



NEW ALBANY CITY COUNCIL MEETING MINUTES

July 31, 2017

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of July 31, 2017 at 6:30 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Law Director Mitch Banchefsky, Sergeant Garrett Fernander, City Engineer Ed Ferris, Engineer Mike Barker, Community Development Director Jennifer Chrysler, 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	A
CM Michael Durik	P
CM Chip Fellows	P
CM Glyde Marsh	P
CM Matt Shull	P

Clerk Mason reported that Council Member Brisk was travelling and requested to be excused from the meeting. Mayor Spalding moved to excuse Council Member Brisk from the council meeting. Council Member Fellows seconded and council voted with six yes votes to excuse Council Member Brisk.

ACTION ON MINUTES:

Mayor Spalding asked if council had reviewed the July 18, 2017 meeting minutes and asked if they had any proposed additions or corrections. Hearing none, Council Member Briscoe moved to adopt the July 18, 2017 minutes. Council Member Shull seconded and council voted with six yes votes to approve the regular meeting minutes.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

HEARING OF VISITORS:

Corey Edwards, Field Director of Marsy's Law Ohio – Mr. Edwards, the Political and Field Director for Marsy's Law for Ohio, handed out a petition and text of a proposed state amendment, a pre-typed statement of support, and his business card. He stated that Marsy's Law was a citizen-driven, state-wide ballot issue promoting equal rights for victims of crime. It would be on the November ballot as a constitutional amendment. He enumerated the rights contained in Marsy's Law, including the right to be notified, to be heard at trial, and to receive restitution. Council asked and Mr. Edwards answered that these rights were mostly already statutory law, however, he told council that, in many areas, they weren't being



NEW ALBANY CITY COUNCIL MEETING MINUTES

July 31, 2017

enforced and no one was being held responsible. Mr. Edwards gave a brief history of Marsy's Law in other states and told council that it was polling in Ohio at 87% positive. Mr. Edwards told council that there was no direct opposition to Marsy's Law, he listed organizations that were backing the ballot issue, and said some groups did not endorse, but allowed members to individually support the proposed law. Mayor Spalding thanked Mr. Edwards for bringing the issue to council.

EXECUTIVE SESSION:

Mayor Spalding informed council that the executive session was no longer requested by the Development Department.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: No meeting.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: No meeting.

BOARD OF CONSTRUCTION APPEALS: No meeting.

CEMETARY RESTORATION ADVISORY BOARD: No meeting.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CORRESPONDENCE AND COMMUNICATION:

NONE.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

NONE.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-11-2017

Mayor Spalding read by title AN ORDINANCE AUTHORIZING A TAX INCREMENT FINANCING AGREEMENT WITH THE NEW ALBANY COMPANY LLC FOR THE DESIGN AND CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS AND DEDICATION OF PARK AND OPEN SPACE TO THE CITY.

City Manager Joseph Stefanov described the area contained in the proposed TIF. The purposed of the TIF was to capture the incremental increase in the value of the property and use that for local improvements that could either



NEW ALBANY CITY COUNCIL MEETING MINUTES

July 31, 2017

be associated directly or indirectly with the development. The city had used residential TIFs successfully in the past, including funding the McCoy Center, parkland acquisition, leisure trail expansions, and various Village Center infrastructure projects.

This legislation authorized the city to enter into the TIF agreement with The New Albany Company. The immediate benefit was to help fund the infrastructure upgrades which were above and beyond the city's requirements for the development of residential property. These included additional green spaces, development of that green space which would benefit neighboring communities, drainage management for the area, extension of sanitary and water lines, trail connections, bike lanes, a redundant road connection, and improvements to the State Route 605 corridor. The city was proposing to use TIF funds to offset the cost of road improvements that would also benefit Canine Companions and the general, north-south flow of traffic. The TIFs would apply to about 240 residential units and 5 acres of commercial development ground. The school districts and fire department would receive the revenue that they would ordinarily receive from those properties. The total estimated revenue over a 30 year period was around \$12.4 million. The city believed that, after the improvements, there would be enough revenue left to further enhance the metro park, enhance leisure trail connections along the Hamilton Road corridor, and possibly upgrade the intersection at Walnut and State Route 605. Other projects in the Village Center could be funded, including Rose Run corridor improvement, should council approve them.

Council Member Fellows asked and City Manager Stefanov answered that the expense to be reimbursed to the developer would be just under \$2.4 million out of the \$12.4 million in estimated revenue. City Manager Stefanov noted that council had been clear, and this TIF was not a direct subsidy to residential development. This legislation was a companion to the subsequent Ordinance O-12-2017, and there would be at least three pieces of legislation regarding these TIFs. Ordinance O-11-2017 authorized the city to enter into the TIF agreements. Ordinance O-12-2017 authorized the commercial property TIF. Another ordinance would follow in several weeks, after public notification.

