NEW ALBANY CITY COUNCIL
MEETING MINUTES

June 18, 2019

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of June 18, 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, Administrative Services Director Adrienne Joly, Police Sergeant Joel Strahler, City Engineer Ed Ferris, Engineer Mike Barker, Community Development Director Jennifer Chrysler, Public Service Director Mark Nemec, Development Services Manager Stephen Mayer, 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 June 4, 2019 regular meeting minutes and if they had any additions or corrections. Hearing none, Mayor Spalding moved to adopt the June 4, 2019 regular meeting minutes. Council Member Durik seconded and council voted with six yes votes and one abstention (Shull) to approve the meeting minutes. Minutes were adopted.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Clerk Mason requested to amend the agenda strike the Executive Session, as it was no longer needed, and to move the corrections to Ordinance O-12-2019 and O-15-2019 up from Other Business and place them after Correspondence but before Second Reading of Ordinances. Mayor Spalding moved to amend the agenda as proposed by Clerk Mason. Council Member Briscoe seconded and council voted with seven yes votes to amend the agenda.

HEARING OF VISITORS:

Kora Dumpert, 7585 N. Goodrich Square, a senior at New Albany High School, asked council to support a single use plastics ban. Her senior seminar project was to research the effects of single use plastics on the environment. According to The Guardian, 8.3 billion metric tons of plastic had been produced since plastic was introduced in the 1950s. Production of plastics and plastic bags contributed to greenhouse gas emissions and chemical pollution. Plastic could take over 1,000 years to break down and could break down into microplastics which were knows to contaminate the environment. Plastic contributed to the deaths of tens of thousands of marine animals each year.

Studies showed that plastics were detrimental to human health and the environment. The City of Bexley and City of Cuyahoga had moved to ban all single use plastics and plastic bags. Ms. Dumpert suggested that New Albany City Council propose a similar ban to improve the community and set an example nationwide.

Mayor Spalding knew that Mayor Kessler in Bexley was passionate about this subject and noted that the State of Ohio was considering legislation that would preempt "Home Rule" of communities around Ohio to prevent them from adopting similar legislation to Bexley and Cuyahoga. New Albany generally opposed the General Assembly's attempt to remove Home Rule from municipalities. If New Albany did pass a plastic bag ban, the impact would be minimal because only a few retail and commercial establishments used plastic bags in New Albany. Kroger and Wendy's, for example, were located in the City of Columbus. He appreciated Ms. Dumpert's goal and committed to working with City Manager Joseph Stefanov and the Central Ohio Mayors and Managers Association to see what other communities were doing to follow this lead and keep an eye on state legislation. Ms. Dumpert volunteered to help out.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Law Director Mitch Banchefsky reported that the PC approved an application for a 1.6 acre rezoning on Morse Road from Agricultural to Limited General Employment.

The PC heard a conditional use application for a 130 foot cellular tower to be located on the property owned by Temple Beth Shalom. There was a large turnout of residents who spoke against the project for aesthetic and health-related reasons. After much discussion, that application was tabled because the PC wanted to have the radio frequency engineer present to demonstrate the need for a tower at that site. The same project was going before the Board of Zoning Appeals for a variance the following week because city code required a 200 foot setback from any residentially zoned property. The application requested a variance to reduce the setback to 40 feet.

The PC heard a request to revise the PUD zoning text to accommodate a narrow driveway when there was a three-car garage. The PC approved to allow a slightly wider driveway in the zoning text for all homes. The PC also reviewed recommendations to council for updates to Codified Ordinance 1165 General Development Standards. That item was tabled, but would ultimately come to council.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: Council Member Shull reported that the ARB met briefly to consider and approve two certificates of appropriateness for wall signs at 29 S. High Street. One application was for the Ohio Honor Project and the other was for VeloScience Bike Works.

BOARD OF ZONING APPEALS: No meeting.

BOARD OF CONSTRUCTION APPEALS: No meeting.

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ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CHARTER REVIEW COMMISSION: No meeting.

CEMETERY RESTORATION ADVISORY BOARD: Clerk Mason reported that the CRAB further discussed signage and would be receiving more information from Director Nemec. They also discussed what documents and pictures should go into the New Albany Cemetery's web page. They planned to meet again in August, unless it turned out the deadline to apply for a historical sign was sooner.

CORRESPONDENCE AND COMMUNICATION:

Mayor Spalding reported conversing by phone with Tim Timmons, 55 Johnstown Road, regarding the proposed cell tower which could be located close to his home. Mr. Timmons' wife had attended the Planning Commission meeting and gave testimony. Mr. Timmons wanted to make it clear that he was extremely opposed to the proposed cell tower.

CORRECTIONS TO ORDINANCES

Clerk's note: this item was added under ADDITIONS OR CORRECTIONS TO THE AGENDA.

Clerk of Council Jennifer Mason told council that the corrections staff was requesting were minor and not substantive. The error in 0-12-2019 was a typo in the cover legislation showing 484.4 acres, however the map and legal descriptions adopted by council were accurate in reflecting 484.8 acres. The error in O-15-2019 resulted from having an out-of-date exhibit for a sanitary easement. The older exhibit showed a 0.330 acre easement, instead of the updated 0.020 acres, which led to accepting a larger easement in the cover legislation. Since both ordinances would ultimately be recorded in Franklin or Licking County, Clerk Mason and Law Director Mitch Banchefsky preferred there to be a record of council's approval of these corrections.

Council Member Briscoe moved to correct Ordinance O-12-2019 to conform the written text of the ordinance to the exhibits. Council Member Durik seconded and council voted with seven yes votes to correct Ordinance O-12-2019 to conform to the 484.8 acres indicated in the exhibits.

Mayor Spalding moved to correct Ordinance O-15-2019 as proposed by Clerk Mason. Council Member Shull seconded and council voted with seven yes votes to correct the legislation and exhibits to reflect a 0.020 acre sanitary sewer easement.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-16-2019

Mayor Spalding read by title AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO THE 2010 NEW ALBANY REVISED CHARTER ON NOVEMBER 5, 2019.

Law Director Banchefsky introduced the Charter Review Commission members present: Chair Andy Cooke, Secretary Deb Lowery, and Members Johnna Evans and Bill Carleton.

After the first reading of the ordinance, Law Director Banchefsky reached out to the Licking County Board of Elections who told him that they would work with whatever format Franklin County required. Law Director Banchefsky stated that, when a municipality was located in two counties, the one which held the largest percentage of the population controlled. There was a suggested modification to Section 4 of New Albany's ordinance. That revision referenced each section by title and item number, and was now before council.

Council Member Fellows asked and Law Director Banchefsky confirmed that Section 4 of the ordinance would be on the ballot. If passed, the ordinance became effective immediately. There was plenty of time to file the paperwork and place this on the ballot in November. Franklin County would then send the ballot issue to the Ohio Secretary of State for final approval of the language to make sure it was a fair and accurate representation. Law Director Banchefsky expected poll workers would make the posted, full version of the charter available at their polling location.

Law Director Banchefsky confirmed that the ordinance would be advertised twice, and every elector would receive a copy. Clerk Mason observed that the mailing could result in a household receiving several copies. Council Member Brisk asked and Law Director Banchefsky answered that the mailing had to happen after the filing deadline and well ahead of the election. The advertisement would run for two weeks. Council Member Shull suggested putting a blurb in the city's newsletter around the same time residents received their mailed copies. Law Director Banchefsky added that the mailer would contain an explanation of its contents.

Mayor Spalding moved to adopt the ordinance. Council Member Shull seconded and council voted with seven yes votes to approve Ordinance O-16-2019.

Mayor Spalding thanked the members of the Charter Review Commission for their time and energy. The Charter was an important document. Clerk Mason credited the CRC Members: Chair Andy Cooke, Vice Chair Patrick Weyers, Secretary Debra Lowery, Bill Carleton, Johnna Evans, Mary Fee, and Glenn Redick, and mentioned contributions by Law Director Mitch Banchefsky, herself, Council Liaison Matt Shull, and Council Member Fellows.

INTRODUCTION AND FIRST READING OF ORDINANCES

ORDINANCE O-17-2019

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 484.8 +/- ACRES OF LAND GENERALLY LOCATED NORTH OF AND ADJACENT TO JUG STREET, EAST OF AND ADJACENT TO BEECH ROAD, AND WEST OF CLOVER VALLEY ROAD FOR AN AREA TO BE KNOWN AS THE "JUG STREET NORTH ZONING DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL DISTRICT TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS LLC C/O AARON UNDERHILL, ESQ.

Development Services Manager Stephen Mayer told council that this rezoning would allow offices, data centers, research and production, and warehousing and distribution. The zoning text contained many of the same hallmarks, including architectural requirements, four-sided screening of rooftop equipment, and 75% lot coverage as surrounding commercially-zoned areas in Licking County.

