



Council Minutes – Regular Meeting

January 16, 2024

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of January 16, 2024 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 Benjamin Albrecht, Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Economic Development Manager Sara Zeigler, Engineering Manager Cara Denney, Public Service Director Mike Barker, Public Information Officer Josh Poland, and Clerk of Council Jennifer Mason.

ROLL CALL:

The following Mayor/Council Members answered Roll Call:

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

Clerk Mason reported that Council Member Durik could not attend due to travel and requested to be excused. Mayor Spalding moved to excuse Council Member Durik from the council meeting. Council Member Wiltrout seconded and council voted with 6 yes votes to excuse Council Member Durik from the council meeting.

ACTION ON MINUTES:

Council adopted the 1/2/24 organizational meeting minutes by consensus.
Council adopted the 1/2/24 regular meeting minutes by consensus.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Clerk Mason stated staff had requested to move Ordinance O-01-2024 due to the applicant’s withdrawal of their application. Mayor Spalding moved to amend the agenda to move O-01-2024 to right before Hearing of Visitors. Council Member Shull seconded and council voted with 6 yes votes to move Ordinance O-01-2024 to the next item on the agenda. Motion passed.

ORDINANCE O-01-2024

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 5.23+/- ACRES OF LAND LOCATED ON THE EAST SIDE OF BEVELHYMER ROAD, NORTHEAST OF THE INTERSECTION OF BEVELHYMER ROAD AND WALTON PARKWAY, AND NORTH OF THE INTERSECTION OF WALTON PARKWAY AND US-62, FROM RESIDENTIAL (R-1) TO INFILL PLANNED UNIT DEVELOPMENT (I-PUD) FOR AN AREA TO BE KNOWN AS THE “WALTON FARMS ZONING DISTRICT” AS REQUESTED BY STEPHEN BUTLER.

January 16, 2024

Director Chrysler explained, after first reading of the ordinance with discussion and questions from council, the applicant met with city staff and formally withdrew the rezoning application, thereby requesting council to table the ordinance indefinitely. Tabling indefinitely was the mechanism to memorialize the withdrawal.

Mayor Spalding asked and Director Chrysler clarified that, upon being tabled indefinitely, the application would officially be null and void. If the applicant were to reapply, they would have to go back through the full application process, starting with the Rockyfork Blacklick Accord, Planning Commission, then back to council. Once council tabled the ordinance indefinitely, this matter would no longer be an item of consideration for the city.

Council Member Fellows asked and Director Chrysler confirmed that the zoning signs would be removed from the site. If the applicant or any subsequent applicant were to re-initiate, even with the exact same zoning text, they would have to start from scratch and go through the required city boards and council.

Mayor Spalding moved to table the ordinance indefinitely. Council Member Fellows seconded and council voted with 6 yes votes to table Ordinance O-01-2024 indefinitely.

HEARING OF VISITORS:

NONE

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: No meeting.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ARCHITECTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: No meeting.

SUSTAINABILITY ADVISORY BOARD: Council Member Kist reported that, during the hazardous waste drive, the city collected 22,873 pounds of hazardous waste, of which 16,000 pounds were paint. The pumpkin collection resulted in 12.9 tons of gourds diverted from the landfill. The student sustainability pilot programs, educating about composting and idling during pick-up/drop-off at school, would be starting in January. Earth Day to Arbor Day events were being finalized. The city was able to combine the next e-waste and hazardous waste drives at the same time at the Public Service Complex. The SAB was creating a subcommittee to focus on municipal composting for commercial properties. The SAB tabled their organizational meeting to the next meeting when more members would be in attendance.

Council Member Fellows asked and Chief Marketing Officer Poland confirmed that he would be sharing the results of the hazardous waste drive on social media. Council Member Kist would forward the results spreadsheet to Chief Marketing Officer Poland.

January 16, 2024

IDEA IMPLEMENTATION PANEL: Council Member Wilttrout reported that the IDEA Panel held their organizational meeting. Dr. Brianna Johnson would remain as chair. The SOUPer Supper event would be held on February 7 at the Heit Center. Council Member Wilttrout invited council to participate and bring a crockpot of soup. They could win an award. Serving items would be compostable. The IDEA Panel discussed the March 14 Women of New Albany event at The Estates. The theme was an inspirational night about the women of New Albany. The IDEA Panel was hoping to launch the Neighborhood Ambassador program at the SOUPer Supper event.

