CALL TO ORDER:
Council Member Briscoe, serving as President Pro Tem, called to order the New Albany City Council Meeting of August 20, 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, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, City Engineer Ed Ferris, Engineer Mike Barker, Community Development Director Jennifer Chrysler, Public Service Director Mark Nemec, and Clerk of Council Jennifer Mason.

Council Member Briscoe led the assemblage in the Pledge of Allegiance.

ROLL CALL:
The following Mayor/Council Members answered Roll Call:

Mayor Sloan Spalding A
CM Colleen Briscoe P
CM Marlene Brisk P
CM Michael Durik P
CM Chip Fellows P
CM Kasey Kist P
CM Matt Shull P

Clerk of Council Jennifer Mason told council that Mayor Spalding was traveling and requested to be excused. Council Member Briscoe moved to excuse Mayor Spalding from the council meeting. Council Member Shull seconded and council voted with six yes votes to excuse Mayor Spalding from the meeting.

ACTION ON MINUTES:
Clerk Mason reported that the 8/6/19 regular meeting minutes had not yet been distributed due to inadvertent deletion. Council agreed to consider them at the September 3rd council meeting.

ADDITIONS OR CORRECTIONS TO THE AGENDA:
Council Member Briscoe moved to amend the agenda to bring the Harlem Road Leisure Trail update under the City Manager's Report up to Hearing of Visitors. Council Member Fellows seconded and council voted with six yes votes to amend the agenda.

HEARING OF VISITORS:
Harlem Road Leisure Trail update
City Manager Joseph Stefanov reported to council that he and staff had explored many options for a Harlem Road leisure trail, including locating a path on the east or west side, options for widths and materials, and locations of easements granted by home owners. The last time he presented this issue to council, he understood he was to come up with a set of recommendations.
City Manager Stefanov said a Harlem Road leisure trail would be just under ½ mile long. The city had been able to obtain easements from a good number of the residents on the north end of Harlem Road, but had not been able to obtain easements from residents on Tensweep or from the owners at the corner of Tensweep and Harlem Road.

Staff was proposing, for the area where easements were granted, to proceed with construction of 5 foot wide asphalt trail. Where the city had not been able to obtain an easement, the city could continue to negotiate with those owners while developing construction plans, eventually incorporating those properties into the construction document if easements were granted. The other option was to build around those property owners by building at the edges of those properties. At the rear of the Tensweep properties, the city could construct a guardrail along the edge of Harlem Road and build the leisure trail alongside the guardrail. Without new easements, there wasn’t adequate room to pull the trail away from the road, which would have been the city’s preference. The path would continue behind the guardrail to the southern driveway of the Horvath property, stopping the path around 300 feet short of the intersection of Greensward and Harlem.

If staff was successful in negotiating an easement with the Horvath’s, City Manager Stefanov proposed continuing the path south to Greensward. Without an easement, the path would terminate at the Horvath’s southernmost curb cut. Staff recommended concrete sidewalk by the Horvath’s property with the same 5 foot width as the asphalt path. Concrete was preferable next to the existing curb. Asphalt moved more and could create a trip hazard. Typically, where the city had a concrete curb, it utilized concrete sidewalk.

Council Member Briscoe asked and City Manager Stefanov confirmed that the concrete path would be considered a sidewalk and be the Horvath’s duty to maintain. Council Member Kist asked and City Manager Stefanov clarified that the asphalt trail would begin at Dublin-Granville Road. The city was in negotiations with Diana Rife and Kevin Hoffman. Council Member Kist asked and Engineer Mike Barker replied the path would be set away around 8 feet from Harlem Road based on easements obtained from property owners. At the northern edge of the Tensweep subdivision, the trail would stay asphalt, but would be shifted to the edge of Harlem, therefore, a guardrail would be necessary to separate the pedestrian traffic from the vehicular traffic. At the northern edge of the Horvath property where the concrete curb began, the trail would become concrete. Council Member Kist asked and City Manager Stefanov confirmed that the path would become sidewalk. Council Member Durik asked and City Manager Stefanov answered that, up to the point of the Horvath’s driveway, the city could put in concrete sidewalk without an easement. Beyond the driveway, the city’s easement began to taper severely and disappeared to nothing close to the Horvath’s front yard. Council Member Durik asked and City Manager Stefanov confirmed that, for the 300 feet after the driveway, the city would not have path.