This zoning started with the applicant making an informal presentation to the Planning Commission (PC). Many neighbors in the vicinity attended that meeting and posed questions. The applicant then hosted a separate meeting at an outside location to hear and address the neighbor's concerns. The applicant then added more restrictions to the zoning text.

The current text called for a 65 foot maximum building height, and up to 85 feet under certain criteria which would have be approved by the PC. The zoning text call for a 45 maximum building height in certain areas to address neighbor's concerns. There were larger, 185 foot pavement and building setbacks along Jug Street and 200 foot setbacks along Walnut Street. One of the largest restriction increases was for residential screening. When commercial zonings were next to residential properties, typically a 6 foot high mound and landscaping would be installed. For this zoning, the applicant agreed to put in a minimum of 8 foot high mounding along Jug Street and 10 foot high mounding in the height restriction zone. Additional landscaping would be put in on top of the mounds, per the text.

The property was designated as office and office/transitional in the city's Strategic Plan, and matched the land use recommendations in the Western Licking County Accord. In many cases, the zoning text exceeded the recommended development standards, therefore, staff was supporting the rezoning application. The PC formally reviewed and positively recommended the zoning to city council on May 20, 2019.

Council Member Fellows asked and Manager Mayer answered that he believed the application included shortened lighting at 18 feet, which had to be downcast. All other districts were allowed to light at 30 feet. Aaron Underhill, attorney for applicant, and Tom Rubey, Development Director for The New Albany Company, were present to answer questions.

Mr. Underhill told council that the goal with the site was to capitalize on the formula that the city and The New Albany Company had been using to attract the Facebooks and Googles of the world. This site would allow data center and all other Limited General Employment (L-GE) uses. His client was marketing the site for data center purposes, but he wanted to be clear that those weren't the only uses that could ultimately locate there. They had seen a lot of demand for larger sites. If they were successful in achieving this zoning, their intent was to find a similar development project, but the site could evolve to a mix of uses over time. Council Member Fellows asked and Mr. Underhill answered that it would be fabulous if they found one large company for the site. Given the size, the property could hold more than one business.

Mr. Underhill told council that the zoning application was filed on April 8, 2019. Understanding that there were neighborhoods next to the city, the applicant worked with city staff to post signs on the site sooner than usual, before the informal review by the PC. There was a good deal of participation by the neighbors at the informal review on May 6, 2019. Later that week, the owner followed up with some adjacent neighbors to the northeast

who couldn't make the larger meeting. All of the meetings had been good for sharing concerns cordially. Mr. Underhill complimented the neighbors for being open to the discussion. On May 13, 2019, the applicant hosted a meeting at Innovate New Albany. Mr. Underhill, Mr. Rubey, Tom Cunningham, a civil engineer from EMH&T, and Robert Milligan, an environmental scientist, were all present. There were about 30 people present and the meeting was productive. The next PC hearing was held on May 20th and the PC gave its approval.

Mr. Underhill showed PowerPoint slides comparing the proposed zoning text and standards to other commercially-zoned area in New Albany. (Attached) He described a 51 acre preservation zone on the property which would be protected in perpetuity. Through the permitting process, they would be enhancing that area by removing some invasive species, and ultimately placing new plantings. Mr. Underhill described a height restriction area on the northeast corner of the property. Some neighbors were concerned that distribution and manufacturing uses could be noisy. The applicant agreed that they would not allow those as a primary permitted use in the height restriction area. Sometimes data centers had a warehousing component, so that was allowed. There was a 45 foot maximum building height in the restricted area. Typically, 65 feet was allowed in L-GE districts. Council Member Shull asked and Mr. Underhill answered that he believed the Facebook building was close to 60 feet tall, but he would have to look that up.

Mr. Underhill understood that the neighbors were concerned about the property owner's applications to the Ohio EPA and Army Corps of Engineers for environmental permits which showed how the site could be filled up with buildings. Some neighbors were concerned about an access point which could create a conflict with one of the neighborhood streets. The applicant studied the issue and determined they would not permit vehicular access on Beech Road from a point that would be 450 feet to the south or 650 feet to the north of the centerline of Fitzwilliam Lane. Council Member Fellows asked and Mr. Underhill answered that he didn't know what the access road would look like or where it would be at this time. It would depend on the uses of the property. Much would depend on whether the property would develop as one campus or several. The owners was required to do a traffic access study as part of the first phase of development of the property. If the property developed over time, a study now could become 15-20 years old and possibly not address changing circumstances. A provision was written into the zoning text saying that assumptions made in the initial traffic study submitted with the first phase of the project would change in terms of what would happen with future phases, the owner would be required to update that study. Mr. Underhill thought that would be the mechanism that would determine what time of internal streets or private drives would be installed and what their specifications would be.

Council Member Fellows asked and Mr. Underhill answered that Beech Road improvements were likely to be driven by the traffic study results. Engineer Mike Barker said what happened with Beech Road and Jug Street would be based on what the actual development use was, the number of trips that were generated, and other data. What the city had been considering to date was basically a widening of the road to include on-street bike lanes on both sides, the standard streetscape with leisure trial, and horse fencing. As it stood, it was an unimproved roadway, so the city would maintain the ditch sections along Jug Street and Beech Road. The city had been working with the Licking County TID, which was a district Licking County formed to help make them eligible for additional funding for roadway improvement projects. There were plans to improve Jug Street between Beech Road and Mink Street. The city was partnering with the Licking County TID to phase in the construction on

Jug Street, including 11 foot lanes, 5 foot on-street bike lanes on both sides, improved drainage ditches and swales, and other storm water management improvements.

Council Member Kist asked and Mr. Underhill confirmed that the traffic study had not yet been triggered. There was such a wide array of uses and potential densities, it was better to do the study once they knew the use. He reviewed more requirements which were shown on the slides. (Attached) The preservation area consisted of over 10% of the site. Other rules applied to the setbacks, depending on where they were located. Rather than putting in mounding or replacing trees, there would be an effort to keep existing trees where they accomplished the same screening result. Different rules applied for how utilities could be installed in certain areas. The applicant had studied and made a lot of commitments that would preserve the character of the site.

Council Member Fellows asked and Mr. Underhill answered that water and sanitary sewer lines would be buried. Currently, there was an electric line going through the site, therefore, he didn't know if there would be a need for another line. There was also an existing transmission line going through. Council Member Kist asked and Mr. Rubey answered that there were category 3 wetlands and big beautiful trees in the preservation area. A preliminary analysis for stormwater management indicated that it the preservation area was the logical location to maintain a preserve. Council Member Kist asked and Mr. Rubey answered that they were doing more than just maintaining existing wetlands at the preservation area site. There would be improvements, like eliminating some of the invasive species and new plantings. They would not be removing all of the dead trees for environmental reasons.

Mr. Underhill told council that, where there was a residential property or perimeter boundary, whenever there was an improvement within 800 feet of a perimeter boundary, the text would trigger a mound. The mound would be for the span of the improvement area plus another 75 feet on each side. This text clarified how mounding would be phased in.

Council Member Shull asked and Mr. Rubey answered that water drainage was a frequent topic of discussion. This site was now within the City of New Albany and was subject to a significantly higher level of scrutiny. The owner was now responsible for surface and subsurface drainage. Drainage was of particular concern to the residents around the northeast corner of the site. To that end, they had done some soil analysis. Some residents who built their homes identified "scenes" of rock and wanted to know how that would be handled. Currently, it was necessary to determine what was out there. This was being accomplished through soil borings, for which the results were not yet back. When a development was proposed, the base information would be available to tell them what they would have to do. This area was also at the headwaters of the Blacklick Creek. The residents on the west side of Beech Road and on Jug Street were concerned about how on-site storm water would be managed. City regulations required storm water and water volume management. There was also preliminary analysis to determine the optimum placement for ponds. There were still a lot of questions to be answered, but they had done or were in the process of doing all of their homework to address these issues. Mr. Underhill added that the law required them not to make the situation on neighboring properties worse. They even hoped to make it a little better.

Mayor Spalding asked and Mr. Rubey answered that there would be leisure trails and sidewalks along all of the roads. Mayor Spalding asked and Mr. Rubey confirmed that, for the 51 acre preservation area, there would be no public access via paths. However, they were working with the Ohio EPA and Army Corps of Engineers, and it was still to be determined if it would be an amenity at some point.

Mayor Spalding set the ordinance for second reading on July 2, 2019.

Mayor Spalding noted several members of the public in attendance at this meeting. He explained that the public hearing portion would take place on July 2 and participation would be encouraged.

ORDINANCE O-18-2019
Mayor Spalding read by title AN ORDINANCE TO DECLARE THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, EXEMPT 100% OF THAT IMPROVEMENT FROM REAL PROPERTY TAXATION, REQUIRE THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, PROVIDE FOR THE DISTRIBUTION OF THE APPLICABLE PORTION OF THOSE SERVICE PAYMENTS TO THE JOHNSTOWN-MONROE LOCAL SCHOOL DISTRICT AND THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING COUNTY, ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS, SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THOSE PARCELS, AND APPROVE AND AUTHORIZE THE EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS.

