



Council Minutes – Special Council Meeting

December 13, 2022

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of December 13, 2022 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, Deputy Finance Director Drew Turner, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Planning Manager Steve Mayer, Engineering Manager Ryan Ohly, Engineering Manager Cara Denney, Public Service Director Mike Barker, Economic Development Manager Sara Zeigler, Clerk of Council Jennifer Mason, and Public Information Officer Joshua Poland.

Mayor Spalding led the assemblage in the Pledge of Allegiance.

Clerk Mason noted this was a special council meeting as it was not on a regular meeting Tuesday. The December 20, 2022 regular meeting was canceled due to the holiday.

ROLL CALL:

The following Mayor/Council Members answered Roll Call:

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

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

Mayor Spalding wished Council Member Fellows a happy birthday and acknowledged his efforts to have the city lighted for the holidays. Council Member Fellows noted the amphitheater dome looked good lit in blue.

ACTION ON MINUTES:

Clerk Mason reported that she was still working on the December 6, 2022 minutes and expected them to be available for the next council meeting.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE

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HEARING OF VISITORS:

MJ Gravel, 7510 King George Drive, and Mayor Spalding briefly discussed her role with the New Albany Theater Boosters. Ms. Gravel was there to discuss the ongoing guidelines and board policies at the New Albany Public Schools (NAPLS) which were in violation of Title IX. She described the emails sent by Superintendent Michael Sawyers on August 10 to teachers and staff and August 12 to parents. The emails indicated that policies had changed and new guidelines were implemented to prohibit teachers and staff from honoring student's requested names and pronouns without parental permission. For several months, students, parents, mental health professionals, LGBTQ advocates, and others presented evidence, facts, and personal statements talking about being trans, being bullied at school and in the community in subtle and not subtle ways. Ms. Gravel had called the police to her house. Statistics were shared with the board regarding trans teen suicide, self-harm, mental health, and mental wellbeing. Her child shared their experiences and was met with tone deaf responses. Videos of the board meetings were available online. The response from the school board ranged from placating to obstinance. Parents met with individual board members. They had made public records requests and were met with refusals. They offered to educate, share personal experiences, form a citizen action committee – all had been denied.

Ms. Gravel had lived in New Albany for 3 years, seen growth. Her professional background was in community development and urban planning. Intel was coming in and many were interested in being a part of New Albany. She didn't see how recruiters could showcase New Albany with discriminatory actions at the schools. Realtors had reached out to her saying they had LGBTQ families interested in New Albany. Ms. Gravel was willing to talk, but would not encourage them to live here. She loved it, but it was not a safe place for either of her children. This impacted economic development, community development, and everything the city was trying to achieve. Students no long had a safe place. This increased suicide and self-harm. She was happy to meet with council. It was important for council to understand because it would impact more than the students.

Ms. Gravel stated the group of parents' goals were to rescind trans-discriminatory policy changes and administrative guidelines and for NAPLS board and administration and staff engage in LGBTQ/DEI education. The parent group provided contacts, but no one reached out. Deb Kalinosky was now connecting with PRIDE New Albany. MJ Gravel was hoping to participate in the IDEA Committee. The email that Superintendent Sawyers sent out to teachers was somewhat threatening. Some teachers were scared of losing their jobs. Ms. Gravel was hoping to have council's eyeballs on this.

Mayor Spalding stated that he watched some of the NAPLS meetings with speakers addressing these issues. He encouraged Ms. Gravel to stay engaged and keep working through these issues. He hoped it would be resolved with some level of satisfaction. Council Member Wilttrout added that she hoped to continue work together with the IDEA Implementation Board.