Council Member Fellows asked and Council Member Wilttrout responded that the proceeds from the SOUPer Supper event would go to the New Albany Food Pantry. The cost of the event would be covered by the IDEA Panel.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CORRESPONDENCE AND COMMUNICATION:

Council Member Kist believed that all council members received an email from Scott Siebenaler and asked if staff would be replying about the hamlet process. City Manager Stefanov responded the he and Public Service Director Barker were working on a response which he anticipated would go out that week.

Council Member Fellows recalled an email from Timothy Scholten regarding the dangers at the intersection of Bevelhymer Road and Central College Road. He knew several people who had been clipped crossing there. Was there anything more the city could do to make that intersection safer? City Manager Stefanov recalled Mr. Scholten requesting lighted stop signs which city staff were looking into. Police Chief Greg Jones pulled the accident history for that intersection. The city was working with the engineer to determine the brightness and sufficiency of the area lights. There was an AEP overhead light, so it was likely properly lit.

Chief Jones stated that intersection was in the top 8 for the month. A sergeant had noted several accidents close together, a few more than normal. In 3 recent accidents, 1 involved a driver likely unfamiliar with local traffic laws, 1 was a DUI driver. The police department was actively working that intersection and issuing citations and warnings. Council Member Fellows thought increased traffic was contributing to the accidents. Council members discussed the line of sight and how it was formerly a 2-way stop, now a 4-way stop. Chief Jones didn't think line of sight was the issue, but rather people not yielding at stop signs.

Mayor Spalding asked and Chief Jones responded that he would check to see if there were "stop sign ahead" signs. They discussed increased traffic accidents throughout central Ohio.

Council Member Kist asked about additional signs and suggested focusing on the east-west bound traffic, acknowledging it would be great to do all 4 directions.

January 16, 2024

Chief Jones stated, even before the intersection entered the top 8, officers had worked that intersection regularly. Cruisers near the intersection were easy to spot, so officers weren't able to issue many citations/warnings.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

Clerk's note: Ordinance O-01-2024 was moved up before Hearing of Visitors by motion during Additions or Corrections to the Agenda.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-02-2024

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTERS 183.21, 939.01, 1187.08, 1187.09, 1187.10, AND 1187.11 OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES TO REMOVE REFERENCES TO COUNCIL STANDING COMMITTEES AND UPDATE CITY STATUS AS REQUESTED BY THE CITY OF NEW ALBANY.

Clerk Mason reminded council that, at their last meeting, they voted to remove council standing committees from their Rules of Procedure as the Safety, Public Utilities, Service and Public Facilities, Planning and Economic Development, and Administration committees had not convened a meeting in over a decade. This ordinance struck standing committee references from city code as marked on Exhibit A. It further updated a few "village" and "village administrator" references to "city" and "city manager." She noted there was a reference in the city code to an Investment Advisory Committee. The language in the code said "council or the designated Investment Advisory Committee shall meet. . .," so that section of code did not need amending, but council should be aware of it. Council could strike the reference to that committee or leave it as it was.

Council Member Wiltrout stated she met with staff and the city's investment advisor that afternoon. She appreciated learning about the city's investments. She was happy to report the findings on a regular basis. This was essentially the function of the former standing Finance Committee.

Clerk Mason stated she would be suggesting creating a council member liaison to the finance department as part of the council rules revisited discussion later in the meeting.

Director Staats stated she understood the former Finance Committee and Investment Advisory Committee to be the same entity. City code section 157.10 was part of the city's required investment policy per the Ohio Revised Code. Financial institutions that the city did business with also had to sign off on this investment policy.

Council Member Shull asked and Director Staats answered that the meetings included Redtree Investments advisors, 1 council member, finance department staff, and City Manager Stefanov.

January 16, 2024

Council members further discussed the language and concurred that the code section 157.10 would not need to change. Council Member Wilttrout asked and Finance Director Staats believed she would be considered the “investment officer” as the code was written.