Community Development Director Jennifer Chrysler explained to council that this legislation was part of the normal course of business when the city annexed and rezoned a property. The next steps were to pull the property into the Tax Increment Financing (TIF) district and a Community Reinvestment Area (CRA). The revenues that would be going to the primary school and vocational school system would not be impacted. The city also had an agreement in place with Jersey Township by which the city would reimburse the township for revenue the fire department would have received.

Mayor Spalding set the ordinance for second reading on July 2, 2019.

ORDINANCE O-19-2019
Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 1.6 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov told council that the property around the subject parcels was annexed to the city several months prior. These three parcels combined comprised 1.6 +/- acres. This was an Expedited Type I annexation, which process the city had used for many years. It combined the elements of a traditional annexation but provided for greater speed. An Annexation Agreement and Road Maintenance Agreement had already been completed. Licking County approved the annexation through their Resolution #99-82A on April 4, 2019, so the 60 day waiting period had lapsed.

Mayor Spalding set the ordinance for second reading on July 2, 2019.

ORDINANCE O-20-2019
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 1.6 +/- ACRES OF LAND GENERALLY LOCATED NORTH OF AND ADJACENT TO MORSE ROAD, EAST OF BEECH ROAD, AND WEST OF HARRISON ROAD FOR AN AREA TO BE KNOWN AS THE "BEECH ROAD SOUTH EXPANSION DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL DISTRICT TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS LLC C/O AARON UNDERHILL, ESQ.

Development Services Manager Stephen Mayer told council this addressed the 1.6 acre property in Ordinance O-19-2019. The area was being rezoned to match the surrounding zoning, which included data centers, offices, warehouse and distribution, and research and production uses. City staff had been working with Aaron Underhill, attorney for applicant, and The New Albany Company to have verbatim zoning text, which was known as the "Beech Road South Expansion District." Setbacks were 100 foot building and pavement setbacks from Morse Road. There were 6 foot mound and screening requirements, also matching the requirements on the surrounding area. There was a 65 foot maximum building height requirement. This comported with the recommendations of the city's Strategic Plan and was consistent with surrounding zoning to the west, north, and east. The Planning Commission positively recommended this zoning text on June 17, 2019.

Mayor Spalding set the ordinance for second reading on July 2, 2019.

ORDINANCE O-21-2019
Mayor Spalding read by title AN ORDINANCE TO ACCEPT A 1.941 ACRE TRACT OF LAND FROM MBJ HOLDINGS LLC FOR THE PURPOSE OF PUBLIC RIGHT OF WAY.

Engineer Mike Barker described the location of the 1.941 acre tract. It was a requirement of the annexation that the right-of-way be dedicated along Morse Road. This legislation allowed the city to accept the additional right-of-way in order to own, maintain, and improve the public roadways within this portion of the New Albany Business Park. The right-of-way and land uses were consistent with the city's 2014 Strategic Plan.

Mayor Spalding set the ordinance for second reading on July 2, 2019.

ORDINANCE O-22-2019
Mayor Spalding read by title AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR THE COURTYARDS AT NEW ALBANY, PHASE 1A, AS REQUESTED BY EPCON COMMUNITIES.

Engineer Mike Barker described the location. Upon completion, this subdivision would provide a great deal of connectivity. This legislation accepted the water, sanitary sewer, and storm sewer improvements for Courtyards at New Albany, Phase IA. Prior to the second reading of the ordinance, the developer would be required to submit the 2-year maintenance bond of $199,000, an engineering inspection fee deposit, and a 5-year settlement bond of

$44,000. This portion of the Courtyards would include 22 single family lots. With the adoption of the ordinance, the city would accept approximately 1,900 feet of residential subdivision street, 5,200 feet of water main, 3,700 feet of sanitary sewer, and 2,500 feet of storm sewer.

Council Member Briscoe asked and Engineer Barker confirmed that this was an age-restricted residential development. Jason Coffey was present to answer any questions. Engineer Barker agreed that the project was moving swiftly. The developer was being proactive about getting the infrastructure accepted in order to get their building permits moving.

Mayor Spalding set the ordinance for second reading on July 2, 2019.

ORDINANCE O-23-2019
Mayor Spalding read by title AN ORDINANCE TO ADOPT A TAX BUDGET FOR THE CITY OF NEW ALBANY, OHIO FOR FISCAL YEAR 2020.

Finance Director Bethany Staats told council that this legislation contained the tax budget that the city was required submit to Franklin County ever year. Franklin County utilized the budget to set the city's tax millage rate for property tax receipts. The attached budget was preliminary and not relied upon by the city. The budget created in the fall would contain more accurate information. This preliminary budget satisfied Franklin County's requirement. Statutorily, the city receives 1.2 mils of property tax. The city had to request the additional .74 mils. This tax budget demonstrated that the city needed the additional revenue. The General Fund numbers were very conservative.

Mayor Spalding set the ordinance for second reading at the July 2, 2019.

READING AND PUBLIC HEARING OF RESOLUTIONS

RESOLUTION R-31-2019
Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AN INFRASTRUCTURE GRANT AND LOAN FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC); TO ADVERTISE FOR BIDS, TO AWARD A CONTRACT TO THE LOWEST AND BEST BIDDER, AND TO EXECUTE ALL RELATED CONTRACTS FOR THE US62 / SR161 INTERCHANGE IMPROVEMENT PROJECT.

City Manager Joseph Stefanov reminded council that the catalyst for this project was the need to install a signal and rework the intersection at Theisen Road and State Route 62. City staff took a step back, looked at the larger area, and investigated available grants. These grants were competitive and were based solely on the points awarded for the project. City staff, in order to get the maximum number of points and improve its competitive position, emphasized the loan more than the grant. New Albany's project was the last one to be funded and there was some question a few weeks prior weather the full amount would be awarded. The city recently learned that the entire amount would be awarded for the proposed project, should council choose to accept it.

The project included improvements to the entrance and exit ramps on the west side of the State Route 161 interchange. Increasing traffic volume on the ramps had cause back-ups, so adjustments would be made. The project also included an additional lane for the exit ramp. The city hoped to relieve pressure and reduce traffic accidents on the ramps. The project would extend the landscaped median to the north and the city would be looking around Zarley Street and Thurston Hall to improve flow. There would be leisure trails, bike paths, and lane improvements.

Council Member Fellows asked and City Manager Stefanov confirmed that the median landscaping would include trees. Council Member Shull asked and City Manager Stefanov replied that the initial plan called for leisure trail and bike lanes on both sides of State Route 62. The Ohio Department of Transportation (ODOT) was pushing back about a bike lane on the west side of State Route 62 because of the potential conflicts with the highway ramps. The city shared ODOTs concerns and was working with them to come up with a safe solution. Council Member Shull asked and City Manager Stefanov answered that the leisure trails and bike paths would reach Theisen Road and Thurston Hall.

City Manager Stefanov anticipated receiving the paperwork for the grant and loan after July 1st. If council wanted to proceed, this legislation would give him the authority to sign to accept the funds. In all past similar grants, the term was typically 20 years with 0% interest. City Manager Stefanov expected this grant would offer the same or similar terms. Once the funding was in place, staff would proceed with the design which should be completed by the fourth quarter of 2019. The project could then be put out for bid with construction slated in 2020. The project could take nine to ten months to complete.

Council Member Shull stated the improvements were long overdue and supported the resolution. Mayor Spalding thanked staff for going through the process of the applications, which represented a lot of work.

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

Council Member Shull moved to adopt the resolution. Council Member Fellows seconded and council voted with seven yes votes to approve Resolution R-31-2019.

RESOLUTION R-32-2019

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ADVERTISE, AWARD BIDS, AND EXECUTE A CONTRACT FOR THE EXPANSION OF THE PUBLIC SERVICE FACILITY GARAGE.

Public Service Director Mark Nemec recalled the prior council meeting where council and staff discussed the expansion project and the reasons behind the increases costs including labor shortages, tariffs, and competition from other construction projects. Staff had reviewed the project and removed some items which didn't diminish from the main project, reducing the cost to around $1.6 million. Director Nemec reviewed the basics - that the project would add 10,000 square feet of additional storage space to put the city's equipment under cover and

extend its longevity. The project maintained the building's architectural standards. Some existing storage space would be converted into a lunch room so that training and other activities could continue in existing breakroom space. The project was ready to go up for bid, and some meetings had been scheduled which could go forward with council's approval.

Council Member Kist asked and Director Nemec confirmed that the building permit had been extended and was still good. Council Member Shull asked and Director Nemec answered that no additional blacktopping would be needed. Council Member Fellows asked and Director Nemec agreed that Public Service staff would be able to keep all of the equipment inside for at least another four to five years, but it would depend on how much more equipment would be needed to serve the city's growing infrastructure. City Manager Stefanov estimated that the expansion would serve the city for at least 15 years.