Council Member Shull asked about crossing Harlem Road at the termination point and picking up on the other side. City Manager Stefanov said that crossing Harlem Road was still feasible. The property on the other side was for sale. The former property owner was not interested in granting an easement. Council Member Fellows expressed concern about creating a mid-block crossing. City Manager Stefanov told council that staff checked that area for visibility and it was acceptable. Creating a path would require the
constructing of curb, putting a concrete walk behind that curb, and moving the existing guardrail further into the creek bank. Council Member Fellows asked and City Manager Stefanov agreed that that current plan was to end the path at the Horvath’s driveway and then negotiate beyond that.

Council Member Fellows asked and City Manager Stefanov answered that he would continue to talk with the owners of the Rife/Hoffman property. He’d had a positive meeting with them a week prior. Council Member Fellows asked and City Manager Stefanov agreed that the current option was to stub the path at their property. Council Member Brisk expressed that it was important that the city manager have council’s support to go forward with the path whether or not everyone jumped in. Council Member Durik stated that the city had waited so long trying to get everyone to agree - he wanted to go forward with City Manager Stefanov’s proposal, and those that didn’t comply the city should stop, go around, and restart on the other side, put up the guardrail, and work with the Horvath’s – but he thought the city needed to move something along.

Council Member Kist asked if there was an interim plan to mark the area when the path dead-ended at the Horvath’s driveway. His concern was that pedestrians, and particularly children, when they got to the end point, would go into the road. City Manager Stefanov stated the city had plans to place a sign indicating where the trail ended. Council Member Fellows asked and other council members answered there wasn’t space to put in a guardrail. Council Member Briscoe stated, without an easement, the city couldn’t put a path in the remaining 300 feet. Council Member Kist observed that there would be people in the road at that point. City Manager Stefanov said the city would have to install sharrows to designate a shared bike and vehicle lane. It would not designate a pedestrian lane. That was the best the city could do at this stage. Council Member Kist wanted something saying there would be people in the road at that point. Council Member Brisk said this was the rub, it was either force the issue or put the path where the city could. There was no room in the road, it was too narrow. Council Member Kist stated that the sharrow would not widen the road, it would just indicate others would be in the road - similar to bike lanes in urban areas. Council Member Durik stated that, whatever City Manager Stefanov could do to sign and deal with that issue – but, at this point in time, people were walking and bicycling in the street. Creating the path was at least minimizing the amount of distance that pedestrians and bikes would have to deal with cars. Various council members agreed.

City Manager Stefanov said that eminent domain was not something that had been done by council, but had been discussed. There were issues with eminent domain, it was not a panacea. If the city were to proceed with eminent domain, it would take approximately a year, creating more delay. There was a cost associated with eminent domain. Technically, it was a possibility, but if the city was looking to get this project done, or at least a substantial portion of it done, the proposed plan was the best the city could do given the willingness or lack of willingness of the property owners to come up with a solution.

Council Member Briscoe pulled out the Speaker Cards and called upon members of the public. Clerk Mason asked any and all speakers to speak one at a time and to use the microphone so that their comments would reach the recording.
Bill Resch, 5610 Morgan Road, told council he’d lived in New Albany since 1968 and watched it transform from a crossroads into a beautify community of thousands. He had also been a member of the Parks and Trails Advisory Board with Council Member Fellows since 1995. The trails in New Albany were more than 45 miles long and the trail system was one of the most important leisure and safety aspects of the community. He had seen other trail systems, locally and internationally. When Mr. Resch moved to New Albany, Harlem was a rural highway still in Plain Township. The transformation of Harlem Road over the last 30 years had been dramatic and he experienced that at his home by Greensward and Harlem. Harlem was now a collector road. Drivers were coming from Westerville, Gahanna, Columbus, and from the north through Harlem Road. They didn’t switch back to the west to go down Greensward. They went right through Harlem Road down to Greensward and to State Route 62, as a common sense shortcut. Mr. Resch believed drivers took this route to avoid going through the Historic Village Center which was congested during school pick-up/drop-off and rush hour.