Mayor Spalding set the ordinance for second reading at the February 6, 2024 council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS:

NONE

COUNCIL SUBCOMMITTEE REPORTS:

Council deferred this discussion to later when they discussed council Rules of Procedure.

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: No meeting.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that the board was in final phases of updating their new logo, website, and activity registration platform. They hoped to have it all done by September 1. Council Member Shull recalled discussions between city and JPD regarding the exterior of the recreation center. Suggestions and information would further discussed at the next board meeting.
- C. Council Representative to New Albany-Plain Local Schools: Council Member Wilttrout reported that the board held their organizational meeting. Jennifer Fuller was sworn in as the newest board member. Debra Kalinosky was elected as president and Paul Naumoff as vice president. The board heard the mid-year update regarding the successful student wellbeing program and belonging in school. They discussed the 5 goals and the unique ways they had been achieving those in each of the 5 schools. The board heard a discipline data summary. General misconduct was down. Truancies, class cuts, and tardies had increased some.

Council Member Kist asked and Council Member Wilttrout confirmed the board would present the Cooperative Strategies impact study at the January 22 meeting. Council members would receive an invitation to attend.

- D. Council Representative to Plain Township: Council Member Brisk reported that the township trustees held their organization meeting. Carrie Mollard was the new chair and Joe Hill was vice chair. They would be rotating their leadership every 2 years.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding complimented the public service department for putting down a lot of salt and keeping the roads clear. New Albany schools were able to start on time.

January 16, 2024

- B. Clerk of Council: Clerk Mason polled council regarding 24 Main’s request to the Ohio Division of Liquor Control for a D1 permit. Council indicated they had no objection and would not be requesting a hearing.
- C. Finance Director: Director Staats reported that the finance department closed FY 2023 on Friday. The General fund final appropriation was \$42.9 million. The city passed on appropriations of \$5.5 million, meaning the city lapsed or did not spend 13% of the final appropriations. Those funds would be added back to the General fund budget. She had to use \$47,000 of the \$100,000 contingency due to one of the city’s special revenue funds, the Subdivision Development or Builder’s Escrow fund. This was the 2nd year the city was required to budget for these funds since they were now special revenue funds. Since these funds were related to private development, the city did not have much control over the timing and amount of transactions. The funds received monies for permit inspections performed by outside parties and held escrow funds related to granting temporary occupancy until final occupancy was given, then they were released. The use of the contingency was a result of activity that occurred in late December.
- D. City Manager: No report.
- E. City Attorney: No report.

POLL FOR PUBLIC COMMENT:

Abe Jacob recalled he had last addressed council as a member of the IDEA Committee. He and his husband recently completed their first meeting of the New Albany Citizens Police Academy. The level of diversity and inclusion in the attendees stood out. The last few years of being thoughtful, strategic, open, and authentic, in collaboration with city’s communications department, had clearly invited folks to want to participate in the academy - all walks of life, ages, genders, races, relationships, and work status. He asked council to continue its work with IDEA Panel. The city was already seeing the proof that it worked.

Mayor Spalding observed that many on council had been through the academy and the city’s officers did a great job of generating a positive experience of law enforcement in the community.

POLL FOR COUNCIL COMMENT:

NONE

EXECUTIVE SESSION:

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22 (G)(1) for discussion regarding appointment, employment, and compensation, of a public employee or official. Council would be discussing the McCoy Board appointment and health insurance. Council Member Kist seconded and council voted with 6 yes votes to go into executive session at 7:12 pm. Council anticipated action afterward.

January 16, 2024

Mayor Spalding moved that council come out of executive session and resume the regular meeting. Council Member Kist seconded and council voted with 6 yes votes come out of executive session and resume the regular meeting. Council resumed the regular meeting at 8:33 pm.

OTHER BUSINESS:

Board and Commission Appointment

Clerk's note: this item was postponed to the next council meeting.

Council Rules Revisited

Clerk Mason brought up the council Rules of Procedure as attached. Mayor Spalding stated he didn't have any additional suggested changes.

Council Member Wiltrout asked and Clerk Mason answered that the standing Finance Committee no longer existed, but council could create a subcommittee. Clerk Mason's suggestion for council Rule 4(C) was to create a council member liaison to the finance department, since just 1 council member was involved and that person would be reporting back to council. Law Director Benjamin Albrecht confirmed that would work.