Joe Quigley, 4025 Chelsea Green West, stated, on August 12, NAPLS sent out an email to all district parents with the subject line: student privacy update. The email informed parents about a new policy. If a student were to request a staff member to refer to him/her as a different identified

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gender/pronoun, staff would work with each student to seek parent/guardian permission prior to honoring the student's request. The email informed parents that this was necessary to align with changes to state or federal law. The email said that this change to align with federal law may be a shift in practice. There was no change in federal or state law. There was no federal or state law addressing the use of pronouns. Title IX was held to protect everyone from discrimination based on gender. The school board's actions were not required by any law and put vulnerable youth at more risk. The policy was driven by an activist board. Prior to acting, the board did not engage with any LGBTQ students, parents, or any of the organizations in the area that supported the LGBTQ community, or mental health professionals. NAPLS was the only school district with this policy. It was harmful, and it was a bad look for the city saying it was an upscale inclusive community. Mr. Quigley did not have a specific ask - he wanted council to be aware. There was a small but fierce group of parents dedicated to having the policy rescinded. They had tried to work with the board with no progress. If the school board wouldn't put students first, we couldn't have the New Albany so many had moved here for - and many on council worked hard to keep going.

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: No meeting.

IDEA IMPLEMENTATION PANEL: Council Member Wiltout passed out the attached handout with the IDEA Panel Framework. She reviewed the 3 programs and guiding principles for each one. Everyone on IDEA Panel had their own a story of how they found a way to connect to New Albany. The IDEA Panel wanted to help that connection happen for others sooner. She encouraged council members' input. Mayor Spalding and Council Member Wiltout discussed the various affinity community groups and organizations and making those connections. The IDEA Panel was creating a list.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CORRESPONDENCE AND COMMUNICATION:

NONE

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-39-2022

Mayor Spalding read by title ANNUAL APPROPRIATION ORDINANCE

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AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW ALBANY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023.

Finance Director Bethany Staats stated that this legislation would adopt the 2023 annual budget. The budget notebook was provided to council on November 1. The Budget Workshop was held on November 10. On December 6, Director Staats sent council an updated electronic version of proposed budget. After further review, it was necessary to make updates. A summary of those adjustments was contained on page 265 of the electronic budget and included with the Legislative Report. Director Staats reviewed changes to the following funds: General, Severance Liability, Healthy New Albany Facilities, the Village Center II TIF, Capital Improvement, Park Improvement, Capital Equipment Replacement, and Economic Development Capital. The ordinance allowed for appropriation transfer \$10,000 within departments, directed transfer of appropriations between the General Fund and Special Revenue Funds at the police department. Per the city charter, the budget appropriations ordinance had to be approved by December 21.

Council Member Kist asked and Director Staats answered that an electronic version of the 2023 budget would be generally available online in mid-February. The budget that was currently on the city's website contained all of these amendments. The final version would have the 2022 final amounts once the city closed out the year.

Mayor Spalding asked and Director Staats replied that New Albany had its own OpenGov transparency portal which contained the open checkbook report. The Open Checkbook located on the State Treasurers' website only contained financial information prior to April 2018, before the city implemented the new financial software and account structure. The information was now centrally located on the city's website. Mayor Spalding appreciated the report generation tools and making the budget as publicly transparent as possible.

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 Wilttrout seconded and council voted with 6 yes votes to approve Ordinance O-39-2022.

ORDINANCE O-41-2022

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTER 1113 OF THE PLANNING AND ZONING CODE OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY.

Planning Manager Steve Mayer stated this city code update was meant to provide clarity and consistency with other sections of code on the criteria the Architectural Review Board (ARB) used when considering a waiver request. A waiver was requested when deviating from the city's design guidelines and regulations (DGRs) in the Village Center. The only changes were marked in red. The current language could be

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misinterpreted to include only physical geography or land conditions. The ARB identified other to conditions, like buildings or structures, that warranted consideration. “Building structure or site” was similar to language found throughout the city’s code. The word “constraint” was changed to “conditions” to be consistent with the city’s variance code section. City staff workshopped the new language with the ARB and took it to the Planning Commission (PC) for their approval.

Council Member Durik commented, as council liaison to the ARB, this language would make them more effective in appropriately addressing unique situations. The ARB was involved in workshopping the wording.

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

Council Member Durik moved to adopt the ordinance. Council Member Kist seconded and council voted with 6 yes votes to approve Ordinance O-41-2022.