Mr. Resch told council that there were three things they were talking about tonight: safety, safety, and safety. Safety for senior citizens, such as himself. Mr. Resch rode a recumbent tricycle everywhere. He wanted to ride it separated from a roadway. On this gap in the city’s 45 mile trail system, no one could go from Dublin-Granville to all of the trail on Greensward - which lead to Lower Clifton, the Country Club, and all those neighborhoods. The safety of senior citizens, adults, youths, and children in adjacent neighborhoods was a major factor. It was an extreme safety concern that, every weekday, approximately 16 children were picked up or dropped off on Harlem Road. The children had to cross Harlem Road in different weather, and had to cross the swale. That was, in his estimation, unconscionable. It was a safety and welfare issue of the highest order. It was no place in the city’s philosophy of master land planning.

It was unacceptable for the community to continue the present condition of Harlem Road. Mr. Resch knew that City Manager Joseph Stefanov and the Parks and Trails Advisory Board had worked and tried their best, for maybe 15 long years, without success, but the community was seeing more houses on Harlem Road, maybe another one-third more, and all these children’s safety was at stake. Mr. Resch thanked council for their time.

Susie Banchefsky, 5300 Harlem Road, told council she thought they were aware of the safety issue and were taking the steps necessary to correct it. She wanted to take the time to thank City Manager Joseph Stefanov, Engineer Mike Barker, Administrative Services Director Adrienne Joly, and all the staff. They had all worked hard with the individuals that really didn’t want the trail. Staff had tried their best to bring the owners to the same view point that the other Harlem residents had about the safety. There was only so much one could do. Ms. Banchefsky knew city staff was busy with a lot of other things. Staff had taken their time to meet with all of the neighbors and try to get this done. Ms. Banchefsky thanked them for that, and thanked council for taking the time to listen to the residents and help them with their concerns.

Tom Ellis, 5190 Harlem Road, told council that he appreciated them taking this issue up. The Ellis’ had lived on Harlem Road for three years. His kids had been almost clipped by cars multiple times. Their mailbox was just destroyed. Cars would drive down Harlem Road and hit it. He’d spent a weekend putting a new mailbox in. This was not the first mailbox he had seen hit. He appreciated that this had to be done. If
NEW ALBANY CITY COUNCIL
MEETING MINUTES

August 20, 2019

the city couldn't get certain easements, he wanted to build what could be built, because it currently was not really <unknown>.

Patrick Kelly, 5118 Harlem Road, was present with his wife Courtney. He stated he would echo the other residents in thanking City Manager Joseph Stefanov and council for getting to this point. It had been a long journey and he hoped it had a good outcome. They had an eight year-old and an eleven year-old and had lived on Harlem Road for five years. They had been holding their breath. He thought everyone present acknowledged the need for the trail.

He asked, with respect to the guardrail – he didn’t know if anyone had renderings at this time – which side of the street the guardrail was on. City Manager Stefanov answered that the guardrail would be on the west side of the road. Because mailboxes were there, the city would have to design gaps in the guardrail. The city didn’t want somebody trapped between the guardrail and oncoming traffic going to get their mail. There were design elements that needed to be worked out. Mr. Kelly added gaps also needed to be worked out for children getting on and off the bus.

Mr. Kelly wanted to express a concern with respect to the bottom of the trail which would dead end at the Horvath residence. He understood that still needed to be resolved. That was a particularly dangerous spot – with the cars turning, with cars coming down that hill and turning to go up that hill. For the Kelly’s, that was a particularly sensitive spot because, if they were heading to Greensward – they didn’t have that far to go, they just had to go down that hill. They would get a little relief in that regard, but they would still have to figure out how to get through that spot. He encouraged council – and hopefully the Horvath’s would find a way to make this happen – because, ultimately, the plan was fantastic, but it was not done, and that end was a big part of this. Council Member Briscoe stated that council disliked building paths that didn’t go all the way.

Bill Resch, addressing council a second time, told council he really liked the addition of the flashing pedestrian crossings in the Village Center. He wondered if there would be any possibility that an engineer could look into for a signalized pedestrian crossing on Harlem to warn the vehicles about pedestrians. It might solve the problem.

Council agreed something substantial would need to be done to warn kids and adults going out into the street. Council Member Brisk stated the city would work on that. Council Member Fellows observed that starting the project would, hopefully, motivate folks.

