



Council Minutes – Regular Meeting

October 19, 2021

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of October 5, 2021 at 6:30 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Law Director Mitch Banchefsky; Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, Police Sergeant Garrett Fernander, Development Director Jennifer Chrysler, Public Service Department Director Mark Nemec, Deputy Public Service Director Mike Barker; Economic Development Manager Michael Loges, Engineering Manager Ryan Ohly, Chief Communications Officer and Marketing Director 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	A/P– arrived at 6:38 pm
CM Marlene Brisk	P
CM Michael Durik	P
CM Chip Fellows	P
CM Kasey Kist	P
CM Matt Shull	P

Clerk Mason reported that Council Members Briscoe was attending the Special Olympics First Responders football game and running late, but would be arriving.

ACTION ON MINUTES:

Council adopted the October 5, 2021 minutes, without changes, by unanimous consent.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE

HEARING OF VISITORS:

NONE

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Council Member Shull reported that the PC approved a Final Development Plan modification for final placement of a home on an Oxford lot. Maletz Architecture + Build was the architect.

PARKS AND TRAILS ADVISORY BOARD: No meeting.



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ARCHITECTURAL REVIEW BOARD: Council Member Durik reported that the ARB heard an application from the Presbyterian Church at the Harlem Road/Dublin-Granville Road intersection. The meeting was well attended by residents and members of the church. The church withdrew its request for a variance regarding parking lot screening. A resident submitted an 11 page letter objecting to items of the church design that he did not believe kept with Georgian architecture, suggesting a road be moved, and expressing concerns about traffic patterns. Some issues did not fall under ARB purview. The church was looking into shorter parking lot lights and light timers. It wanted to begin construction before winter. The matter was tabled to the November ARB meeting. After the tabling, the ARB board received a second letter from the resident with additional input on architectural differences.

Council Member Shull asked and Council Member Durik replied that the church entrances were off of Dublin-Granville Road and Harlem Road – about half-way down the church’s property line. Mayor Spalding noted the city requested the road alignment – although that wasn’t in the scope of the ARB review. Director Chrysler stated that the church did not need to go before the Planning Commission or council at this time.

BOARD OF ZONING APPEALS: No meeting.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

INCLUSION DIVERSITY & EQUITY ACTION COMMITTEE: Council Member Brisk reported that the IDEA members finished up discussions about communicate and related tools to show more diversity and inclusion in the community. A wrap-up of the IDEA Committee’s recommendations to council was ongoing. There would be an IDEA member reception in November where a few representatives would present a summary of the year. They planned to present to council on December 7th.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.

CORRESPONDENCE AND COMMUNICATION:

Mayor Spalding noted that council had received some resident emails, and that staff was helping to address those.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-36-2021

Mayor Spalding read by title AN ORDINANCE TO DECLARE THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, EXEMPT 100% OF THAT IMPROVEMENT FROM REAL PROPERTY TAXATION, REQUIRE THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, PROVIDE

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FOR THE DISTRIBUTION OF THE APPLICABLE PORTION OF THOSE SERVICE PAYMENTS TO THE JOHNSTOWN-MONROE LOCAL SCHOOL DISTRICT, THE LICKING HEIGHTS LOCAL SCHOOL DISTRICT AND THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING COUNTY, ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS, SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THOSE PARCELS, AND APPROVE AND AUTHORIZE THE EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS.

Economic Development Manager Michael Loges stated this resolution would expand the tax increment financing (TIF) area which served much of Licking County. The school districts were not impacted by the establishment of this TIF.

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

Council Member Shull moved to adopt the ordinance. Council Member Durik seconded and council voted with 7 yes votes to approve Ordinance O-36-2021.

ORDINANCE O-37-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A 4.717 ACRE CONSERVATION EASEMENT AS REQUESTED BY THE NEW ALBANY COMPANY, LLC.

Engineering Manager Ryan Ohly stated this ordinance accepted a 4.717 acre conservation easement. Anticipating the development of this 27 acre site, NACO would be relocating an existing stream which extended diagonally through the property. The new alignment would follow the southern and eastern boundaries of the parcel. The US Army Corps of Engineers permit required a stream buffer area around the relocated stream, protected in perpetuity by the easement. A public entity had to receive the easement to ensure that its purposes were fulfilled. The easement contained restrictions to preserve the area by prohibiting construction, replacement of any man-made structures or modifications, cutting vegetation, or anything that would endanger the natural integrity.