ORDINANCE O-42-2022

Mayor Spalding read by title AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR NEW ALBANY COUNTRY CLUB SECTION 30, AS REQUESTED BY THE NEW ALBANY COMPANY

Engineering Manager Ryan Ohly stated this ordinance would approve the acceptance of 3,400 feet of water main, 3,200 feet of sanitary sewer, 3,800 feet of residential street improvements and appurtenances for New Albany Country Club (NACC) Section 30. NACC Section 30 consisted of 32 single-family residential lots.

Council Member Fellows and Council Member Shull asked and Tom Rubey, Director of Planning, The New Albany Company, answered that no lots had been sold. They had not yet brought the lots to the market. Roads, fencing, and leisure trail had been constructed. Council and Mr. Rubey discussed a barn structure in the area.

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 Shull seconded and council voted with 6 yes votes to approve Ordinance O-42-2022.

ORDINANCE O-43-2022

Mayor Spalding read by title AN ORDINANCE TO EXECUTE A SECOND AMENDMENT TO A CONSERVATION EASEMENT GENERALLY LOCATED ON THE GOOGLE PROPERTY TO REMOVE CERTAIN UTILITY CROSSING AREAS WITHIN THE CONSERVATION AREA, AS REQUESTED BY MBJ HOLDINGS LLC, MONTAUK INNOVATIONS LLC AND AEP OHIO TRANSMISSION COMPANY INC

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Engineering Manager Ryan Ohly stated that MBJ Holdings previously conveyed a portion of the property subject to the conservation easement to Montauk Innovations and AEP Ohio. The purpose of the original easement was to preserve a water course and adjacent area, and to maintain the natural condition. The first amendment to the easement released certain areas from the easement to allow for sanitary sewer to cross Rhodes Ditch and to allow for utilities to be built along Beech road. In this second amendment, additional areas were being removed and released to provide for AEP Ohio's extension of transmission lines. This amendment for future utility lines was contemplated in Section 2 of the original conservation easement agreement.

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 ordinance. Council Member Kist seconded and council voted with 6 yes votes to approve Ordinance O-43-2022.

ORDINANCE O-44-2022

Mayor Spalding read by title AN ORDINANCE TO AMEND A CONSERVATION EASEMENT GENERALLY LOCATED SOUTH OF INNOVATION CAMPUS WAY AND WEST OF MINK STREET TO ALLOW ELECTRIC UTILITY FACILITIES TO BE BUILT WITHIN THE AREA, AS REQUESTED BY MBJ HOLDINGS LLC. AND SCANNELL PROPERTIES #538 LLC.

Engineering Manager Ryan Ohly stated that MBJ Holdings LLC conveyed a portion of the property subject to the easement to Scannell Properties. After receiving it, Scannell and MBJ Holdings discovered an overlap between the conservation easement area in the northwest corner of the property and a separate electric easement for an AEP transmission line. MBJ subsequently worked with the Army Corps of Engineers to modify the environmental permit to remove overlap area from conservation easement to allow for electric utility facilities to be built within the area. The proposed language would amend the conservation easement agreement to remove the overlap area from the conservation easement.

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 Kist seconded and council voted with 6 yes votes to approve Ordinance O-44-2022.

ORDINANCE O-45-2022

Mayor Spalding read by title APPROPRIATION AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW ALBANY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022 MORE TITLE

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Finance Director Bethany Staats stated the purpose of the legislation was primarily to eliminate negative account balances and ensure that appropriations followed the Ohio Revised Code (ORC) requirements. Proactive measures were included to assure budgetary compliance for the 2022 audit.

There had been amendments to the ordinance since the last reading, including in Section 6 to approve the creation of the Police Unadjudicated Forfeitures Custodial fund. This was the first step to tracking and safeguarding the monies acquired, recovered, seized, received, or otherwise taken into custody by members of police. The current process included physical safeguarding and tracking within the locked property room until outcome of case was determined and the funds were disbursed to the appropriate parties. This fund would allow those monies to be deposited into a financial institution. Staff were working to create related policies and procedures which increased internal controls and met the CALEA standards.