Council Member Kist said that this was a topic that council was passionate about. Council members used Harlem Road to bike and run. He stated it was the most dangerous road he traveled on in New Albany. It had no berm, just a white line and then a ditch. He knew the project had been a long time coming. This felt like - not what the city would hope for - but he hoped the city could get there and move fairly quickly on it. Council Member Brisk stated that, if the city got this project started and didn’t get what it needed, then council would revisit other options in terms of how to handle it. She wanted to at least get done what the city knew it could do.
NEW ALBANY CITY COUNCIL
MEETING MINUTES

August 20, 2019

Council Member Briscoe moved to authorize the city manager to have construction documents prepared for Harlem Road leisure trail for the design that was recommended in his August 16, 2019 memo to council and discussed at this meeting. Council Member Brisk seconded and council voted with six yes votes to approve the motion.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Law Director Mitch Banchefsky reported that the cell tower application was tabled until the following month. Council Member Kist asked and Law Director Banchefsky replied that the cell tower application was tabled so that the city’s retained consultant could look at the data provided by Verizon, analyze it for accuracy, and see if there were other alternatives available. The PC also heard a presentation on the Strategic Plan.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ARCHITECTURAL REVIEW BOARD: Council Member Shull reported that the ARB reviewed the plans for the amphitheater. There was no action taken, but the discussions seemed positive.

BOARD OF ZONING APPEALS: No meeting.

BOARD OF CONSTRUCTION APPEALS: No meeting.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CHARTER REVIEW COMMISSION: No meeting.

CEMETERY RESTORATION ADVISORY BOARD: Clerk of Council Jennifer Mason reported that the CRAB discussed signage at the New Albany Cemetery. At their next meeting, the CRAB would be gathering at the Wagner Cemetery on Central College Road.

CORRESPONDENCE AND COMMUNICATION:
NONE.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-27-2019
Council Member Briscoe read by title AN ORDINANCE TO AMEND THE ACCESSORY STRUCTURE REGULATIONS FOUND IN CHAPTER 1165 "GENERAL DEVELOPMENT STANDARDS", OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES.
NEW ALBANY CITY COUNCIL
MEETING MINUTES

August 20, 2019

Community Development Director Jennifer Chrysler requested that the ordinance be tabled to the next council meeting. Staff was still in the process of doing research and answering some questions that were raised at the first reading. Staff wanted to have more time to prepare and report back to council.

Council Member Kist moved to table Ordinance O-27-2019 to the next council meeting. Council Member Shull seconded and council voted with six yes votes to table the ordinance to the next council meeting.

ORDINANCE O-28-2019
Council Member Briscoe read by title AN ORDINANCE TO ACCEPT UTILITY EASEMENTS OF 3.141 ACRES AND 2.792 ACRES AND TEMPORARY CONSTRUCTION EASEMENTS OF 2.114 ACRES, 1.779 ACRES, AND 2.720 ACRES ALONG BEECH ROAD AND MORSE ROAD, AS REQUESTED BY MBJ HOLDINGS, LLC FOR THE PURPOSE OF THE CONSTRUCTION OF UTILITIES.

Engineer Mike Barker told council that this legislation approved the acquisition of easements that would be needed for a future sanitary sewer extension. There was no pending project to extend sewer. In the future, to serve areas to the east, it would be necessary to use these easements to construct the utility.

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

Council Member Briscoe moved to adopt the ordinance. Council Member Brisk seconded and council voted with six yes votes to approve Ordinance O-28-2019.

INTRODUCTION AND FIRST READING OF ORDINANCES

ORDINANCE O-29-2019
Council Member Briscoe read by title AN ORDINANCE TO ACCEPT A 3.730 ACRE TRACT OF LAND ALONG JUG STREET AND 4.932 ACRE TRACT OF LAND ALONG BEECH ROAD FROM MBJ HOLDINGS LLC FOR THE PURPOSE OF PUBLIC RIGHT OF WAY.

Engineer Mike Barker reported that this legislation, as well as Ordinance O-30-2019, were necessary to obtain right-of-way along Jug Street and Beech Road. Ordinance O-29-2019 was for right-of-way in the recently annexed area to maintain the roadway in perpetuity. Ordinance O-30-3019 would be necessary for streetscape improvements and appurtenances to the roadway, like stormwater drainage and leisure trails. City Manager Stefanov added that there were no immediate plans to do construction on the subject roads. This legislation accepted right-of-way for future redevelopment.