Tom Rubey, Development Director for The New Albany Company (NACO), told council that this matter had been through numerous boards and commissions, including the Parks and Trails Advisory Board. He highlighted the drainage improvements which were requested by area residents and reiterated that the various projects went above and beyond what was typically a developer's responsibility. Council Member Fellows asked and Mr. Rubey answered that the drainage basins depicted in the drawing were a typical code requirement which the developer was installing and paying for. Mr. Rubey reiterated that the 240 residential units were age-restricted and were a product type that came as a result of council's recommendations to diversify the housing stock in the community. Mr. Rubey stated that NACO was thrilled to be able to partner with Pulte Homes to bring this product to fruition. He also wanted to remind council, that with all of the restrictions, the project was expected generate more than \$1.8 million annually to the New Albany Public School District assuming an average sale price of \$375,000 per unit.

Council Member Fellows asked and Mr. Rubey answered that he expected the final plat to be approved in the next 60 days and that the project could begin in Spring of 2018. Council Member Briscoe asked and Mr. Rubey answered that all roads inside the subdivision were public roads and that a leisure trail and paved parking lot were



NEW ALBANY CITY COUNCIL MEETING MINUTES

July 31, 2017

planned to accommodate access to the regional park. Council Member Fellows asked and Mr. Rubey answered that no playgrounds were currently slated for that park. Council Member Shull appreciated that the drainage issue on the east side of State Route 605 was being addressed. Mayor Spalding asked and Mr. Rubey answered that the five commercially zoned acres would go back before the Planning Commission once there was an end user identified. The zoning text was specific about the types of commercial uses that were permitted.

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

ORDINANCE O-12-2017

Mayor Spalding read by title AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; AND AUTHORIZING PAYMENTS TO THE NEW ALBANY-PLAIN LOCAL SCHOOL DISTRICT, THE EASTLAND JOINT VOCATIONAL SCHOOL DISTRICT AND THE PLAIN TOWNSHIP FIRE DEPARTMENT.

City Manager Joseph Stefanov told council that, under this TIF agreement, the school districts and fire department would receive the amounts they would ordinarily receive. He described the commercial area that council had also discussed in Ordinance O-11-2017. He reported that the same projects applied as under the residential TIF. City Manager Stefanov reiterated that the base taxes on the property would go to the entities that would have originally received those funds, however, the incremental increase in value would be captured and distributed to the city as set forth in the TIF agreement.

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

READING AND PUBLIC HEARING OF RESOLUTIONS

RESOLUTION R-32-2017

Mayor Spalding read by title A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT, A TAX INCREMENT FINANCING AGREEMENT AND A DEVELOPMENT AGREEMENT, ALL WITH SIDECAT LLC

Community Development Director Jennifer Chrysler explained that this legislation authorized the city manager to execute agreements related to Sidecat, LLC. She described the site location and stated the proposed project would include a data center space and associated administrative office spaces. The estimated investment was \$750 million. The project would create a minimum of 50 direct employees and would include initial construction of approximately 900,000 square feet with an estimated completion date of 2022. The Community Reinvestment Area (CRA) agreement required that Sidecat, LLC make a minimum payment of \$700,000 in annual revenue for the city beginning in 2021, which would increase to \$1.4 million in annual revenue for the city by 2023. The city would provide a 100% real property tax abatement for 15 years for the project if the CRA were approved. Additionally, the agreements would include the waiver of up to \$250,000 in building and permitting fees. The Tax



NEW ALBANY CITY COUNCIL MEETING MINUTES

July 31, 2017

Increment Financing (TIF) agreement provided that the school districts and fire department would receive the amounts they would ordinarily receive. The TIF funds would go towards approved infrastructure items that were permitted by statutes in years 16 through 20 of the project only if at least 1.8 million square feet of the project was constructed. It was estimated that the Licking Heights School District would receive an estimated \$500,000 annually as a result of the project during the abatement period. The development agreement committed to certain zoning, infrastructure, and service-related items that were relevant to the project in order for them to begin construction. Director Chrysler told council that it was important to note that the CRA did not include any infrastructure items that only benefitted the project alone. All of the infrastructure items contemplated would also benefit the broader region and the community. This project further diversified the city's industry clusters and the types of revenues generated by the Business Park. The revenue in this potential project was not solely tied to income tax, therefore, it would not be as impacted by job losses during economic downturns. As the company committed to provide at least \$1.4 million in annual revenue to the city, and this was not solely based on income tax revenue or a high number of employees, the city would benefit from significant tax revenue with minimal vehicular traffic.