The second amendment was to approve a Then and Now certificate to the New Albany Company (NACO) for reimbursement of city requested modifications to the NACOs comprehensive drainage improvement project on Babbitt Road. A storm sewer crossing was proposed along Babbitt Road which was also determined to be necessary to support future drainage improvements and the reconstruction of Babbitt Road. The city requested The New Albany Company to upsize the storm sewer crossing and create the structures necessary for future extension and agreed to cover the construction cost. NACO included this in their contract to ensure the city's requested work was paid for using prevailing wage rates. The improvements were inspected and approved by EP Ferris & Associates on the city's behalf.

A detailed list of proposed amendments was included with the Legislative Report. Director Staats also distributed a copy of the summary of adjustments throughout the year. The only adjustment to the General fund in this legislation was to decrease the police department budget resulting from moving the MARCS radio equipment relocation project to the Capital Improvement fund. There was an increase in the Permissive Tax fund to match the request made to the county for those funds related to the US 62/SR 161 phase 2 capital project. There were decreases to the New Albany East Community Authority and original New Albany Community Authority and debts service funds which were necessary to agree to amortization schedules which were modified due to finalizing 2 OWDAs loans and the refinancing of the 2012 and 2013 bonds. The Debts Service fund received transfers from the responsible fund(s) for all city debt payments.

The various Tax Increment Financing (TIF) funds: these received payments in lieu of taxes collected by Franklin and Licking County. Most were non-school TIFs, where the counties distributed amounts equal to the amounts schools would have received if the TIFs were not in place. On certain TIF agreements, primarily residential TIFs, the city had additional agreements with the township to reimburse them for the amounts they would receive for EMS and fire services. Expenditures from the funds were based on revenues. Several adjustments were necessary within the funds for auditor and treasurer fees and actual revenue sharing during the year. The Schleppi, Oxford, and Blacklick residential TIFs required adjustments to allow for repayment of advances from the General fund for debt payment obligations. The Oak Grove II TIF fund also required a decrease due to planned projects now being accounted for within the Economic Development fund which was using the state infrastructure grant funding. The Windsor TIF fund required a net increase as a result of planned parkland purchases netted against moving the Market Street extension project to 2023.

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There were further adjustments to the Healthy New Albany Fund, the Severance Liability fund, Capital funds, and Economic Development Capital fund. Ordinance Sections 2 - 5 included provisions to allow for amendments to the appropriates after the passing of this ordinance and prior to end of year to maintain budgetary requirements for the year ending December 31, 2022.

In addition to appropriations amendments included on the sheet, Director Staats was requesting a floor amendment to increase the Bonded Improvement fund. These monies were needed to pay the final AEP Ohio bill for utility line burial for the Rose Run Park project. This fund received the initial bond proceeds in 2018, interest revenue, and initial transfers for that project. The remaining amount would be used to reimburse prior year expenses not initially recorded in this fund.

Council Member Shull asked and Finance Director Bethany Staats confirmed, in the Economic Development NACA fund, the 2013 bond was paid off during 2022 refinancing. There was no need for a second debt payment because it was paid off.

Council Member Shull asked and Director Staats answered that the 2022 and 2021 decreases didn't match the actual decrease in the Debt Service fund because the 2022 refinancing also included pay down of the 2012 bonds which were not paid by the 222 and 221 funds.

Mayor Spalding moved to amend Ordinance O-45-2022, to reflect the increase in the Bonded Improvement fund in the Capital category by \$489,353 as requested by Finance Director Staats. Council Member Shull seconded and council voted with 6 yes votes to amend the ordinance.

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

Council Member Fellows moved to adopt the ordinance as amended. Council Member Shull seconded and council voted with 6 yes votes to approve Ordinance O-45-2022 as amended.

FIRST READING OF ORDINANCES:

NONE

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-41-2022

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH JERSEY TOWNSHIP IN ORDER TO FACILITATE THE ANNEXATION OF PARCEL NUMBER 037-111930-00.000 AND PARCEL NUMBER 037-112110-00.000 WHICH ARE COMPRISED OF APPROXIMATELY 24.362 +/- ACRES.