Council Member Briscoe asked if this action obligated the city to maintain Jug Street. City Manager Stefanov answered that the city had already signed Road Maintenance Agreements with Plain Township and Licking County. Engineer Mike Barker told council that this was a housekeeping piece of legislation once the land was annexed, as part of the Annexation Agreement, to get the easements and rights-of-way necessary for the city to maintain its infrastructure.
Council Member Briscoe set the ordinance for second reading at the September 3, 2019 council meeting.

ORDINANCE O-30-2019
Council Member Briscoe read by title AN ORDINANCE TO ACCEPT UTILITY AND STREETSCAPE EASEMENTS OF 4.898 ACRES ALONG BEECH ROAD AND 4.312 ACRES ALONG JUG STREET AS REQUESTED BY MBJ HOLDINGS, LLC.

Engineer Mike Barker told council this legislation was a continuation from Ordinance O-30-2019. This ordinance would accept the easements necessary, beyond the actual right-of-way, to accommodate stormwater drainage, construction of leisure trail, installation of street trees, and other improvements. All of these enabled the city, when warranted, to improve the roadways to a standard consistent with Strategic Plan roadway typologies.

Council Member Fellows asked and Engineer Barker answered that there were no current plans for improvement. This was a housekeeping measure to allow the city to legally improve the road when it would be necessary to do so.

City Manager Joseph Stefanov told council that the contractor for the city's 2019 Street Improvement Project recently repaved Jug Street using the same product as was used on a portion of Central College Road. It was similar to a tar and chip, but was a cold material. It had a good ride to it. It should give the city substantial wear for at least five to six years.

Council Member Briscoe set the ordinance for second reading at the September 3, 2019.

ORDINANCE O-31-2019
Council Member Briscoe 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 1B, AS REQUESTED BY EPCON COMMUNITIES.

Engineer Mike Barker described the location of the Courtyards subdivision. This development would provide connections to Souder Road and Jersey Drive. With the completion of the infrastructure, the city now had connections through this piece of land as contemplated in the city's planning documents. A few weeks prior, council had accepted infrastructure for the Courtyards Phase IA. At this meeting, council would be accepting the balance from Phase I. Many of the properties were already in contract and the developer was actively submitting building permits and moving forward with the project.

As part of the acceptance of Phase IA, the city had already received some bonds, inspection amounts, and five-year settlement bonds, which took care of the entire project. The city required one final bond that staff expected to receive prior to the second reading and public hearing of this ordinance. The developer had been responsive to the city's requests.
Courtysrds Phase IB would consist of 46 residential lots on approximately 14.1 acres, primarily off of Reynoldsburg-New Albany Road and Souder Road. With the adoption of the ordinance, the city would accept approximately 2,500 feet of residential street, 4,200 feet of storm sewer. All of the water main and sanitary sewer had already accepted as part of Phase IA. Jason Coffee, EPCON Communities Business Development Manager, was present to answer questions. Engineer Mike Barker reported that the Courtysrds project had been well-maintained. EPCON had responded to resident concerns and had been a good partner to the city throughout the project.

Council Member Fellows asked and Mr. Coffee confirmed that the model home was under construction. Council Member Briscoe asked and Mr. Coffee answered that 19 homes were already under contract. The subdivision would have 105 homes total and was expected to be completed in about three years.

Council Member Briscoe set the ordinance for second reading at the September 3, 2019 council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS

RESOLUTION R-39-2019
Council Member Briscoe read by title A RESOLUTION AFFIRMING THE RECOMMENDATIONS OF THE NEW ALBANY TAX INCENTIVE REVIEW COUNCIL FOR FRANKLIN COUNTY.

Economic Development Specialist Angie Hobart told council that the all of the agreements reviewed by the Franklin County Tax Incentive Review Council (TIRC) were approved. Development Specialist Hobart noted that Ohio Power Company showed a discrepancy regarding how many indirect and how may direct employees worked at their datacenter. AEP had several incentive agreements with the city. Three of AEP’s buildings were located in Licking County and one building was in Franklin County. In Franklin County, AEP met their employment number and was 2% short on the payroll benchmark. AEP exceeded the payroll benchmark in Licking County. Water’s Edge East and Market Street Retail were new to the TIRC in 2019. The Franklin County TIRC found that all agreements were met.