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 seven yes votes to approve Resolution R-32-2019.

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: No report.

REPORTS OF REPRESENTATIVES:

A. Council Representative to MORPC: City Manager Stefanov reminded council that the Summit on Sustainability would take place on October 11th and was open for registration. MORPC's 50th birthday event at the Columbus Clippers would be on August 7th. Eileen Lubey was handling the coordination of that event if anyone wished to attend. MORPC was accepting applications for the Insight 2050 Technical Assistance Program starting on July 1st. Staff would be looking at that program for potential opportunities. MORPC was taking project candidate suggestions for the 2020-2015 Metropolitan Transportation Plan through August 30th.

B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that Junior Cup Soccer and Lacrosse America tournament turnout was the largest they had ever seen in the history of Bevelhymer. Based on that experience, the Joint Parks Board was considering bidding out other tournaments. The coming Friday was the second Movie in the Park event at Hampstead starting at 6 pm. The Plain Township Fire Department would be there with a truck. New Albany Parks & Recreation Director David Wharton thanked the New Albany Police for their participation at the prior event where close to 200 people were in attendance.

C. Council Representative to New Albany Plain Local Schools: No report.

D. Council Representative to Plain Township: Council Member Durik reported that the new ladder truck would be dedicated on June 19th at 8:30 a.m. for those who wished to attend and push it in the garage. In May, the Fire Department hit a new record of 257 runs and the department continued to receive more calls for runs, many to First & Main, and more were expected as additional facilities were built. Additional volume was also due to commercial development. The township was discussing the need for another emergency vehicle, however, they did not currently have a bay in the building to store it. The Fire Department sent a team to Dayton to assist in the recovery efforts after the tornado damage. They also participated in a rescue from a water tower in Johnstown.

   Council Member Durik further reported that there was a question regarding the Plain Township's annual contribution to the McCoy Center. The township typically made its contribution in December. The McCoy's fiscal year ended at the beginning of July, therefore the McCoy showed a receivable from the township, but that amount was generally received in December. The township had collected $125,000 less than anticipated from property taxes and was investigating the reason.

REPORTS OF CITY OFFICIALS:

A. Mayor: Mayor Spalding reported that he had returned from a family vacation and was catching up on business.

B. Clerk of Council: Clerk of Council Mason discussed July 4th parade attendance and times with council. She confirmed that council had no objections to her splitting her work time between council and the company she would performing with. The parade theme was, "The Eagle Has Landed." She polled council for the attendance at Taste of New Albany and asked whether any council members or their guests wanted to coordinate table decorating. Council Member Shull asked and Clerk Mason confirmed that she could use more volunteers to hand out candy at the July 4th parade.

C. Finance Director: No report.

D. City Manager: City Manager Joseph Stefanov reported being approached by New Albany Schools Superintendent Michael Sawyers regarding the Middle School pick up/drop off loop based on their experiences with the temporary close. They wanted to eliminate some of the parking and narrow the drive lane to make it safer. City Manager Stefanov understood the plan was to make the loop an emergency and limited access point. To save money, Superintendent Sawyers asked if the city would be willing to consider a change order to its contract with Messer Construction to do the work. The schools would reimburse the city for the costs associated with the improvements.

Messer Construction was willing to take on the change order and would get the work done in the school's time frame. City Manager Stefanov and Engineer Barker recalled that the change order would be for $260,000. There would be some miscellaneous costs for design and inspection. The school board had already authorized the superintendent to reimburse the city.

Council Member Kist asked and City Manager Stefanov answered that Messer Construction represented that they could do the school's project and still open up Dublin-Granville Road on the city's schedule. Engineer Mike Barker described how the two projects differed and agreed that re-opening the road was a top priority. Mayor Spalding asked and Director Joly agreed to schedule an on-site visit to the Rose Run construction site. Director Joly was hoping to have an observation area for Rose Run set up during Taste of New Albany.

Mayor Spalding moved to authorize the city manager to execute a change order with Messer Construction for the construction of improvements to the middle school loop road on behalf of the New Albany Plain Local School District, and to authorize the city manager to enter into any agreement or contract with the school district for reimbursement of the cost associated with those improvements. Council Member Fellows seconded and council voted with seven yes votes to approve the motion.

E. City Attorney: Law Director Mitch Banchefsky referred back to Council Member Brisk's question earlier in the meeting. The charter revisions would need to be mailed to each elector 30 days prior to the election. The publication could be 15 days prior to the election.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

Council Member Fellows asked if city staff had made progress on the Harlem leisure trail project. City Manager Stefanov answered that there had been no changes since the last meeting and he planned to bring something back to council at the second meeting in July. He was working on cost estimate updates and tweaking concept plans. Council Member Fellows asked and City Manager Stefanov replied that the delay should not push the matter out beyond the Prairie House leisure trail construction. Community Development Director Jennifer Chrysler asked and City Manager Stefanov answered that there would be a Main Street utility burial resolution at the July 2nd council meeting.

Council Member Fellows reported that some council members had been working with the New Albany Community Events Board (CEB) who was very open to organizing an Oktoberfest. The city had funds available for the event and the CEB was seeking out a sponsor. Council Member Fellows wanted to discuss the possibility of funding the event. The CEB had a target date and had a preliminary location on Market Street between Ackerly Farms and the CVS entrance. There was a high school football game that Friday night and an OSU away game that Saturday. There were plans for a large screen to show the OSU game. Council Member Brisk asked and Council Members Fellows and Shull answered it would take place September 27th and 28th. It would be a two night event. This would be the CEB's third large event for the year. Council Member Fellows hoped it would grow over the years. He envisioned council providing the funding for the first few years to get it going, then, as more sponsors supported the event, the city could back off.

Council Member Brisk asked and Council Member Kist answered that the New Albany Walking Classic was earlier in September.

Council Member Fellows asked council to start thinking about whether they wanted the event and would allocate the available funds for it. He thought it would be a great amenity for residents. Mayor Spalding suggested putting a flyer for the event in the Walking Classic participant bags. Mayor Spalding said there were community members who were good friends with the owners of the new Olentangy Brewery. The CEB was trying to create a connection for the Oktoberfest event. Mayor Spalding noted that Gahanna had turned their similar event into a major fundraiser for their Parks Department. It took about five years for Gahanna's event to reach that stage.

Council Member Brisk asked and Council Member Fellows answered that Oktoberfest would start Friday evening, and then pick up again Saturday afternoon and go into the evening. Council Member Shull mentioned the potential for bands to play at the event. Council Member Fellows stated that they would be looking for about $30,000-$35,000 to fund the event, which money was in the budget.

OTHER BUSINESS:

Appointments to Boards and Commissions

Council Member Fellows moved to appoint Council Member Mike Durik to the New Albany East Community Authority as the local government representative for the term 5/18/19 to 5/17/2021. CMB seconded and council voted with seven yes votes to appoint Council Member Durik to the NAECA for the specified term.

Council Member Fellows moved to appoint Thomas Shockey as a voting member to the Cemetery Restoration Advisory Board completing the term expiring 12/31/2020. Council Member Kist seconded and council voted with seven yes votes to appoint Thomas Shockey as a voting member to the CRAB for the specified term.

Mayor Spalding stated that the mayor had the authority to appoint members to the Rockyforck Blacklick Accord when terms were unexpired. He appoint Kyle Sellers to the RFBA to complete the unexpired term ending 6/30/2021.

City Manager Joseph Stefanov, based on his letter of interest and qualifications, he appointed Paul Fullerman to the Income Tax Board of Review for the term 1/1/2019 to 12/31/2020.

ADJOURNMENT:
With no further comments and all scheduled matters attended to, Council Member Briscoe moved and Council Member Fellows seconded to adjourn the June 18, 2019 Regular Council meeting at 8:19 pm.