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City Manager Stefanov stated this annexation agreement was the city's standard agreement. These parcels were located on the south side of Jug Street. The surrounding parcels had been or were in the in process of being annexed. The property owner wanted to annex both of the parallel parcels which backed up to the Smiths Mill Road Loop to the south. This was an Expedited Type 1 annexation. The terms were consistent with traditional annexation terms and contained flexibility to conform boundaries. The agreement also specified compensation to the township for fire and EMS services. Pending council approval, City Manager Stefanov planned to take this agreement to township trustees in January on 2023.

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 resolution. Council Member Fellows seconded and council voted with 6 yes votes to approve Resolution R-41-2022.

RESOLUTION R-42-2022

Mayor Spalding read by title A RESOLUTION DECLARING INTENT TO APPROPRIATE PROPERTY AND EASEMENTS FOR THE PUBLIC PURPOSE OF MAKING, REPAIRING, IMPROVING OR CONSTRUCTING GREEN CHAPEL ROAD NW AS EXTENDED TO JOIN WITH INTERSECTING ROADS WHICH ARE AND SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE

Director Chrysler stated this was the second piece of legislation necessary by statute for the city to start negotiating with property owners for the purchase of right-of-way and utility and streetscape easements. This resolution covered the segments of road along Green Chapel Road, Clover Valley Road, and where Green Chapel and Mink Road intersected. These roadways were recently annexed to the centerline and were contiguous to the 900 +/- acre Intel campus.

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 Wiltrout seconded and council voted with 6 yes votes to approve Resolution R-42-2022.

RESOLUTION R-43-2022

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND ALL ASSOCIATED SUPPORTING DOCUMENTS NECESSARY FOR THE PURCHASE OF 73.66 +/- ACRES COMMONLY KNOWN AS FRANKLIN COUNTY AUDITOR'S PARCEL NUMBERS 220-001355 AND 220-000205 BY THE CITY OF NEW ALBANY FROM WALLABY PROPERTIES LLC

City Manager Stefanov stated the city had been in negotiations with Wallaby Properties to acquire the subject parcels. They were located between the Metroparks and the Joint Parks District holdings. The acquisition of both parcels allowed the city to substantially add to the parks districts. Council Member Fellows added

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that the acquisition also took land away from development. City Manager Stefanov stated the owner was willing to sell property for \$3.85 million and documented an appraised value of \$4.4 million. The \$550,000 difference was being designated as a charitable donation which the owner was responsible for. The city had no obligation relative to the \$550,000 additional value.

Council Member Fellows asked and City Manager Stefanov answered the “missing tooth” property in the middle was owned by a 3rd party. The city hadn’t had any contact about their interest. City Manager Stefanov understood it was transferred to the current owner in last few years.

Council Member Shull asked and City Manager Stefanov replied that the sale would most likely occur in January of 2023.

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 resolution. Council Member Shull seconded and council voted with 6 yes votes to approve Resolution R-43-2022

Mayor Spalding thanked the city manager and team for making this possible. He understood the owner was originally going to develop it as residential. The land owner agreed to fair purchase price and the property could now be used for a civic purpose. Council Member Fellows concurred.

RESOLUTION R-44-2022

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A 2023 HEALTH SERVICES CONTRACT BETWEEN THE CITY OF NEW ALBANY, OHIO AND THE DISTRICT ADVISORY COUNCIL OF THE FRANKLIN COUNTY GENERAL HEALTH DISTRICT AND FRANKLIN COUNTY PUBLIC HEALTH.

City Manager Stefanov stated this was the standard annual operating contract. Franklin County provided the city’s health department services for both the Franklin County and Licking County portions of the city. Franklin County was asking for 3% increase over the 2022 rate, meaning \$9.5996 per capita, equaling \$104,491.65 for New Albany. That part was not being modified. The city wanted to modify some language from prior contracts - things related to Intel to maximize flexibility. The contract would still be more favorable to the city than in prior years. Technically, the city had to be in contract by January 1, 2023. He would distribute it to council once it was signed.