Council Member Wiltrout asked and council members agreed that there could be multiple assigned liaisons.

Regarding Rule 4(B), Clerk Mason said she included the same responsibilities for the chair of any council subcommittees as had existed for the previous standing committees.

As part Rule 4(C), Clerk Mason requested an assigned council member liaison to the council clerk's office since the standing Administration Committee had been abolished. She preferred a named council member to report to.

Council and staff discussed the referenced Investment Advisory Committee in code section 157.10. Mayor Spalding asked and Law Director Benjamin Albrecht answered that a subcommittee could be created and appointed by motion.

Council Member Brisk asked and Law Director Benjamin Albrecht answered that a liaison to the finance department was a broad enough position to fall within code section 157.10. Council Member Wiltrout asked and Law Director Benjamin Albrecht agreed that, as liaison, she could handle other finance-related items or council could assign another member.

Council Member Shull understood the Hotel/Motel Bed Tax Grant to be subcommittee which was included council Rules of Procedure, Rule 4. Clerk Mason confirmed and offered that it could be named in the rules, if council preferred. Council members agreed the grant committee would be around awhile, but didn't see a need to name it in the rules. Clerk Mason noted that she would be sending out grant applications in May per the new process. Council Member Brisk didn't want the

January 16, 2024

grant committee to have to wait until May to discuss matters. Council Member Shull stated that last years' Hotel/Motel Bed Tax Grant committee members wanted to serve as a group one more year, with council's approval.

Regarding to Rule 7, Clerk Mason recalled prior confusion over a motion to table versus a motion to postpone to a date certain. Although it was not strictly Robert's Rules, she recommended a motion to table happen inside of a meeting and that any matter to be delayed to another meeting, whether it be the next meeting or further out, be handled with motion to postpone to date certain.

Council Member Brisk asked and council members confirmed that there were no stated terms for council subcommittee members. Council would be revisiting subcommittee assignments annually at their organizational meeting.

Council Member Wiltout moved to adopt the council Rules of Procedure changes as proposed and discussed herein. Council Member Kist seconded and council voted with 6 yes votes to adopt the council Rules of Procedure as proposed and discussed.


Council Member Shull moved to create the Hotel/Motel Bed Tax Grant subcommittee. Council Member Brisk seconded and council voted with 6 yes votes to create the Hotel/Motel Bed Tax Grant subcommittee. Motion passed.

Mayor Spalding asked to make City Manager Stefanov's annual review as an executive session agenda item at the next council meeting.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Kist seconded to adjourn the January 16, 2024 regular council meeting at 8:49 pm.

ATTEST:


Jennifer H. Mason, Clerk of Council


Sloan Spalding, Mayor


Date

RULE 1 - ESTABLISHMENT OF RULES BY COUNCIL

- A. In accordance with the provisions of its Revised Charter, the New Albany City Council hereby adopts the foregoing Rules of Procedure by motion.
 - 1. Such rules may be amended from time to time by motion with a majority of members concurring. The rules, or portions thereof, may be waived or suspended when necessary from time to time by a 2/3rds vote of the council.
 - 2. No provision or section of the rules adopted which restricts or conflicts with those rights provided by the Constitution of the United States, the Constitution of the State of Ohio, the New Albany Charter, city ordinances, or general law shall have any force or effect.
 - 3. Robert's Rules of Order shall control where no provisions are made in these rules.