Council Member Shull asked and Development Specialist Hobart replied that, if a company didn’t meet their benchmarks, it was important to know if they were still in their three-year ramp-up period. An incentive agreement could be reviewed in light of future plans. The city tried to work with its companies. If a company was high on the payroll benchmark but were short on their employment numbers, more weight was put on the payroll. Director Chrysler added that, for speculative office buildings, like Water’s Edge, the agreement for job creation specified an estimated number of jobs. What the TIRC emphasized was payroll, as that was where the income tax revenue came from. Especially with technology companies, there could be fluctuations in job numbers. As long as they were meeting the payroll requirements, that was the ultimate goal. In the case of AEP, it didn’t view each of its buildings as a separate cost center. The Franklin County TIRC saw they were 2% short and the datacenter was in the New Albany-Plain Local School district, however, it was more of an accounting issue. The Franklin County TIRC was working with AEP on how to separate out jobs between each building. To AEP, it didn’t matter that one job was in Plain Local School District and another was in Licking Heights School District.
AEP could say that they well-exceeded their projections. Because the city had to revenue share with the schools, staff wanted to make sure that AEPs numbers for each building were as accurate as possible. Council Member Shull asked and Council Member Briscoe confirmed that more emphasis was put on payroll over job numbers as it was more important for tax revenue.

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

Council Member Briscoe moved to adopt the resolution. Council Member Fellows seconded and council voted with six yes votes to approve Resolution R-39-2019.

RESOLUTION R-40-2019
Council Member Briscoe read by title A RESOLUTION AFFIRMING THE RECOMMENDATIONS OF THE NEW ALBANY TAX INCENTIVE REVIEW COUNCIL FOR LICKING COUNTY.

Economic Development Specialist Angie Hobart told council that the Licking County Tax Incentive Review Council (TIRC) approved all of the agreements. One of the Pizzuti multi-tenant buildings did not meet their benchmarks in its second year of reporting. Staff was working with the owner. The Pizzuti building was leasing out space to other Business Park companies to use for warehousing. This use did not help them meet their full-time employee numbers. CCL Label was new the TIRC this year. Community Development Director Jennifer Chrysler clarified that all of the incentive agreements contained the statutorily-required three years to reach compliance.

Council Member Briscoe expressed concern about the Pizzuti building and said that the city should be prepared for them to not meet the benchmarks. Community Development Director Jennifer Chrysler said if they didn’t meet their benchmarks, the Licking County TIRC could discuss the number of tenants the building had leases with who were also New Albany Business Park companies. There had been evidence of significant growth in the Business Park. Director Chrysler suggested a more holistic discussion about whether the other Business Park companies would be able to grow without the available warehouse space being provided by the Pizzuti building. Staff could do more investigation to understand that dynamic. There was an example of a New Albany company that did not have available space to grow and picked up and moved 70 jobs from the Beauty Park to the City of Columbus.

Council Member Shull asked and Development Specialist Hobart confirmed that the Pizzuti building had a three-year ramp-up period and had until 2020 to comply.

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

Council Member Durik moved to adopt the resolution. Council Member Briscoe seconded and council voted with six yes votes to approve Resolution R-40-2019.
RESOLUTION R-41-2019
Council Member Briscoe read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO SEEK FINANCIAL ASSISTANCE FROM OPWC TO FUND THE ROADWAY INFRASTRUCTURE PROJECT GENERALLY LOCATED AT REYNOLDSBURG NEW ALBANY ROAD & MARKET STREET.

City Manager Joseph Stefanov told council this legislation related to the OPWC grant that the city was recently awarded to improve the State Route 62/State Route 161 interchange. This new grant application would contain a similar funding formula. The project would cost around $2.8 million with a local match of around $250,000, 10% cash request and 90% loan, similar to prior successful applications. The loans were typically 0% interest for 20 years. The project would extend Market Street beyond Reynoldsburg-New Albany Road, turning north to intersect with Dublin-Granville Road, and include improvements to either Third Street or Second and Third Streets. The city needed to continue to develop plans specifically concerning Second and Third Streets.