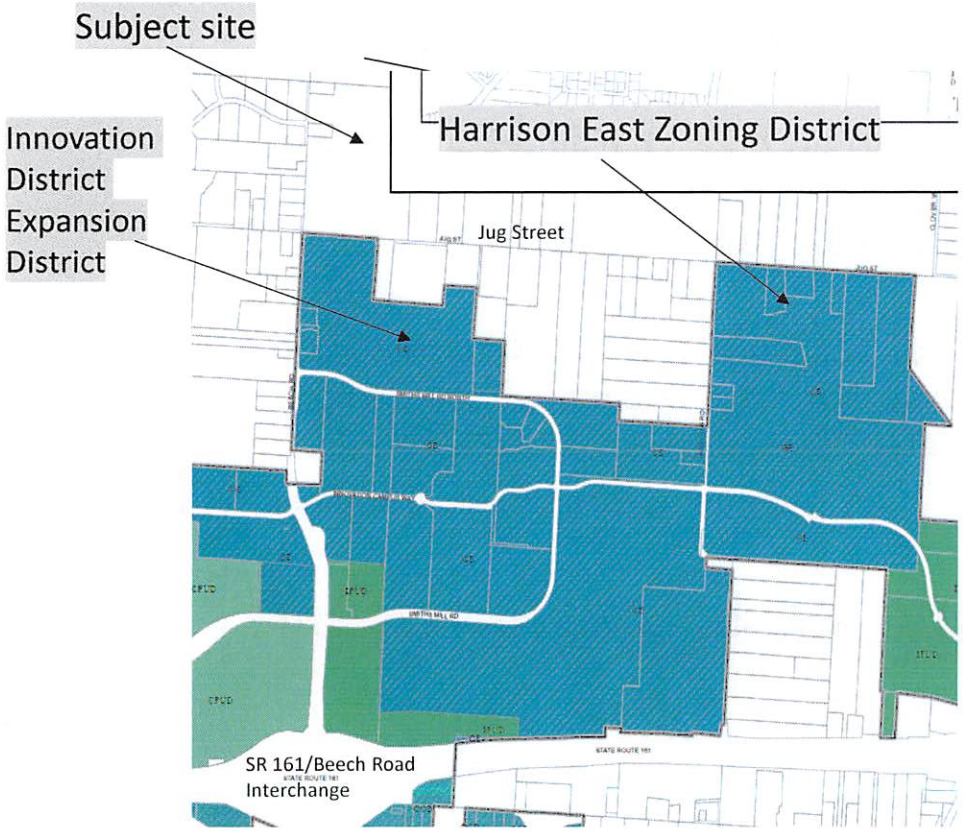
ATTEST:

Jennifer H. Mason, Clerk of Council | Sloan Spalding, Mayor | 7/2/19 Date

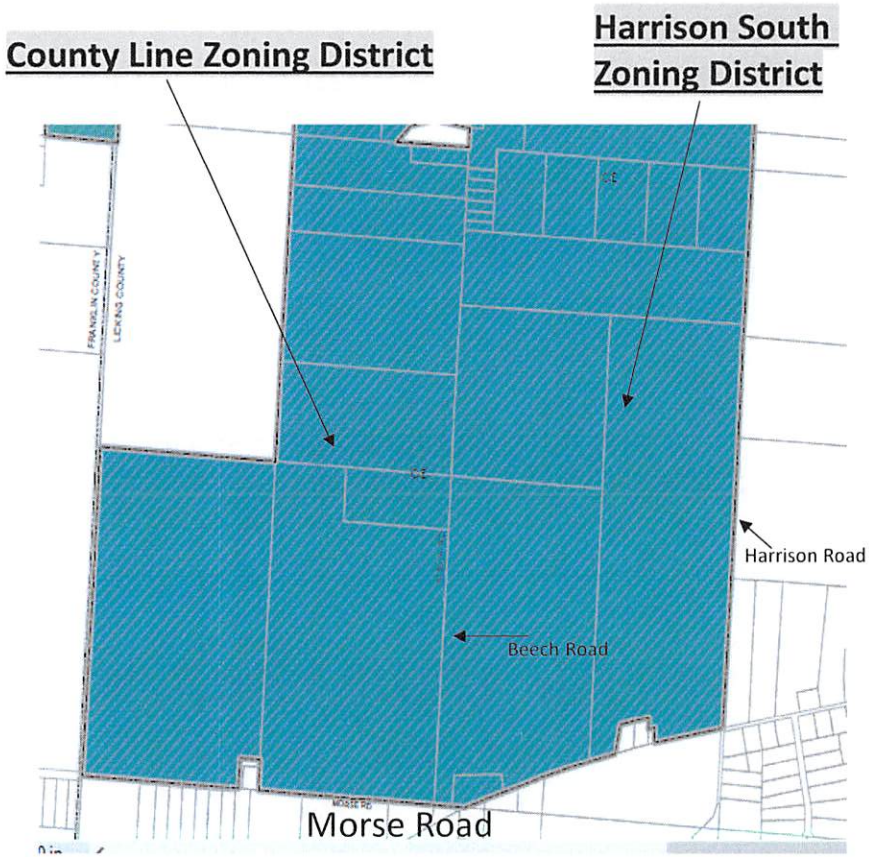
Jug Street North Zoning District – Public Engagement

- Filed zoning application on April 18th
- Zoning signs posted on property in advance of informal review (typically posting occurs prior to formal hearing)
- Informal review by Planning Commission on May 6th
- In-person meeting with adjacent residential property owners to northeast on May 9th
- In-person presentation and meeting with all neighbors at Innovate New Albany on May 13th
- Planning Commission formal hearing on May 20th

