would be owned by the city but maintained by the Home Owners Association (HOA) in perpetuity. Planning Commission recommended approval at their March 18, 2019 meeting.

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



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Council Member Briscoe moved to adopt the resolution. Council Member Brisk seconded and council voted with seven yes votes to approve Resolution R-19-2019.

### **RESOLUTION R-20-2019**

Mayor Spalding read by title A RESOLUTION TO APPROVE THE FINAL PLAT FOR 19 AGE RESTRICTED SINGLE FAMILY LOTS ON 4.95 +/- ACRES AND ACCEPT RESERVE "G" FOR PHASE 4 OF THE "NOTTINGHAM TRACE" SUBDIVISION GENERALLY LOCATED WEST OF STATE ROUTE 605, EAST AND WEST OF SCHLEPPI ROAD, AND SOUTH OF WALNUT STREET, AS REQUESTED BY PULTE HOMES.

Community Development Director Jennifer Chrysler told council that, like R-18-2019 and R-19-2019, this legislation was for the age-restricted Nottingham Trace subdivision. This was for Phase 4. This plat created three new public roads: Winterbreak Avenue North, Linden Lane, and Parkside Drive. This plat was for 19 homes on 4.95 acres and also created Reserve G, a 2.06 acre open space, which would be owned by city but maintained in perpetuity by the Home Owner's Association. The Planning Commission recommended approval of the plat on March 18, 2019.

Mayor Spalding asked and Director Chrysler confirmed that a street in the subdivision connected to a nearby neighborhood and was not a stub.

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-20-2019.

### **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: Council Member Shull reminded council that it had delayed considering the application by Thanks For Giving Four Miler to gather further information. The Ohio Ethics



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Commission (OEC) had responded to the city's request for a review and informal opinion. Law Director Mitch Banchevsky told council that there was statutory exception which allowed a public figure to have an interest in a public contract. Council Member Kist would need to abstain from any discussion, public or in executive session, and from voting regarding the Thanks For Giving Four Miler application. If Council Member Kist followed the regulations for the statutory exception, council could move forward with the Thanks For Giving grant application.

Council Member Shull moved to approve a grant in an amount not to exceed \$5,000 in city costs and services for the Thanks For Giving Four Miler. Council Member Briscoe seconded and council voted with six yes votes and one abstention (Kist) to approve a grant in an amount not to exceed \$5,000 in city costs and services for the Thanks For Giving Four Miler.

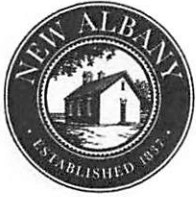
### **REPORTS OF REPRESENTATIVES:**

- A. Council Representative to MORPC: No meeting.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that there were 32 people in attendance at the Joint Parks District meeting (JPD). The main agenda item was a presentation by Kelly Sneed of FC614, a local travel soccer group. The Crew had withdrawn their contract with Thompson Park. Ms. Sneed made a case for the FC614 club team to utilize the JPD fields. Ms. Sneed mentioned that 99 out of 123 people in their club were New Albany residents. The JPD took the matter under advisement.

Council Member Shull told council that there was a new JPD parking lot out by the New Albany Public Service Department which served the fields on the other side of the road. There were two incidences where kids were crossing and moving cars were close. Council Member Shull suggested considering crosswalks to more clearly delineate crossings. City Manager Joseph Stefanov told council that the city did its annual pavement striping during the summer months. The city could reach out to the JPD and coordinate pedestrian markings. Council Member Shull noted that the new parking area was appreciated, and now perhaps more safety measures were needed. Council and staff discussed where a striped crossing could be located. City Manager Stefanov asked if a trail or path was planned from the lot to the fields. Council Member Shull answered that no plans had been mentioned.

Council Member Shull reported that this was the JPD's 20<sup>th</sup> year in operation. The JPD had scheduled games, activities, and movies in three locations: May 31<sup>st</sup> – The Links, the New Albany Police would also be handing out hotdogs, June 21<sup>st</sup> – Hampsted, and July 26<sup>th</sup> – Thompson Park.

Council Member Shull told council that the JPD would be working with the city manager on an ordinance for smoke-free, tobacco-free parks.



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The JPD was working with AEP regarding lines at their parking lot and also regarding a potential AEP grant.