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

Council Member Shull moved to adopt the resolution. Council Member Durik seconded and council voted with 6 yes votes to approve Resolution R-44-2022

RESOLUTION R-45-2022

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Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE CONSTRUCTION MANAGER AT RISK CONTRACT FOR THE ROSE RUN II PROJECT TO INCLUDE PHASE 2 OF THE TAYLOR FARM PARK PROJECT

Public Service Director Mike Barker stated Taylor Farm phase 1 was currently under construction, including the perimeter loops, walking paths, and some wood deck boardwalk sections. Those would be open in spring of 2023. Phase 2 design had been presented to the Architectural Review Board. This legislation requested approval to modify the Construction Manager at Risk (CMR) contract with Messer Construction for Rose Run Park phase 2 – amending the contract to include phase 2 for Taylor Farm Park. The CMR method was an ideal for this type of construction. Phase 1 was competitively bid. The city was happy with Messer Construction's work. Phase 2 included individual scopes, including utility extensions, grading, formal landscaping, non-standard material placement, and construction of a restroom building. A conventional contracting method would likely result in primary contractor subbing out many sections of this work. The CMR process divided these items up as part of the delivery method – awarding individual projects to specialized contractors. The city would get a more competitively bid project. Messer Construction had agreed to continue to honor their competitively bid markup from 2018 as part of the Rose Run 1 project – which council approved to extend for Rose Run 2. The timing of projects ran well together. Staff expected that design would be completed in mid-February of 2023. Messer Construction would start their internal bidding in March. Construction should begin sometime in June. Once the final design was complete, staff would come back to council for presentation and approval of Guaranteed Maximum Price (GMP). The city had right to terminate the agreement at any time without cause prior to signing of the GMP amendment.

Council Member Fellows asked and Director Barker answered that Taylor Farm phase 2 would start in June and Rose Run 2 would start in August of 2023. Taylor Farm phase 2 would be substantially completed by the end of 2023, including the community gardens, the refurbished chicken coop, the restroom building, some accessory structures, parking, landscaping, and some seating arrangements. The barn was not part of phase 2. It would be fenced off in a month. The city was working with a barn restoration contractor to put in a temporary foundation to support the structure. The farmhouse and barn were likely part of phase 3, subject to funding and other discussions.

Director Barker stated that staff was still working on the Rose Run 2 schedule. A lot of other projects were pending around Rose Run 2. The city wanted to be mindful of traffic and construction. The city anticipated the Rose Run 2 project would start with the parking structure.

Council Member Fellows asked and City Manager Stefanov responded that improvements along Dublin-Granville Road would be part of Rose Run phase 2, but may not happen at the same time as the park development. Director Barker noted the project could be made up of several GMPs, depending on phasing.

Council Member Fellows asked and City Manager Stefanov answered that the bridge next to Village Hall would be part a future project. Both that bridge and the Reynoldsburg-New Albany Road bridge needed updating. He would like them to match. Director Barker added that Rose Run 2 would include temporary safety and aesthetic bridge improvements for the SR 62 pedestrian bridge.

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Council Member Shull asked and City Manager Stefanov confirmed that the Rose Run 2 final designs were not yet completed. Veterans Memorial and other features were still being discussed.

Council Member Shull asked and Director Barker responded that the Taylor Farm Park paths were not open at this time. They were placing the boardwalk now. The goal for 2022 was to have everything graded, excavated, and stoned - and left in condition to pave in early spring when asphalt plants opened.

Council Member Fellows asked and City Manager Stefanov answered that Taylor Farm park may have zones. That hadn't been defined yet. Council Member Fellows suggested zones to make sure emergency services knew where to go. Council and staff discussed 911 "next gen" cell location abilities and service fees.

Council Member Kist asked for the potential cost to renovate the barn before spending the money to reinforce it – given that it may be demolished. Director Barker responded that the rough cost to stabilize the barn was \$20,000 to \$30,000. Knowing the future use of the building would inform the renovation cost. Council Member Kist expressed concern that, as soon as a parking lot went in and people had access to the space, despite the fence, kids would get into it. Director Barker replied that safety solutions could include cameras, lights, and signage.