Recent Zonings – North of SR 161



Recent Zonings – South of SR 161



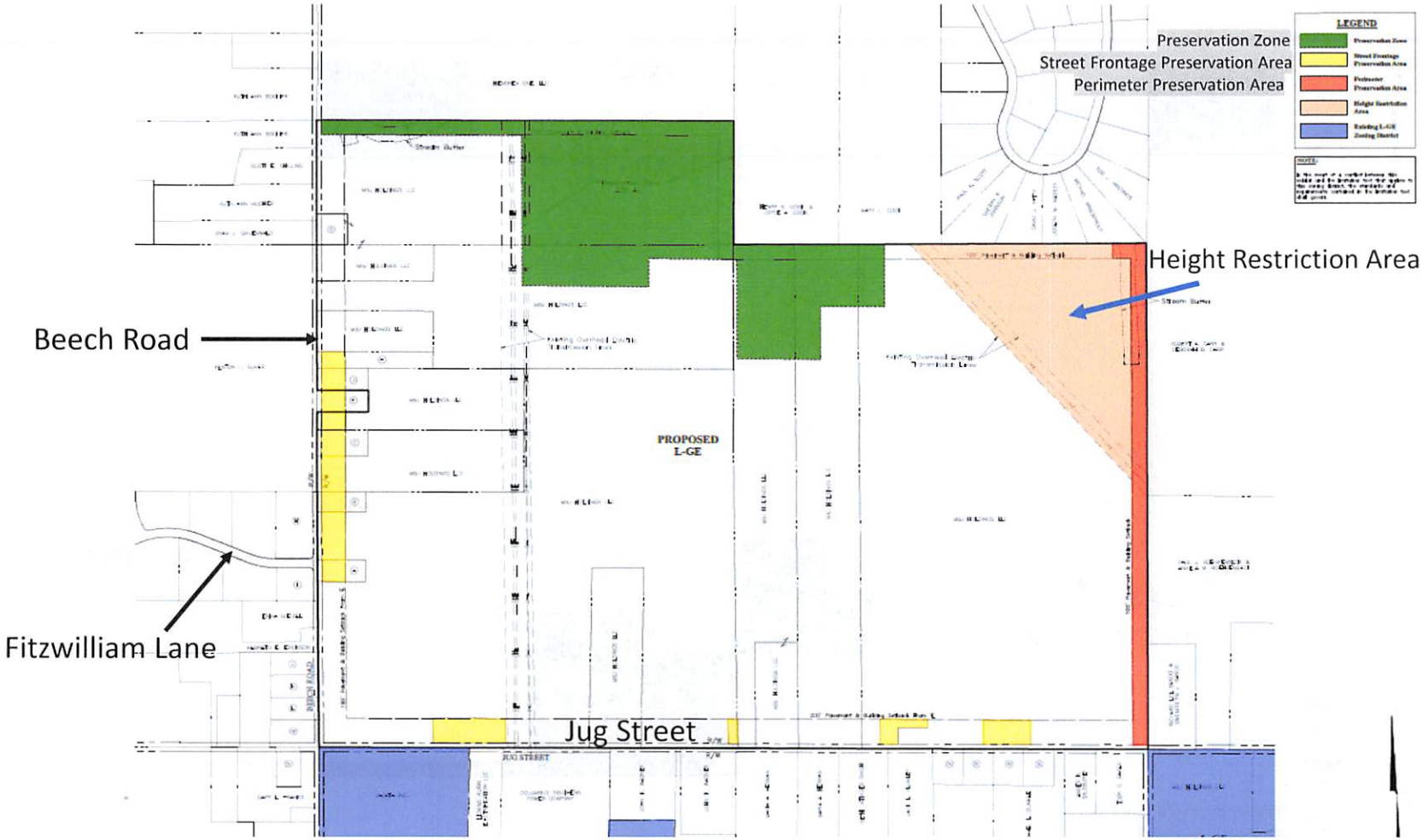
Zoning District Comparison

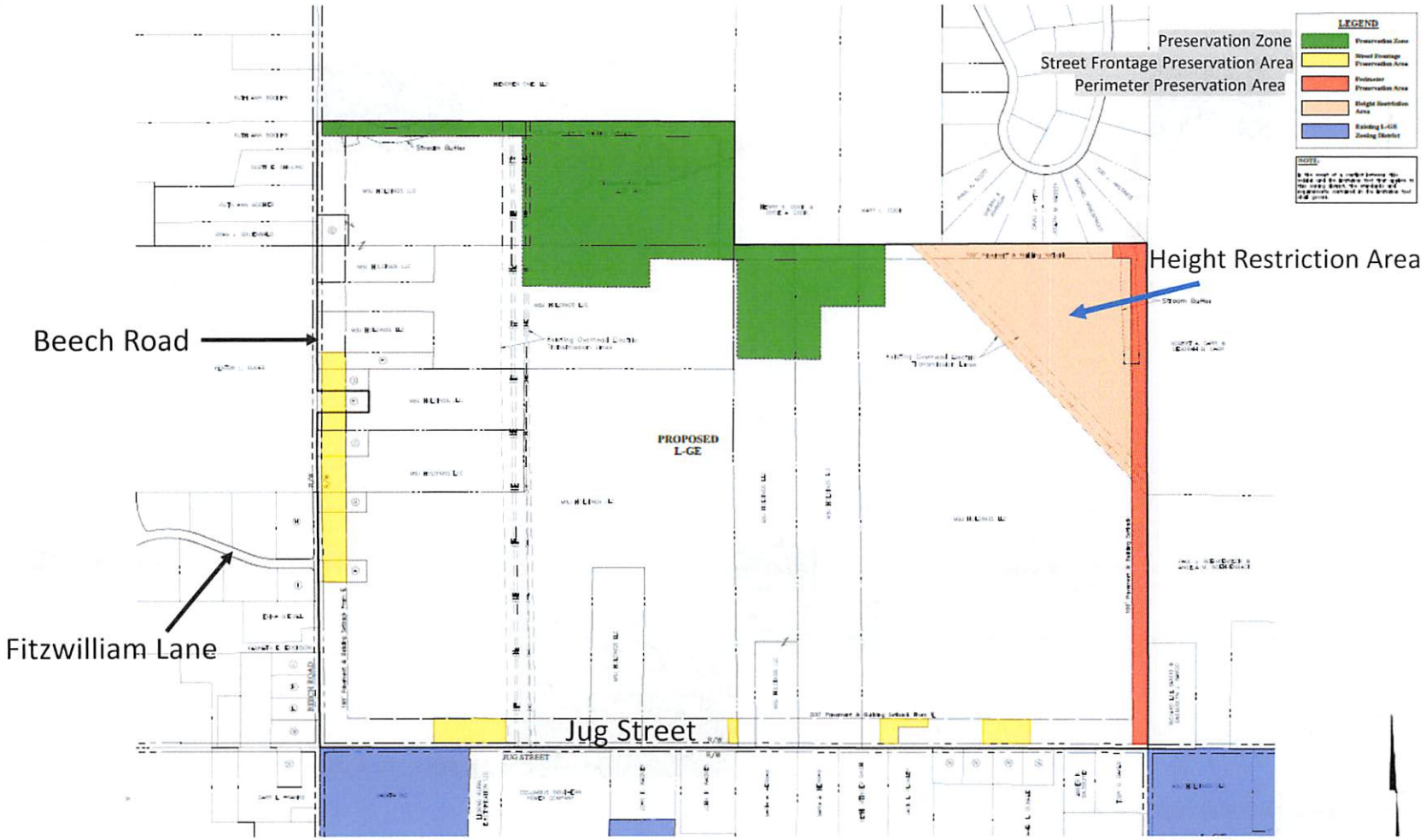
Zoning District	Location	Uses	Setbacks from Beech Road	Setbacks from Jug Street	Setbacks from Residential	Setbacks from Non-Residential	Residential Screening Requirements	Max. Lot Coverage	Preservation Area*
Innovation District Expansion	101.7+/- acres SE of Beech Road/Jug Street intersection	L-GE	50 feet from ROW for P and B	50 from ROW for P and B	50 feet for P and B	25 feet for P and B	None	75%	0.29 acres 2.52 acres 2.81 acres total
Harrison East	177.8+/- acres SE of Jug Street/ Harrison Road intersection	L-GE	N/A	50 feet for P and 100 feet for B from ROW	50 feet for P and B	25 feet for P and B	Landscaping and/or mounding 75% opacity, 10' in 5 years	75%	19.28 acres
County Line	635.4+/- acres NW of Beech Rd/Morse Rd intersection	L-GE	100 feet for P and B from ROW	N/A	50 feet for P 100 feet for B	25 feet for P and B	6' high mound with plantings to 75% opacity, 10' in 5 years	75%	Just less than 30 acres
Harrison South	357.2+/- acres west of Harrison Rd b/t Worthington and Morse Roads	L-GE	N/A	N/A	50 feet for P 100 feet for B	25 feet for P and B	6' high mound with plantings to 75% opacity, 10' in 5 years	75%	None
Proposed Zoning	484.4+/- acres located to northeast of Beech Rd/Jug St intersection	L-GE	185 feet from C/L for P and B (30' ROW to C/L)	200 feet from C/L for P and B (30' ROW to C/L)	100 feet for P and B	50 feet for P and B	8' – 10' high mound with plantings to 75% opacity at a height of 14' – 16' above the mound in 5 years	75%	51.06+/- acres, plus enhancements

*Preservation area as measured outside of preserved setbacks and stream areas

Revised Commitments

Development Standard	Original	Revised
Triangle Area – Northeast Corner of Site	No use restrictions	Distribution and manufacturing uses prohibited in this area. Warehousing allowed is ancillary to another permitted use.
	65 feet maximum building height, plus additional height only if approved by Planning Commission	45-foot maximum height with no increases
Vehicular Access	No restrictions	No vehicular access points permitted on Beech Road from a point located 450 feet to south or 650 feet to north of centerline of Fitzwilliam Drive
	No restrictions on construction traffic	Commitment to include construction traffic analysis in traffic study
Traffic Analysis	Prior to first phase of development only	Prior to first phase of development and updated with future phases if assumptions in original study change
Building Height	65 feet maximum, plus additional height only if approved by Planning Commission as part of additional review and building is located: - At least 300 feet from centerlines of Beech Road and Jug Street - At least 200 feet from residential for increase of building height by up to 10 feet, and at least 250 feet from residential for increase of building height up to 20 feet	65 feet maximum, plus additional height only if approved by Planning Commission as part of additional review and building is located: - At least 300 feet from centerlines of Jug Street and at least 500 feet from centerline of Beech Road - At least 300 feet from residential for increase of building height by up to 10 feet, and at least 350 feet from residential for increase of building height up to 20 feet. Revert to 50-foot setback if adjacent owners consent or adjacent property is zoned or used commercially. 45 feet maximum in triangle area with no increases
Landscaping and Mounding	Trigger for installation requirement to be improvements being made within 500 feet of residential, with mounding to be installed with a length equal to the length of improvements	Trigger for installation requirement to be improvements being made within 800 feet of residential, with mounding to be installed with a length equal to the length of improvements, plus 75 feet on each side
	Minimum mound height of 6 feet with additional screening to total height of 10 feet within 5 years of installation to minimum of 75% opacity	Minimum mound height of 8 feet with additional screening to height of 12 feet (i.e., 20 feet total) within 5 years of installation to minimum of 75% opacity. 10-foot high mound with additional screening to 14 feet (i.e., 24 feet total) next to subdivision to northeast.


Preservation Zone
Street Frontage Preservation Area
Perimeter Preservation Area
LEGEND
Height Restriction Area
Beech Road
PROPOSED
L-GE
Fitzwilliam Lane
Jug Street


LEGEND
Preservation Zone
Street Frontage Preservation Area
Perimeter Preservation Area
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Beech Road
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Jug Street
PROPOSED
L-GE