Council Member Fellows asked and Director Chrysler answered that the plan was for the initial 900,000 square feet of the project to be completed in 2022. Council Member Durik asked and Director Chrysler answered that it was not known at this time when the project would break ground. The city was waiting on the company's final decision to locate in New Albany in the next several weeks and, once that decision was made, for groundbreaking to follow soon thereafter. While building was slated to be completed in 2022, Director Chrysler reminded council that once the company signed the CRA agreement, they were committed to the payments regardless of whether or when they started building.

Mayor Spalding appreciated Director Chrysler and her team's hard work in bringing the project to council.

Mayor Spalding moved to adopt the resolution. Council Member Shull seconded and council voted with six yes votes to approve Resolution R-32-2017.

Bill Ebbing, President of The New Albany Company, echoed the mayor's praise of Director Chrysler and her team on getting the project to this point. He noted that the work really began several years ago when council made the decision to focus on economic development, shovel-ready sites, installing infrastructure, and positioning the community to have the opportunity for project like this. This project could have gone anywhere in the U.S. and New Albany was fortunate to have a council, and leadership throughout the community, that understood the importance of bringing in a project like this and committing what it took to accomplish it.

RESOLUTION R-33-2017

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO REQUEST AND ACCEPT THE SUM OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00) FROM THE NEW ALBANY COMMUNITY AUTHORITY ECONOMIC DEVELOPMENT FUND FOR ECONOMIC DEVELOPMENT PROJECTS AND INCENTIVES.



NEW ALBANY CITY COUNCIL MEETING MINUTES

July 31, 2017

City Manager Joseph Stefanov told council that the city preferred to have plans on the shelf to build when the right opportunity came along. The city went to the Community Authority and made its second request this year for \$1.5 million. This amount was proposed to cover engineering related to improvements on Beech Road from State Route 161 to Morse Road, engineering and design of a wishbone connection from Beech Road to Worthington Road, engineering and plan updates for project layout and water and sewer line alignments, and costs of professional services for economic development projects. One additional item not related to Beech Road was the continuation of the city's relationship with Rev1 Ventures, formerly Tech Columbus. City Manager Stefanov reported that the Community Authority voted unanimously to approve all of the projects and amounts in the legislation. There was adequate funding in the Economic Development Fund to cover the items.

Mayor Spalding supported the Tiger Talks and training provided by Rev1 Ventures. They had done a commendable job in the past two years of increasing participation in Innovate New Albany's programming.

Mayor Spalding moved to adopt the resolution. Council Member Briscoe seconded and council voted with six yes votes to approve Resolution R-33-2017.

STANDING COMMITTEE REPORTS:

- A. Finance Committee: No report.
- B. Safety Committee: No report.
- C. Public Utilities: No report.
- D. Service and Public Facilities Committee: No report.
- E. Planning and Economic Development Committee: No report.
- F. Administration Committee: No report.
- G. Grants and Non-Profit Funding: No report.

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: No meeting
- B. Council Representative to Joint Parks and Recreation: No meeting.
- C. Council Representative to New Albany Plain Local Schools: Mayor Spalding reported that he had a conversation with a school board member and reported that the school district had until August 1st to determine if they would seek a permanent improvements levy and place it on the November ballot.



NEW ALBANY CITY COUNCIL MEETING MINUTES

July 31, 2017

- D. Council Representative to Plain Township: Council Member Marsh reported that nothing had occurred that impacted the city.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported that there were 37 vendors at the Taste of New Albany, which was a record for the event. Mitchell's Ocean Club won the Best Food award and Firefly American Bistro won the Best Presentation award. It was possible a third prize would be added next year. Council agreed that it was a very enjoyable evening.
- B. Clerk of Council: Clerk of Council Jennifer Mason reported that the Mayor's Court June payout was \$14,536.15. She also reminded council that their Council Retreat and Capital Projects Workshop was scheduled for August 8th at 9 am and that she would be sending out an agenda.
- C. Finance Director: No report.
- D. City Manager: No report.
- E. City Attorney: No report.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

Council Member Shull reported that he was contacted by resident Christy Arenschield. Ms. Arenschield was interested in building a structure by the varsity softball and baseball fields. He referred her to City Planner Stephen Mayer to talk about what the structure would look like and what purposes it would serve.

OTHER BUSINESS:

NONE.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Marsh seconded to adjourn the July 31, 2017 Regular Council meeting at 7:17 p.m.



**NEW ALBANY CITY COUNCIL
MEETING MINUTES**

July 31, 2017

ATTEST:

Jennifer H. Mason, Clerk of Council

Sloan Spalding, Mayor

8/15/17

Date