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

Mayor Spalding moved to adopt the ordinance. Council Member Brisk seconded and council voted with 7 yes votes to approve Ordinance O-37-2021.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-38-2021

Mayor Spalding read by title AN ORDINANCE TO APPROVE THE FINAL PLAT FOR 60 SINGLE FAMILY LOTS ON 35.7+/- ACRES AND ACCEPT RESERVES “A”, “B”, “C” AND

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“D” FOR THE WOODHAVEN SUBDIVISION LOCATED AT 7555 BEVELHYMER ROAD AND 7325 WALNUT STREET AS REQUESTED BY BOB WEBB GROUP C/O BRANDON BELLI.

Planning Manager Stephen Mayer stated this ordinance would accept the Final Plat for the entire Woodhaven subdivision. The plat established 60 new lots, 22 of which were age-restricted. The age-restrictions would be recorded before homes were occupied. The plat dedicated right-of-ways on Walnut and Bevelhymer Roads and established a new street network inside the subdivision. The ordinance accepted 4 reserves to be used as parkland and open space. Reserve D was located where there was originally a proposed street connection. All reserves would be owned by the city and maintained by the Home Owners Association in perpetuity. The Planning Commission recommended approval at their September meeting.

Council Members Fellows and Shull asked and Larry Canini, Canini & Associates, replied that there was a larger wooded preservation area in Lot 2. Lots 3-8 called for a 20 foot preservation area. After plat approval, the developer would move into engineering and design. Stormwater management would determine what was possible for the wooded area along both that boundary and the southern boundary. A critical component of maintaining tree boundaries was keeping water off. The developer would be walking the boundaries with the neighbors and talk about trees.

Council Member Fellows asked and Mr. Canini replied that the 55 and older area would be lots 44-60. Mayor Spalding thanked the Bob Webb company for coming back to New Albany.

Mayor Spalding set the ordinance for second reading at the November 2, 2021 council meeting.

ORDINANCE O-39-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR NOTTINGHAM TRACE, PHASE 2B, AS REQUESTED BY PULTE HOMES.

Engineering Manager Ryan Ohly stated this ordinance accepted infrastructure improvements and appurtenances for Nottingham Trace Phase 2B. Prior to November 2, the developer would be required to submit a 2-year maintenance bond and an engineering and inspection fee deposit. Phase 2B contained 30 single-family residential lots. At full build, the entire neighborhood would have 240 single-family lots. All infrastructure was targeted to be finished by June of 2024. With the adoption of this ordinance, the city would accept Phase 2B streets, water main, fire hydrants, and sanitary sewer.

Mayor Spalding recalled resident concerns around the height of the storm sewer compared to the height of the pavement in Phase 1. Manager Ohly confirmed that the storm drain would be lower than the street pavement in subsequent phases.

READING AND PUBLIC HEARING OF RESOLUTIONS:

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Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO APPROVE AND SIGN AGREEMENTS WITH VTRE DEVELOPMENT, LLC RELATED TO INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE OAK GROVE II COMMUNITY REINVESTMENT AREA.

Economic Development Manager Michael Loges stated this resolution would authorize the city manager to enter into a Community Reinvestment Area (CRA) agreement with VTRE Development LLC, also known as VanTrust Real Estate. The proposed project was located on approximately 35 acres and comprised of a single 470,000 square foot speculative manufacturing and warehouse building. The applicant expected to invest approximately \$32 million to construct the building. Construction would starting around March of 2022 and slated for completion in February of 2023. The applicant expected around 410 permanent employment positions with an aggregate annual payroll of \$14.212 million by the end of 2026. Phil Rasey, VanTrust Vice President, was present to answer questions.

Council and Manager Loges discussed the location just northeast of the Facebook site. The Vertix recycling site and an AEP substation would be nearby. This site fronted East Worthington Road.

Council Member Briscoe asked and Manager Loges replied that, for warehouse space, the city used \$1.18 per usable square foot as a minimum income tax withholding benchmark – for office uses, it was \$3.30. Not more than 25% square feet of this project could be warehouse. The pilot payment was calculated off of a higher usable square footage. 25% of the total building area was deemed to be warehouse – so \$1.18 x 25% of that area. The remaining space would be \$1.18 at a 60% usable square footage figure. If the building were all office space, the city would take the usable square footage percentage – total square footage multiplied by 90% - and at the \$3.30 rate. Director Chrysler added that this pilot payment wouldn't be calculated until the building was finished and the city could see how the square footage was assigned. If there was office space, the pilot would be based on the office formula, and manufacturing/warehouse space would be based on the manufacturing formula. Benchmarks would also be based on that.