RULE 2 - MEETINGS OF COUNCIL

- A. Pursuant to Charter Section 4.03(A), council shall meet annually before the first regularly scheduled meeting of the year for the purpose of organizing. At such meeting, the newly-elected council members, if any, may take the oath of office; the council may transact such other business as may come before it; and in even number years shall appoint a new president pro tempore pursuant to Charter Section 3.03 and 4.03(A) and, if needed, an acting mayor as required by Charter Section 3.03.
- B. No later than February 29 of each year, council shall appoint members to boards and commissions except as otherwise set forth in the ordinances pertaining to a specific board or commission. The terms of members shall begin and end upon appointment or replacement. Current terms of members of boards and commissions shall be extended until appointments are made.
- C. Pursuant to Charter Section 4.03(B), council shall hold at least one regular meeting each month and shall determine the frequency, dates and times of additional regular meetings in order to properly conduct its business. While the normal meeting time and day is 6:30 p.m. on the first or third Tuesdays of each month, council may, by a majority of vote of its members, reschedule meetings when necessary.
- D. Meetings shall be held in the Village Hall Council Chambers or such other public place within the city, provided that a public notice of the changed meeting place shall be posted by the clerk of council or designee in the following 3 places: on the city website, the New Albany Public Service Complex, and the Village Hall.
- E. Pursuant to Charter Section 4.03(C) special council meetings may be called, for any purpose, by the mayor or any 3 council members upon at least 24 hours notice to each council member, which notice may be served electronically via the council member's designated email address,

personally, or left at the usual place of residence. Council members who attend special Council meetings or who are present at another regular or special meeting where a special meeting is announced by the presiding mayor, president pro tempore, or acting mayor need not receive notice of the special meeting. Council members may waive receipt of notice of a special meeting either prior or subsequent to the meeting. Attendance at a special meeting constitutes a waiver of receipt of notice of special meeting.

1. Such meeting notice shall indicate the date, time, place and purpose of the meeting. Only matters relating directly to the stated purpose (s) of the special meeting may be considered during that meeting.
 2. Notice of such special meeting shall be posted by the clerk of the council or designee in the following 3 places: on the city website, the New Albany Public Service Complex, and the Village Hall.
 3. In case of an emergency requiring the immediate gathering of council for decisions affecting the public health, safety and welfare, council may meet after following the notification provisions outlined in Ohio Revised Code Section 121.22.
- F. Executive sessions may be held only during a regular or special meeting, after council approves by a majority vote a motion to enter into executive session and stating the purpose for the executive session, pursuant to Ohio Revised Code Section 121.22 and or pursuant to New Albany Charter Section 4.03(E).
- G. No meeting may take place without a quorum of council members present. Pursuant to New Albany Charter Section 4.01(C), 4 council members shall constitute a quorum for all meetings.
- H. Numbers required for passage of legislation: The required readings of legislation shall not be waived unless 5 council members vote in favor of the waiver. 5 council members must vote in the affirmative to pass legislation as an emergency pursuant to New Albany Charter Section 6.04(B).
- I. Upon written request, any person may obtain reasonable advance notification of all meetings, pursuant to Ohio Revised Code Section 121.22.

RULE 3 - PRESIDING OFFICER OF COUNCIL

- A. Pursuant to Charter Section 3.02(B)(1) and (2), the mayor shall preside at all council meetings and have the right to vote on all matters, but shall have no veto power.
- B. Pursuant to Charter Section 3.03(A), president pro tempore shall act as mayor during the temporary absence or disability of the mayor. Pursuant to Charter Section 3.03(B), in the event of a temporary absence of both the mayor and president pro tempore, the senior council member, based on length of continuous elected service with the city, shall serve as the acting mayor. If 2 or more council members have held the same length of continuous elected service with the city, then an acting mayor shall be chosen from among those 2 or more council members by a vote of 4 council members at the organizational meeting of council.
- C. Pursuant to Charter Section 5.04(B), any vacancy in the office of mayor shall be filled by the president pro tempore. If the vacancy occurs on or after July 1 of the second year of the mayor's term, the president pro tempore shall serve for the remainder of the mayor's un-

expired term. If the vacancy occurs on or before June 30 of the second year of the mayor's term, the president pro tempore shall serve until a successor is elected at the next regular municipal election. The person so elected shall take office on January 1, following such election for the remainder of the mayor's term. Upon the election of a new mayor, other than the president pro tempore then serving as mayor, the president pro tempore shall serve the remaining elected term as council member.

In the event of a vacancy in the office of mayor, whereby the president pro tempore is required to serve as mayor, the council shall select a person to fill the vacancy on council, as provided in Charter Section 5.04(B)(2). However, nothing in the charter or herein shall prevent the president pro tempore from serving the original full elected term as council member. The person chosen to fill the vacancy on council shall serve a term as council member equal to the term the president pro tempore serves as mayor. In the event the president pro tempore's original elected term expires while filling the mayor's un-expired term, the new president pro tempore shall assume the remainder of the mayor's un-expired term.