New Text Commitments

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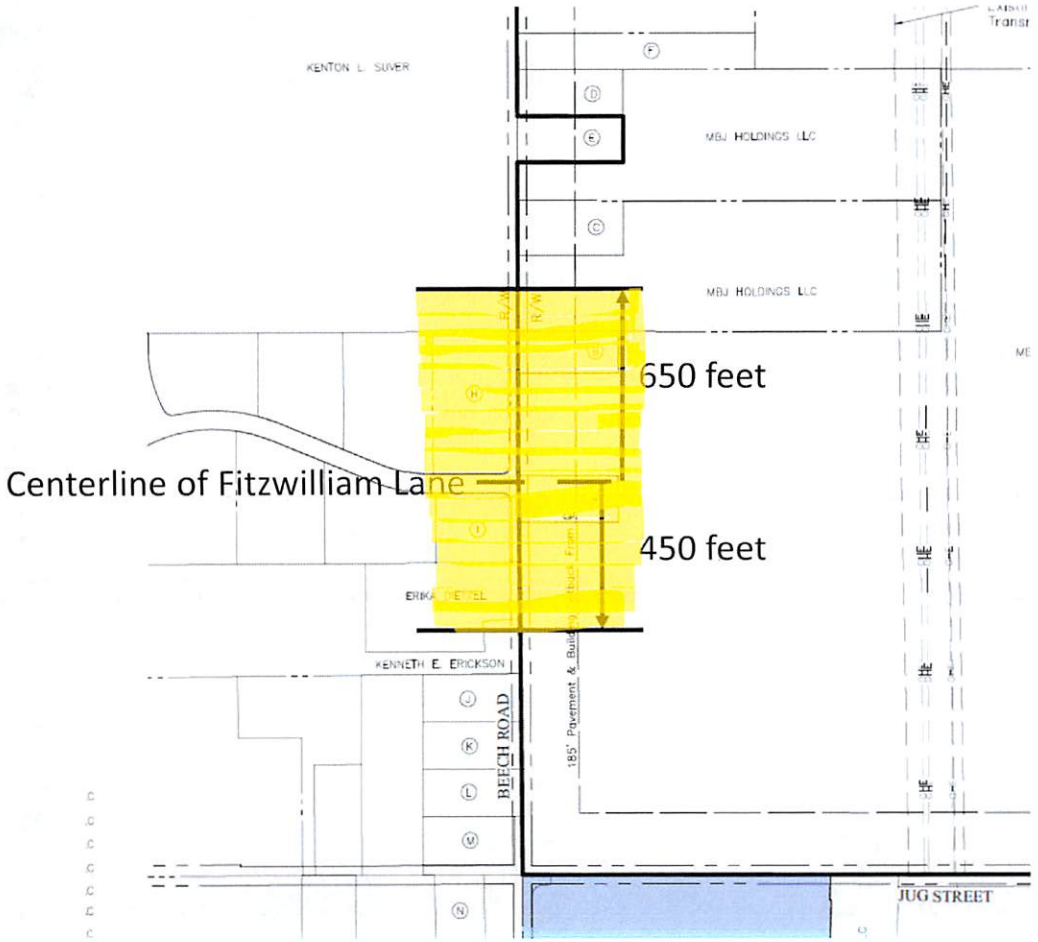
KENTON L. SUVER
MBJ HOLDINGS LLC
MBJ HOLDINGS LLC
650 feet
Centerline of Fitzwilliam Lane
450 feet
ERIKA METTEL
KENNETH E. ERICKSON
BEECH ROAD
185' Pavement & Build
JUG STREET
Access Restriction Area

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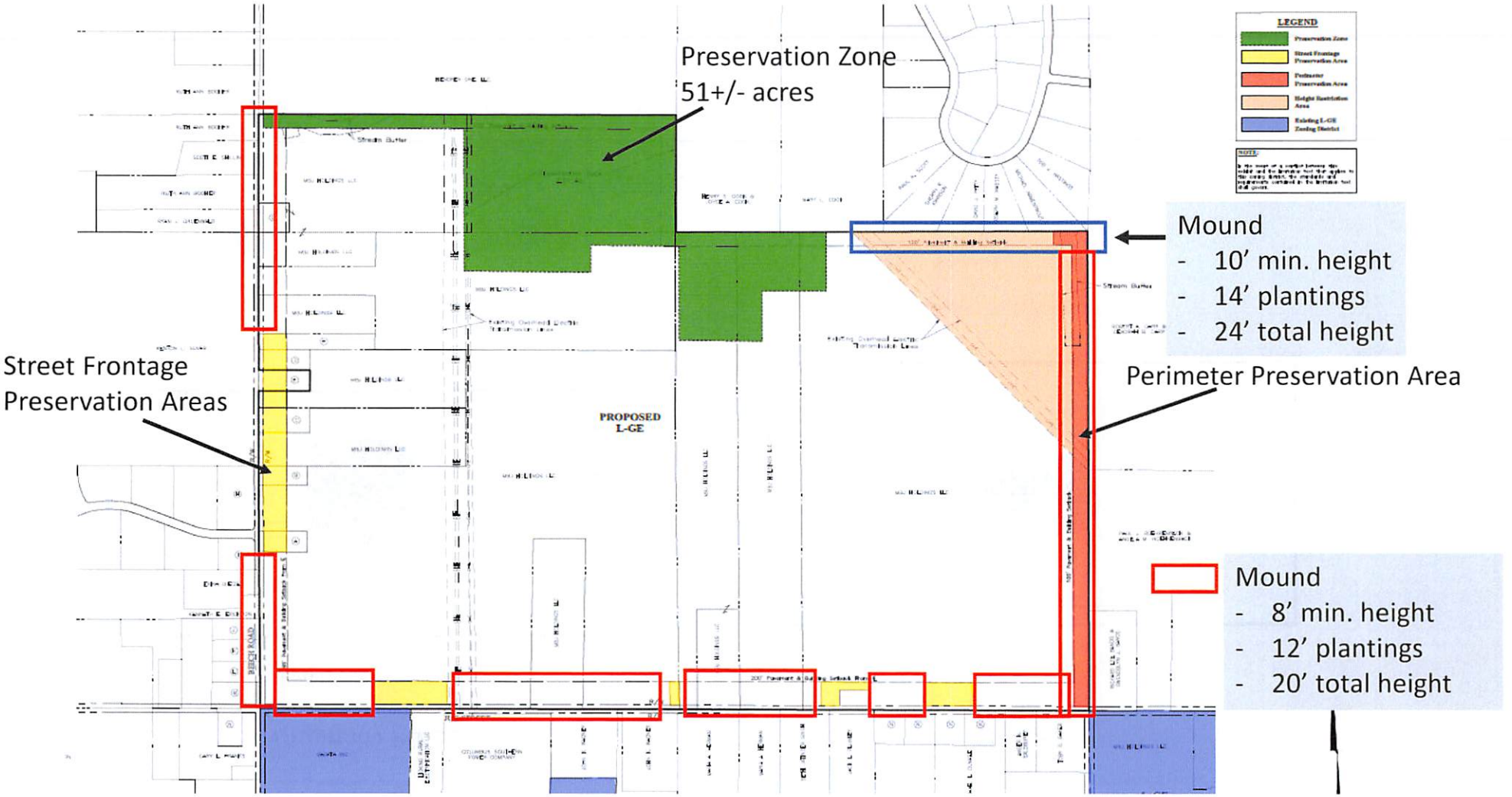
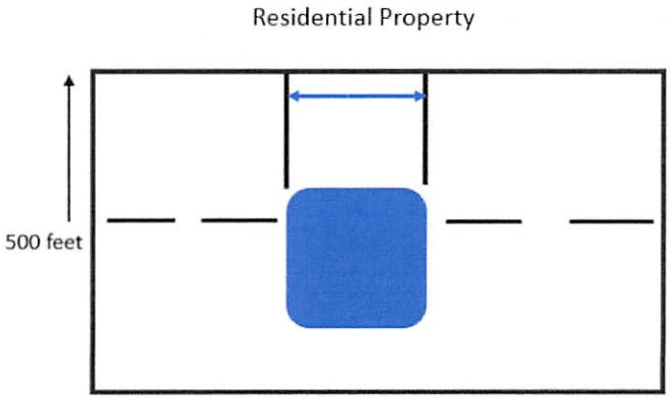

Preservation Zone
51+/- acres
LEGEND
Mound
- 10' min. height
- 14' plantings
- 24' total height
Perimeter Preservation Area
Street Frontage
Preservation Areas
PROPOSED
L-GE
Mound
- 8' min. height
- 12' plantings
- 20' total height

Originally Proposed

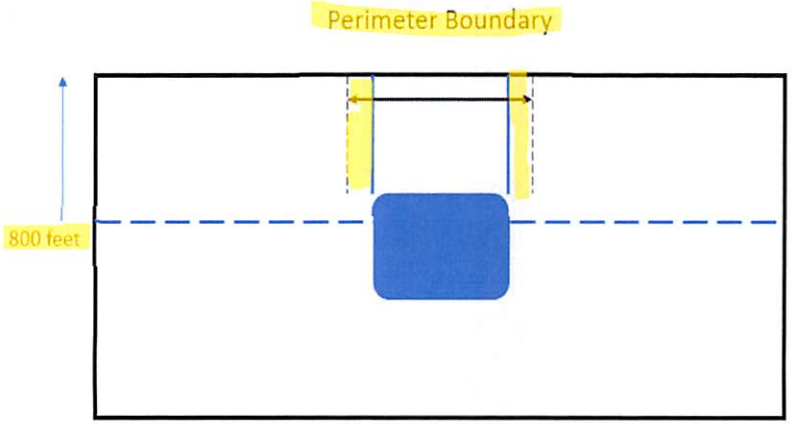


Zoning District

Improvements

Mounding Required

Updated



Improvements (Building/Pavement)