Manager Loges noted that the city reserved the right to re-establish the building revenue target annually. Should the building uses change, the city could go back and assert a different revenue target. Council Member Briscoe suggested staff review the manufacturing and warehouse formulas.

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

Council Member Kist moved to adopt the resolution. Council Member Briscoe seconded and council voted with 7 yes votes to approve Resolution R-52-2021.

REPORTS OF STANDING COMMITTEES:

A. Safety Committee: No report.

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

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: City Manager Stefanov reported that city staff reviewed MORPC’s population estimates and determined the Licking County estimate may be high and the Franklin County estimate may be low. The city was working with MORPC to adjust those numbers. MORPC’s accuracy rate was very high overall. Central Ohio grew by nearly 250,000 people. MORPC made a web-based 2020 census map available. MORPC completed and uploaded the 2021 annual wage and benefit survey – which the city participated in and used for benchmarking wage and benefit packages. The One MORPC One Voice program celebrated Hispanic Heritage Month and watched a video provided by the Director of the Ohio Hispanic Coalition.

MORPC adopted the 11-County Comprehensive Economic Development Strategy. MORPC reported back the approved TRAC list projects – 9 were submitted, 7 were approved receiving a total of \$64.6 million in funding.

- B. Council Representative to Joint Parks and Recreation: No meeting.
- C. Council Representative to New Albany Plain Local Schools: No meeting. Council Member Kist reported the board meeting was moved out to discuss HB 244 regarding school district policies. The boys’ soccer team finished the regular season undefeated - play-offs started that week.
- D. Council Representative to Plain Township: Council Member Durik reported that the township found a pool leak in the junction box on the inbound pipes and the bottom drains. They did not yet have a repair plan. The township approved a zoning request for New Albany Storage on SR 62 where there was an existing facility looking to expand to an adjacent property, tripling its size, and adding outdoor vehicle and equipment storage. The few residents in attendance did not object.

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REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported that the city was monitoring the weather to determine which date to hold Trick-or-Treat. The city would make the call soon and communicate it to residents as promptly as possible. Mayor Spalding had not seen any COVID-related recommendations for this year.
- B. Clerk of Council: Clerk Mason reminded council about the November 9 at 1:30 pm Budget Workshop at the Public Service Department. The agenda would be published shortly.
- C. Finance Director: No report.
- D. City Manager: City Manager Stefanov reported the first DORA public hearing would take place on November 2, 2021 at the council meeting. In light of Law Director Banchefsky's retirement, City Manager Stefanov was setting up a meeting with Fishel Downey Albrecht & Riepenhoff LLP to talk about interim legal services until a new city law director was selected. Director Joly was providing Taylor Farm tours that Wednesday. The city would have a Joint Parks District debt refinancing ordinance at the November 2 council meeting. The city was able to offer a lower interest rate to the JPD and increase the city's revenue. City Manager Stefanov would be taking vacation the following week with council's approval.
- E. City Attorney: Law Director Banchefsky reported that the city signed up for the Jansen Pharmaceuticals, also known as Johnson & Johnson, opioid settlement. The payout would be over a 9-year period and was expected to be a small amount.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

Council Member Kist stated that he, a city planner, and 3 Sustainability Advisory Board members attended MORPC's Summit on Sustainability. He had to leave after the morning session, but heard good feedback about the remainder.

Council Member Briscoe reported that the Special Olympians trounced the First Responders at their annual football game. She thanked the New Albany police officers and Plain Township firefighters who played. The kids were thrilled when the fire engines and police cars came up SR 605 with lights and sirens on.

EXECUTIVE SESSION:

Mayor Spalding moved that council go into executive session pursuant to New Albany Charter Section 4.03(E) for economic development purposes. Council Member Fellows seconded and council voted with 7 yes votes to go into executive session at 7:10 pm. Council did not anticipate taking action afterwards.

Staff present in executive session: City Manager Stefanov, Law Director Banchefsky, Director Staats, Director Joly, Director Chrysler, Deputy Public Service Director Barker, Economic Development Manager Loges.



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Mayor Spalding moved that council come out of executive session and resume the regular meeting. Council Member Briscoe seconded and council voted with 7 yes votes come out of executive session and resume the regular meeting. Council resumed the regular meeting at 8:38 pm.


OTHER BUSINESS:

NONE.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Shull seconded to adjourn the October 19, 2021 regular council meeting at 8:38 pm.

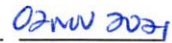
ATTEST:



Jennifer H. Mason, Clerk of Council



Sloan Spalding, Mayor



Date