RULE 4 - SUBCOMMITTEES OF COUNCIL AND APPOINTMENTS

A. Subcommittees: By motion, council may appoint up to 3 council members to a subcommittee charged with examining a specific issue or piece of legislation as directed by council. The subcommittee shall periodically report to council on its progress during a public meeting and may recommend to the full council a course of action.

B. Subcommittee Chair Responsibilities:

1. The subcommittee shall elect a chair to preside over all subcommittee meetings.
2. The clerk of council's office or assigned council or staff member shall keep minutes of each subcommittee meeting and file them with the clerk of council's office.
3. The subcommittee chair shall report on the actions of the subcommittee at the next council meeting.

C. Appointments: The mayor and council shall appoint a council member to act as liaison to the following entities, boards, and commissions: The New Albany-Plain Local Schools, Plain Township, the New Albany-Plain Local Joint Parks District, the city's Finance Department, the Clerk of Council's office, the Planning Commission, the Board of Zoning Appeals, the Architectural Review Board, the Parks and Trails Advisory Board, the Cemetery Restoration Advisory Board, the Sustainability Advisory Board, and the IDEA Implementation Panel.

The mayor shall, with the review and concurrence of council, make appointments to the Rocky Fork Blacklick Accord Panel and MORPC. The mayor shall appoint 2 representatives to the Tax Incentive Review Committee with the concurrence of council. The mayor shall appoint 2 members to the Community Reinvestment Area Housing Council. The mayor, or designee, and another resident appointed by the mayor shall serve on the Public Records Commission.

Pursuant to the charter, the mayor may appoint a magistrate(s) with the approval of council.

Council shall appoint members to the various city boards and commissions, including the Architectural Review Board, the Planning Commission, the Board of Zoning Appeals, the Parks and Trails Advisory Board, the Cemetery Restoration Advisory Board, the Sustainability

Advisory Board, and the IDEA Implementation Panel, and 3 members/representatives to the Joint Economic Committee. Council shall appoint 2 additional members to the Community Reinvestment Area Housing Council. Council will also appoint 2 representatives to the Joint Parks District and 3 representatives to the Jeanne B. McCoy Community Center for the Arts board.

RULE 5 – LEGISLATION

- A. The procedures for enacting legislation are outlined in Charter Article 6. Legislation may be proposed by any elected official, the mayor, clerk, city manager, any city board or commission acting as a body, or any council subcommittee.
- B. Pursuant to Charter Section 6.03, all proposed or recommended legislation may be introduced by any elected official at a regular or special meeting prior to consideration by council.
- C. Pursuant to Charter Section 6.02, all legislation shall be in proper written form and approved as to form by the city attorney. Pursuant to Charter Section 6.07(A), all resolutions and the following ordinances shall take effect upon adoption, unless council specifies a later time: (1) appropriations of money; (2) annual tax levies for current expenses; (3) improvements petitioned for by owners of the requisite majority of the front footage or of the area of the property benefited and to be assessed; (4) submissions of any questions to the electorate or a determination to proceed with an election; (5) approvals of a revision, codification, re-codification, rearrangement, or publication of ordinances; and (6) emergency ordinances. Pursuant to Charter Section 6.07(B), unless otherwise provided in the charter, all other ordinances shall become effective thirty days after their adoption or at any later date specified by council.
- D. Proposed or recommended legislation which has been introduced may be assigned to a ~~standing or special committee~~ council subcommittee for additional study and evaluation if such action is deemed necessary or in the best public interest by the mayor. The mayor or presiding member of council may defer public comment until the proposed legislation is considered in subcommittee, or until the public hearing on said legislation. The mayor or council by majority vote, at a regular or special meeting, may assign pending legislation to a council subcommittee.
- E. When recommended legislation has been referred to subcommittee, that subcommittee shall report its findings and conclusions to council.
- F. Waiver of required readings and emergency legislation shall take place as outlined by Charter Section 6.04(B).
- G. Legislation need not be read in full, but may be read by title only. Pursuant to Charter Section 6.03(B) the public hearing on all legislation shall follow its publication by no less than 7 days; may be held separately or in conjunction with a regular or special council meeting; may be adjourned or recessed from time to time; and may be dispensed with for an emergency ordinance. The public hearing of an ordinance shall be conducted at the next designated meeting subsequent to its introduction, unless otherwise specified by council. Unless dispensed with by council, the public hearing of an emergency ordinance shall be conducted at the time of its introduction.