City Manager Stefanov told council that the goal was to reduce and untangle the traffic backups at State Route 605/State Route 62/Dublin-Granville Road and in the Historic Village Center. Hopefully, the Market Street extension would serve as a by-pass for traffic cutting through downtown New Albany. City Manager Stefanov said The New Albany Company had been doing some traffic analysis and determined that about 80% of traffic through the Village Center was people cutting through the city heading north or south. By adding more connections and enhancing the grid, City Manager Stefanov hoped to disperse some of that traffic and unknot in the Historic Village Center.

The OPWC grants were competitive and scored based on the city meeting various criteria. That evening, prior to the council meeting, the city noticed and advertised a public hearing. The deadline for the OPWC application was in early September. With council’s approval, the city would likely hear the result of the application by late December or early January. If the city was awarded the grant, the earliest construction could begin was July 1st. In the meantime, staff would continue to analyze traffic flow in the Village Center, prepare construction drawings, negotiate with The New Albany Company on the acquisition of the land, and take a look at the Second Street and Third Street area to determine the best way to make connections.

Council Member Shull asked and City Manager Stefanov clarified where the extension would be relative to the Rose Run 2 plans. Council Member Shull asked and City Manager Stefanov replied that the city didn’t know the exact location, size, or shape of retention ponds included in the Rose Run 2 plans. Staff would want to design ponds that looked natural. Council Member Shull noted that this was an important visual area. Council Member Kist said that he thought the extension of Market Street was key to Rose Run 2 plans. Council Member Kist asked and City Manager Stefanov answered that the property owner was on board with the Market Street extension project. Council Member Fellows asked and Council Member Briscoe confirmed that the area in question was roughly where a local swimming pool used to be.

Council Member Briscoe opened the Public Hearing. Hearing no comments or questions from the public, she closed the Public Hearing.
Council Member Briscoe moved to adopt the resolution. Council Member Fellows seconded and council voted with six yes votes to approve Resolution R-41-2019.

**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 Joseph Stefanov reported that Virgin Hyperloop representatives visited and brought a Hyperloop pod to display on the Ohio Statehouse lawn. MORPC formed a Complete County Committee to assist municipalities with their 2020 Census efforts. MORPC was not taking a position on Ohio House Bill 163 because of the diversity of its membership. Townships would likely be in favor and municipalities would likely be opposed to HB 163. The proposed legislation would penalize municipalities for refusing to extend water and sewer services beyond their municipal boundaries. MORPC was creating a fact-based document to help their members to evaluate the bill. MORPC was working with Central Ohio Greenways for an Impact of Trails study being funded through The Columbus Foundation. MORPC was accepting comments on the 2020-2050 Metropolitan Transportation Plan through August 30, 2019. There was a “Community Planning for Autism” program on September 17, 2019. The city would be sending representatives to that meeting which would address development that was sensitive to autism-related challenges.

B. Council Representative to Joint Parks and Recreation: No report.

C. Council Representative to New Albany Plain Local Schools: Council Member Brisk reported that the school board unanimously approved the lease for the amphitheater ground. There was much supportive conversation around the project. The schools would be giving up some of their parking lot during the amphitheater’s construction phase in order to honor the commitment not to close Dublin-Granville Road during the process. In prior years, the high school offered a practice ACT
test offered to students. After discussion, they would be switching over to a practice SAT test. The board felt there were a lot of metrics being offered with the SAT that would help them evaluate the student body for other purposes.

D. Council Representative to Plain Township: Council Member Durik reported that the township approved the promotion of two officers to lieutenants who would be sworn in on August 21, 2019. The community pool season was coming to a close. There had been several incidents where the rules were not respected during the summer when the township had rented out the pool for private parties. The township would be creating new regulations as to who and for what purposes they would rent out the facility. An off-duty officer would be required to be present at private parties. Council discussed some of the circumstances of the problematic incidents.

REPORTS OF CITY OFFICIALS:

A. Mayor: No report.

B. Clerk of Council: No report.

C. Finance Director: No report.

D. City Manager:

City Bus Purchase: City Manager Stefanov reported that he had issued a memorandum comparing the battery-powered bus to the diesel bus. He was pleasantly surprised about how much savings could be realized with the battery-powered vehicle. He reported that the battery-powered buses had been performing well elsewhere. The overall savings would be around $360,000 per year. Fuel consumption numbers were promising based on published data. Maintenance costs were estimates, staff tried to be as accurate as possible, and the city was anticipating significantly less drive-train maintenance. The city's fleet manager and one of the mechanics were trained to work on electric vehicles. They did not think the city would not have to contract out maintenance to a third party. With the grant, the acquisition cost was much lower for a battery-powered bus.