Mounding

Zoning District Perimeter Boundary

Additional 75 Feet from Edge of Improvement

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Summary

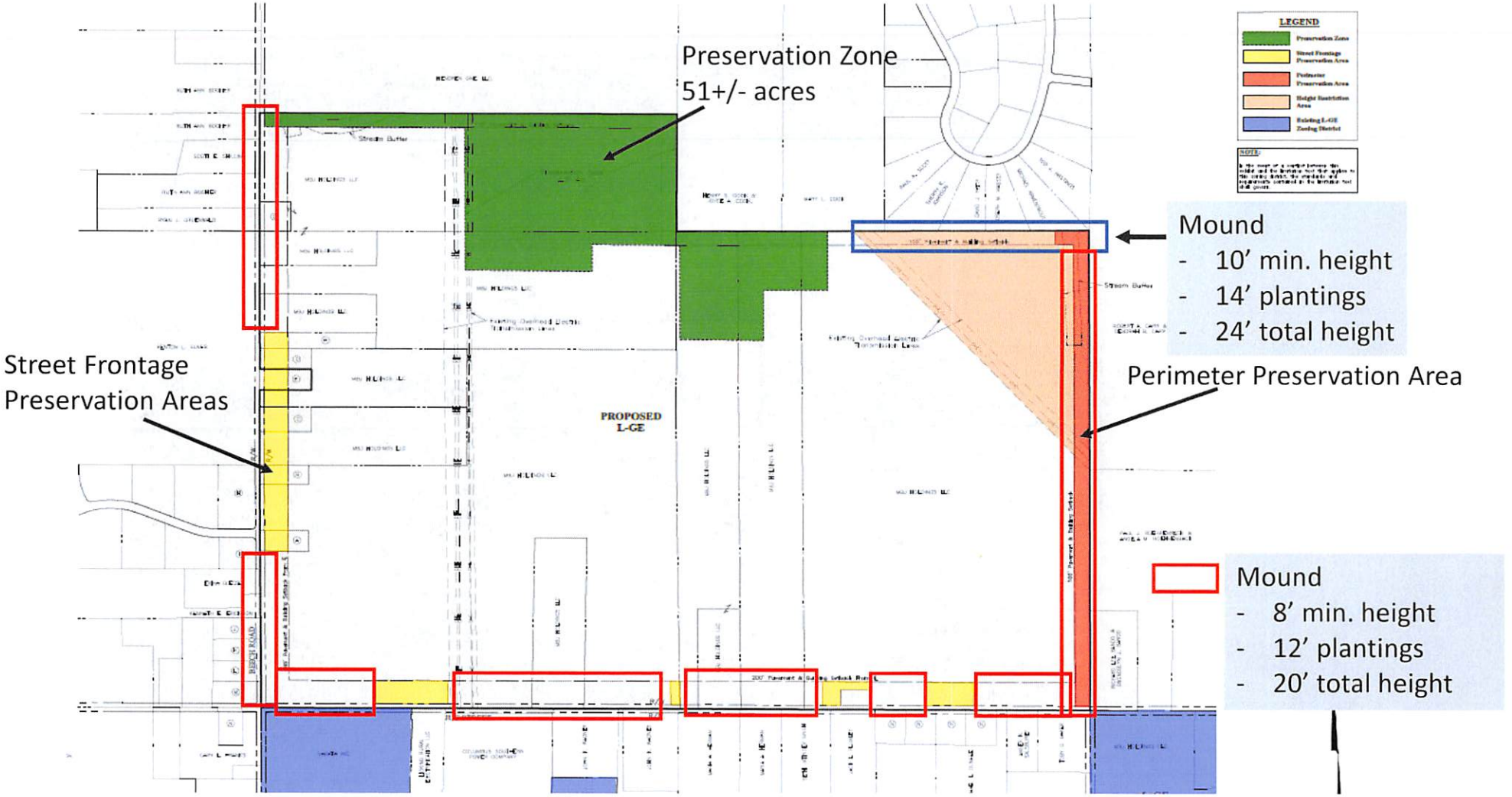
As compared to similar zoning districts in the Licking County portion of the New Albany International Business Park:

- Significantly greater setbacks from rights-of-way: 185' from C/L of Beech Road for pavement and buildings, 200' from C/L of Jug Street (next largest: 100' for building and pavement)

- Increased setbacks from adjacent residential: 100 feet for pavement and buildings (next largest: 50 feet for pavement, 100 feet for buildings

- Largest mounding commitments: Minimum 8' tall mound with additional 12' in plantings (20' total); minimum 10' tall mound with additional 14' in plantings in NE quadrant (next largest: minimum 6' tall mound with plantings to height of 10' (10' total)

- Largest Preservation Area North of SR 161: 51+ acres with enhancements (next largest: 19.2 acres)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Mound
- 10' min. height
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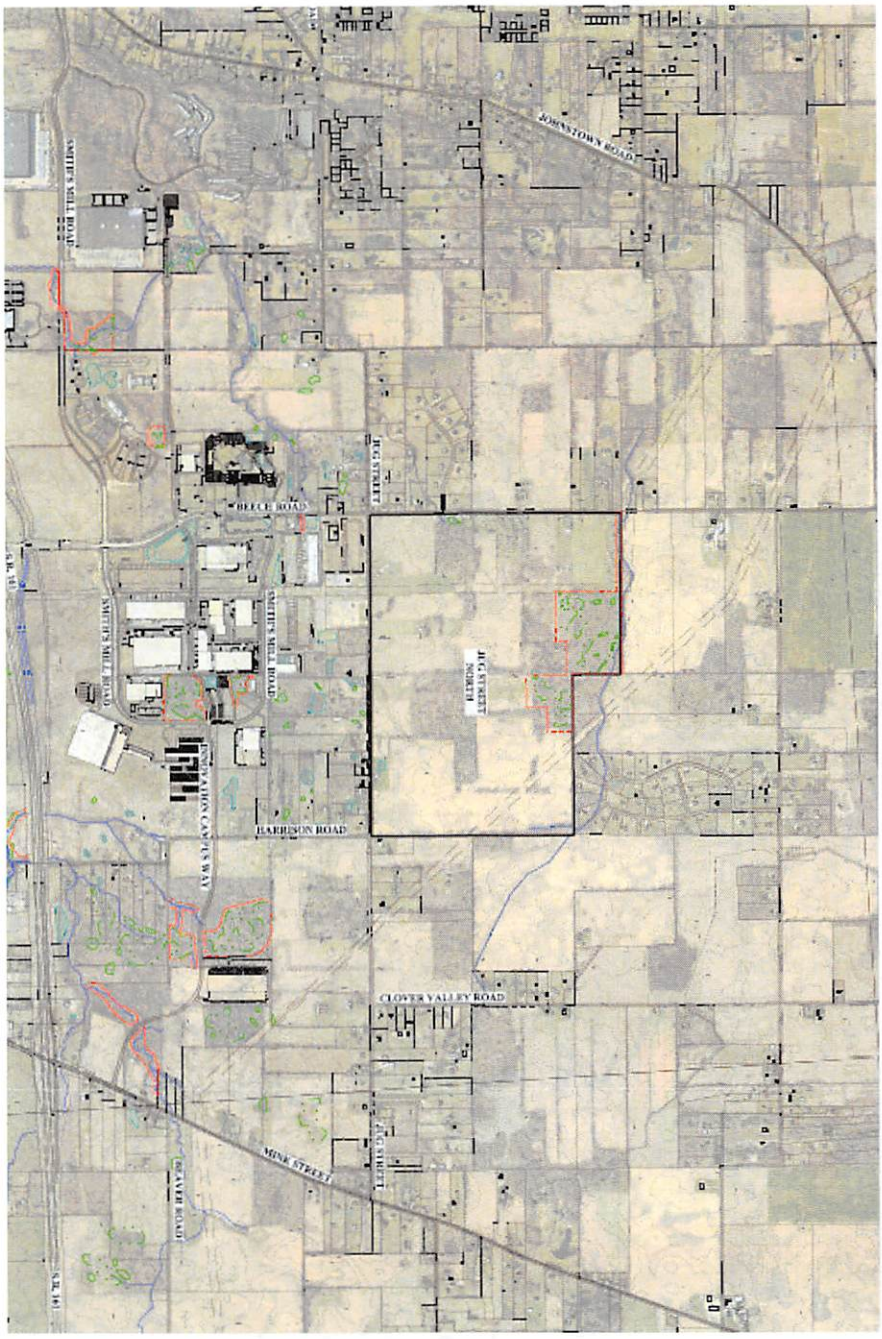
Street Frontage
Preservation Areas
PROPOSED
L-GE
Mound
- 8' min. height
- 12' plantings
- 20' total height


JOHNSTOWN ROAD
SMITH'S MILL ROAD
BEECE ROAD
J&G STREET
SMITH'S MILL ROAD
SMITH'S MILL ROAD
J&G STREET NORTH
INNOVATION CAMPUS WAY
HARRISON ROAD
CLOVER VALLEY ROAD
MINK STREET
J&G STREET
BEAVER ROAD
S.R. 161