- H. Copies of all legislation, along with supporting documentation and exhibits if any, shall be made available to each council member, the mayor, the city manager, department heads and support staff when required, at least 7 days prior to the regular or special council meeting at which such matters are to be considered, except in the case of an emergency. Generally, council should not consider for introduction any legislation which has not first been circulated to city officials at least 24 hours before the meeting at which introduction is scheduled.
- I. Pursuant to Charter Section 6.03(B), prior to passage, proposed legislation shall be posted in the following 3 places: on the city's website, New Albany Public Service Complex, and Village Hall.
- J. Pursuant to Charter Section 6.12(A), upon passage, legislation shall be posted in the following 3 places: on the City's website, New Albany Public Service Complex, and Village Hall for a period of 30 days after its adoption.

RULE 6 - PUBLIC HEARING FOR THE PASSAGE OF LEGISLATION

When legislation is introduced, the following procedures shall be followed.

- A. The mayor, council member, city manager, or staff member shall give a brief explanation of the subject matter of the hearing.
- B. Members of the public who wish to speak on the issue will complete a speaker slip furnished by the clerk of council prior to commencement of the hearing of visitors. The speaker slips will be forwarded to the mayor or council member presiding over the meeting who will determine the order in which individuals may speak and may designate a time limitation for each speaker when appropriate. While all parties in interest shall have equal opportunity to speak, the mayor or presiding council member may limit debate which is extensive, not germane to the subject of the hearing, or repetitive. The mayor or presiding council member may limit each individual speaker to not less than 2 minutes, taking into consideration whether or not the issue or subject matter is on the agenda and the speaker(s)' prior opportunity to speak on the issue. If a matter is not on the agenda, the mayor or presiding member of council may limit the overall time for the debate and defer any additional debate to a subsequent meeting.

RULE 7 - MOTIONS

- A. When an issue is under discussion before council and a motion has been made, no motion shall be proper except the following:
 - 1. Motion to adjourn
 - 2. Motion to recess
 - 3. Motion to end discussion and call the question
 - 4. Motion to refer to a ~~standing subcommittee or special committee~~
 - 5. Motion to table at that same meeting
 - 5-6. Motion to postpone to a stated date certain
 - 6-7. Motion to table for an indefinite time
 - 7-8. Motion to amend a motion under discussion

- B. Except for Item 67, motions listed in Section A. above will go immediately to a vote with limited discussion. All motions shall require a second. In the absence of a second, the motion shall die.
- C. A motion to amend may itself be amended only once. An amendment, once rejected, may not be moved again in the same form, or moved for reconsideration.
- D. If a motion to table for an indefinite time is carried, the principle question shall be declared lost.
- E. A motion to reconsider may be made by any member during the meeting at which the vote on the original issue was taken, or at the next council meeting, regardless of that member's vote on the original motion.
- F. A motion to bring any matter from subcommittee committee or to bring any matter from the table shall be in order at any regular meeting following earlier motions to refer the matter to a subcommittee or to table.
- G. A motion to table indefinitely shall be debatable only as to the motion itself.
- H. A motion to end discussion and call the question shall not be considered until all members of the council have had an opportunity to debate the original motion.