If council was agreeable, City Manager Stefanov would bring legislation back to council in September authorizing him to proceed with a bid process. He stated he needed to follow up with COTA to determine whether the city would want to join with them for the bidding. COTA was planning on purchasing ten battery-powered buses. City Manager Stefanov understood there were two major manufacturers of these buses, so the city would want to make sure that bid specs were tight and that the city was getting the best possible vehicle for its money.

Council Member Fellows asked and Council Member Kist answered that Proterra manufactured buses in South Carolina and California. City Manager Stefanov speculated that the other company was
located in Canada. Council supported City Manager Stefanov bidding with COTA as it was likely to save money.

Council Member Brisk praised City Manager Stefanov and Council Member Kist for this process. She was surprised by the lower cost. Getting the grant made a different. It was a good position for the city and she didn’t see a downside to the battery-powered buses at this time. Council Member Shull asked and City Manager Stefanov replied that a motion would be helpful to proceed. City Manager Stefanov acknowledged Economic Development Specialist Angie Hobart’s significant work on putting together the grant application. Council thanked Development Specialist Hobart.

Council Member Kist understood the bid process would decide which contract the city accepted, however, he stated that, if the bids were close, he would prefer that the city contract with Proterra. They had been helpful in the early stages and put the city on to the grant process at the start. He understood it was a competitive process, but if the bids were in the same neighborhood, he preferred working with Proterra.

Council Member Shull moved to accept the battery-powered bus grant as discussed and to authorize the city manager to put together legislation for potential purchase of an electric bus. Council Member Brisk seconded and council voted with six yes votes to approve the motion.

**Strategic Plan Update:** Administrative Services Director Adrienne Joly followed up on her email to council regarding Engage New Albany events. In July, the city logged over 1,400 website visits, held four events with 260 attendees, had 342 people complete the on-line survey, and sent out over 3,100 mailers about the Engage New Albany workshop. The city posted a new on-line survey and was getting ready for a social media push. There were two upcoming events. There was a neighborhood gathering at the Nelson residence on August 21st. Another would take place at the London home, coinciding with a meeting of an African American parents group, on August 27th.

Council Member Shull stated he could attend the gathering at the Nelson home. Council Member Brisk stated interest in attending at the London home. Council Member Kist asked and Director Joly clarified that the 1,400 visits to the Engage New Albany website represented total, not unique visits. Administrative Services Director Adrienne Joly agreed this was high and was pleased at the engagement both on-line and at the workshop where 50-60 people attended. She expressed that this would help the plan and process.

E. City Attorney: Law Director Mitch Banchefsky reported regarding Ohio Senate Bill 57 where the state had, in effect, legalized the possession of marijuana. He had been researching the impact and had learned that hemp and marijuana were the same, it was the THC level which determined how the plant was categorized. THC levels in a hemp plant could vary based on time and environmental factors. This presented a problem, for example, for the city’s drug sniffing dog which did not distinguish hemp versus marijuana when he signaled, creating probable cause issues.
Law Director Banchefsky noted that the City of Columbus was in the process of decriminalizing marijuana. New Albany was talking with other municipalities to come up with a policy for handling minor misdemeanor marijuana citations. Council Member Briscoe added that testing the product costed $600-$700 whereas a minor misdemeanor ticket carried a maximum fine of $150. It also took more time to get the product tested than was allowed by Mayor’s Court. Law Director Banchefsky stated the State of Ohio currently didn’t have the ability to test the products as state labs had not yet purchased the necessary equipment. Law Director Banchefsky stated marijuana was still illegal in the State of Ohio. He would continue to update council.

POLL FOR PUBLIC COMMENT:
NONE.

POLL FOR COUNCIL COMMENT:
NONE.

OTHER BUSINESS:
NONE.

ADJOURNMENT:
With no further comments and all scheduled matters attended to, Council Member Briscoe moved and Council Member Shull seconded to adjourn the August 20, 2019 Regular Council meeting at 7:44 pm.

ATTEST:

[Signatures]

Jennifer H. Mason, Clerk of Council Sloan Spalding, Mayor 9/3/19

Date