Council Member Kist asked and Director Barker answered that leisure trail connections leading to Taylor Farm park were part of phase 1. Leisure trail access, including bridges, would be completed as part of 2. Additionally, sections of leisure trail along Dublin-Granville Road would be completed as part of the Harlem Road traffic signal project. Upon completion, there would be continuous pedestrian connection from Taylor Farm Park to the Village Center. Council and staff further discussed trail connection and pedestrian projects around Dublin-Granville, Harlem, and Greensward Roads.

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 Durik seconded and council voted with 6 yes votes to approve Resolution R-45-2022.

REPORTS OF STANDING COMMITTEES:

- A. Safety Committee: No report.
- 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.

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F. Grants and Non-Profit Funding: No report.

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: City Manager Stefanov reported MORPC was advocating local support of HB 283 regarding distracted driving. MORPC adopted the Public Policy agenda. Administrative staff informed the MORPC board that they had been in touch with federal railroad administration for a potential Amtrak connection to Pittsburgh and/or Chicago. MORPC's State of Region event was scheduled for March 31, 2023 and the theme was transportation. MORPC had negotiated \$1,000 scholarships for member employee degrees. The City of London joined MORPC, bringing membership up to 82. MORPC approved their 2023 budget. MORPC was work on a local government resources library in 2023. The Regional Data agenda update should be done in January of 2023 and completed in mid-2023. The federal Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) grant applications were due February 28. Any project considered for funding must be on Metropolitan Transportation Plan. Dr. Bill Lafayette would be giving the annual regional forecast at The Metropolitan Club on Jan 4 and would be broadcast via Youtube.
- B. Council Representative to Joint Parks and Recreation: No meeting.
- C. Council Representative to New Albany Plain Local Schools: No meeting.
- D. Council Representative to Plain Township: Council Member Durik stated that the township met, but there was nothing related to the city to report.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding thanked Matt Ferris and E.P. Ferris & Associates for the team's efforts over the recent, long council meetings.
- B. Clerk of Council: Clerk Mason reminded council she would be sending out council rules, appointments, liaisons, etc. for the organizational meeting. She also reminded council about the special council meeting on December 27 at 8:30 am.
- C. Finance Director: Finance Director Staats referred council to the November monthly report. Income tax revenue was in line with 2021. Withholdings were slightly lower due to processing remote work refunds and other factors considered in previous projections, netted against increases in construction withholding and certain abatement agreements reaching their end-of-term. Operating expenses were higher than 2021 due to personnel services and operating and contractual services, as well as costs of materials and supplies. Total Funds included significant grant funds. Director Staats reviewed a snapshot of the city's custodial accounts with US Bank. The city's money market fund was at 3.71%. Interest rates were increasing, which was good for

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interest revenue. All Funds, fund 403 was the Bond Improvement – the floor amendment to O-45-2022 would help reassign funds back to their appropriate funds. She reviewed the carryover of cash and investments.

- D. City Manager: City Manager Stefanov presented the 2 possible pickleball courts locations and estimated costs and requested council feedback. The potential locations were Swickard Woods and on Bevelhymer Road by the basketball courts. There was about a \$500,000 difference between the 2 options. City Manager Stefanov referred to his email to council with the pros and cons. He wanted to get some underground construction finished now and pave in the spring.

Council Member Fellows stated he supported the Bevelhymer location as the city was getting more for less. Council Member Kist agreed. Council Member Durik agreed due to the reduced cost and proximity to fieldhouse.

Council Member Shull was good with Bevelhymer, but asked to add shade structures to the budget at that site. There were existing trees at Swickard Woods. Council Member Fellows agreed to additional shade structures, especially close to pond. Council Member Shull noted the project would be shifted closer to pond. Council Member Wiltrout asked if there was an opportunity to plan shrubs as wind breaks. Council Member Shull was also concerned about wind. Some design features, like fences and tiered seating, were being discussed to the west and south that might capture some of the wind. The courts would have surrounding screening and the shade structures might also help. Council Member Fellows asked about picnic tables under the shade structures.