- C. Council Representative to New Albany Plain Local Schools: No meeting.
- D. Council Representative to Plain Township: Council Member Durik reported the township was working on a multi-year pool contract with Columbus Pool Management. Prior contracts had been 1 year long. The township indicated that, currently, pool memberships were considerably higher than 2018. The township discussed Jorgensen farms and fire code compliance issues at the old barn. Jorgensen was working closely with the township to rectify the situation.

Council Member Durik reported that the township had purchased the new ladder truck for \$1.28 million and fire staff was going through training. The 20 year-old ladder truck was being traded in. Council Member Durik passed around renderings of the new truck showing the black and red paint scheme.

Mary Lightbody, District 19 Representative, Ohio House of Representatives, 4948 E. Walnut St., Westerville, Ohio, asked and Council Member Durik answered that the fire truck was slated to be delivered a week after the Plain Township Trustees meeting. It was likely that the old truck would not be turned in until training on the new, more technically advanced truck, was completed. Ms. Lightbody understood there was often a ceremony where a new fire truck was pushed into the firehouse garage. She was interested in coming to help do the pushing. Some council members also expressed interest in a pushing event. Council Member Durik stated he would follow up.

### REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported the groundbreaking ceremony for Canine Companions was April 3<sup>rd</sup> and he encouraged attendance. He mentioned that the company had recently received good press in the Dispatch. Their building was a \$21 million project through Ruscilli Construction. Mayor Spalding noted that Canine Companions had already been active in the New Albany community for several years.
- B. Clerk of Council: Clerk of Council Mason reported that the Mayor's Court payout for January 2019 was \$9,070.40. She also reminded council members to file their Ohio Ethics Commission Disclosure forms which were due by May 15<sup>th</sup>.
- C. Finance Director: Finance Director Bethany Staats reported that the city's subpoena program, run through the Regional Income Tax Authority (RITA), had been completed. The total liability was calculated to be around \$400,000 including penalties and interest. The program collected around \$170,000. The city paid \$9,000 to RITA to administer the program.





## NEW ALBANY CITY COUNCIL MEETING MINUTES

April 2, 2019

- D. City Manager: City Manager Joseph Stefanov reported that the city had acquired the easement in front of the Prairie House. The city would be designing and constructing the leisure trail later in 2019. Mayor Spalding asked and City Manager Stefanov answered that the cost was around \$30,000. Mayor Spalding thanked staff for working for several years to close the connectivity gap to the Village Center.
- E. City Attorney: Law Director Banchefsky reported that a full copy of the proposed charter had to be mailed out to each elector not less than 30 days prior to the election. The charter would also need to be published two times in a newspaper of general circulation at least 15 days prior to the election. Mayor Spalding asked and Law Director Banchefsky answered that a cover letter was not required, but was provided. City Manager Stefanov asked and Law Director Banchefsky replied that the requirements could be modified by ordinance. City Manager Stefanov offered that other methods could be used to communicate with the public about the charter. Council Member Kist mentioned the city's website. Law Director Banchefsky stated he would look into that.

### **POLL FOR PUBLIC COMMENT:**

NONE.

### **POLL FOR COUNCIL COMMENT:**

NONE.

### **EXECUTIVE SESSION:**

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22 (G)(1) to consider appointment, employment, promotion or compensation, discipline, demotion or dismissal of a public employee or official, reserving the right to take action afterwards. Council Member Shull seconded and council voted with seven yes votes to go into executive session at 7:55 p.m.

Council Member Fellows moved that council come out of executive session and resume the regular meeting. Council Member Briscoe seconded and council voted with seven yes votes come out of executive session and resume the regular meeting. Council resumed the regular meeting at 8:16 p.m.

### **OTHER BUSINESS:**

Council Member Fellows moved to provide the Clerk of Council with a step pay increase from Step 4 to Step 5. Council Member Brisk seconded and council voted with seven yes votes to move the Clerk of Council from Step 4 to Step 5.

### **ADJOURNMENT:**

With no further comments and all scheduled matters attended to, Council Member Briscoe moved and Council Member Fellows seconded to adjourn the April 2, 2019 Regular Council meeting at 8:17 pm.



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April 2, 2019

ATTEST:

Jennifer H. Mason, Clerk of Council

Sloan Spalding, Mayor

4/16/19

Date