RULE 8 - VOTING

- A. Voting on all matters shall be oral and open. When the clerk of council calls the roll, each council member shall respond verbally with his or her vote on the question, except as set forth in Rule 8-B
- B. Unanimous consent: in matters of routine business, including minutes and adjournment, the presiding officer may call for unanimous consent by asking council if there is any objection. If no objection is heard, the presiding officer may declare the matter adopted and the clerk of council shall record the unanimous consent in the minutes. If an objection is raised, the clerk of council shall call the roll pursuant to Rule 8-A.
- C. Council members shall vote in the affirmative or negative on all matters coming to a vote at a regular or special meeting.
- D. The order of roll call voting by council members shall rotate with each vote, except the member who moved the question shall be called to vote first, followed by the member who seconded the motion.
- E. A majority vote of council consisting of 4 affirmative votes shall carry, adopt or approve any motion before council unless otherwise provided for by law and outlined elsewhere in these rules.
- F. An abstention is a non-vote. A council member may abstain from voting on any issue only because of a conflict of interest, which must be stated at the time of abstention. A council member who has a conflict of interest on a pending issue must abstain from participating in discussion of such issue as well as voting. A council member may abstain from voting to adopt

the minutes which were taken at a meeting at which that council member was not present in said minutes.

- G. The clerk of council shall declare the results of each roll call vote and record the results in the minutes.
- H. No council member shall be permitted to change his or her vote after the vote results have been declared unless the motion is reconsidered by a majority vote of the council, as set forth in Rule 7-E.

RULE 9 - CONDUCT OF COUNCIL BUSINESS

- A. Council agenda shall be prepared and made available 7 days prior to regular meetings. In the case of special meetings, notification requirements outlined in Ohio Revised Code Chapter 121.22 (Open Meetings Law) shall prevail.
- B. Generally, any council member may request that a matter of business be placed on the published agenda for a regular meeting, provided such request is received by the clerk of council's office within sufficient time to comply with Rule 9-A.
- C. Any council member may move to add a matter of business to the agenda during a regular meeting, provided that a motion to modify the agenda is approved by a majority of council.
- D. Order of Business. The presiding officer shall conduct council meetings in the order outlined by the agenda. The agenda order for regular meetings shall generally conform to the following format:
 - 1. Call the meeting to order
 - 2. Pledge of Allegiance
 - 3. Roll Call
 - 4. Action on minutes of previous meeting(s)
 - 5. Additions or Corrections to the Agenda
 - 6. Hearing of Visitors
 - 7. Board and Commission Reports
 - 8. Correspondence/Communications
 - 9. Second Reading of Ordinances and Public Hearing
 - 10. Introduction and First Reading of Ordinances
 - 11. Resolutions
 - 12. Reports of Council Subcommittees
 - 13. Reports of Representatives
 - A. Council Representative to MORPC
 - B. Council Representative to Joint Parks and Recreation
 - C. Council Representative to Plain Local Schools
 - D. Council Representative to Plain Township
 - 14. Reports of City Officials
 - A. Mayor
 - B. Clerk of Council
 - C. Finance Director
 - D. City Manager
 - E. City Attorney
 - 15. Poll for Public Comment

- 16. Poll for Council Comment
- 17. Executive Session
- 18. Other Business
- 19. Adjournment

RULE 10 - MISCELLANEOUS PROVISIONS

- A. Official City Documents and Records: All original copies of city documents are to be stored securely at the Village Hall or other location designated by the city manager, and may not be removed or retained by anyone except by written permission of the document's custodian. All documents shall be accessible to the public pursuant to the provisions of Ohio Revised Code Chapter 149 (Public Records Law).
- B. Ethics: To avoid conflict of interest, unless otherwise provided by law, elected and appointed city officials and employees shall refrain from discussing and/or voting on an issue, Ordinance, Resolution, or motion if the issue, Ordinance, Resolution or motion would directly affect his or her personal or business interests or those of his or her close family members.
- C. When necessary, the mayor, a council member, or member of city administration may request an opinion from the Ohio Ethics Commission regarding a potential, perceived or actual conflict of interest.
- D. Immediate family members or any relative living in the home of the mayor, council member, city manager or deputy city manager shall not be considered for employment by the city.
- E. It is understood that from time to time, businesses or individuals doing business with the city may present gifts to individual city officials. Recipients may not keep gifts which have a market value of \$50 or more. Such items, if they cannot be returned, shall be donated to area needy families or to the charity of the recipient's choice.

APPROVED BY THE COUNCIL OF THE CITY OF NEW ALBANY, THIS ~~2ND~~ 16th DAY OF JANUARY, 2024



Mayor Sloan T. Spalding

ATTEST:

Jennifer H. Mason, Clerk of Council