Mayor Spalding asked and Council Member Shull stated there were appropriations for restrooms and parking at the Bevelhymer location. The city could decide later whether to keep those items or re-appropriate for other things. Council Member Kist noted that the restroom facilities could also be used for the basketball courts and other activities. Council discuss how whole area would be activated by future fieldhouse.

Council Member Shull estimated around \$1.5 to \$1.7 million for the whole project.

Council Member Shull moved to appropriate \$1.7 million to build the pickleball facilities as discussed by council that evening. Council Member Durik seconded and council voted with 6 yes votes to approve the motion. Motion passed.

Council Member Shull thanked council. The public was ready for these courts. He would solicit more thoughts and input from council as the project progresses. Council Member Kist wanted the design the courts to consider all the surrounding amenities. Council Member Fellows wanted benches and trees around the pond.

- E. City Attorney: No report.

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POLL FOR PUBLIC COMMENT:

NONE

POLL FOR COUNCIL COMMENT:

NONE

EXECUTIVE SESSION:

Mayor Spalding moved that council go into executive session Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22 (G)(1) for discussion of compensation of a public employee and appointment of public officials. Council Member Shull seconded and council voted with 6 yes votes to go into executive session at 8:14 pm. Council could take action afterwards.

Staff present: City Manager Stefanov (partial), Law Director Albrecht, Clerk Mason.

Mayor Spalding moved that council come out of executive session and resume the regular meeting. Council Member Shull seconded and council voted with 6 yes votes come out of executive session and resume the regular meeting at 8:53 pm.

OTHER BUSINESS:

Mayor Spalding stated that council annually considered the city manager's compensation and performance. Everyone agreed that City Manager Stefanov had done an incredible job in 2022, landing the largest economic development project in the state's history, increasing staffing, providing customer service to the community, and working through many novel issues this year. He had been engaged with and available to council. Council Member Shull stated he was better prepared for meeting regularly with City Manager Stefanov and appreciated City Manager Stefanov's friendship. Council Member Wiltout learned every time she sat down with City Manager Stefanov and appreciated how he was always ready to resolve an issue. Council Member Kist stated it had been a fantastic year for the city. The great things about New Albany began and ended with the city manager. Council Member Durik stated the city was fortunate to have City Manager Stefanov in this capacity. This last year had been remarkable. It was a testament to the quality team that City Manager Stefanov had put together. Council Member Fellows praised City Manager Stefanov's steady and consistent vision over nearly 2 decades of service. He was a great leader, with the faith of staff and council. Staff thanked City Manager Stefanov for their new support personnel.

Mayor Spalding noted that City Manager Stefanov was finishing up the first year of a 3-year agreement. The agreement contemplated compensation. City Manager Stefanov always requested that council provide the same cost of living adjustment (COLA) to him as was approved for staff. Council could also provide a discretionary bonus.

Mayor Spalding moved, based on last year's performance, the enormity of the city's and team's success, to give the city manager the same COLA as staff, and to award a bonus of 13.5% effective the first pay period in January. That percentage increase would be treated as earnable salary for pension calculation. Council



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Member Kist confirmed the car allowance was already in the contract. Council Member Shull seconded and council voted with 6 yes votes to approve the motion. Motion passed.

City Manager Stefanov thanked council members, stating he appreciated the cohesiveness of this council. Operating at this high-level was unique.

Council and staff discussed tech devices for the city manager. Finance Director Bethany Staats stated the device was already ordered. He would receive the nice case.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Kist seconded to adjourn the December 13, 2022 regular council meeting at 9:02 pm.

ATTEST:


Jennifer H. Mason, Clerk of Council

 
Sloan Spalding, Mayor Date



IDEA PANEL FRAMEWORK

"...make the residents of diverse backgrounds feel welcome and included in their community, encourage them to actively participate in community activities, and pursue community leadership opportunities."

