



Council Minutes – Special Meeting

December 14, 2021

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of December 14, 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; Deputy Finance Director Drew Turner, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Development Director Jennifer Chrysler, Planning Manager Stephen Mayer, Deputy Public Service Director Mike Barker; Planning Manager Stephen Mayer, Chief Communications and Marketing Officer Scott McAfee, and Clerk of Council Jennifer Mason.

Mayor Spalding led the assemblage in the Pledge of Allegiance.

ROLL CALL:

The following Mayor/Council Members answered Roll Call:

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

Clerk of Council Jennifer Mason told council that Council Member Fellows was traveling for work and requested to be excused. Mayor Spalding moved to excuse Council Member Fellows from the council meeting. Council Member Shull seconded and council voted with 6 yes votes to excuse Council Member Fellows from the meeting.

ACTION ON MINUTES:

Council adopted the November 16, 2021 minutes by consensus.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Clerk Mason requested to add an executive session pursuant to Ohio Revised Code 121.22(G)(1) for appointment of public officials and reported that staff requested that council strike the executive session pursuant to New Albany Charter 4.03(E). Mayor Spalding moved to amend the agenda per Clerk Mason’s request. Council Member Kist seconded and council voted with 6 yes votes to amend the agenda per the request.

HEARING OF VISITORS:

Mayor Spalding reported the Council Member Briscoe had announced her retirement from council, but would be staying in the community. He read aloud the proclamation celebrating her retirement.

Craig Mohre, President of the New Albany Community Foundation, remembered Council Member Briscoe before she was mayor. He shared a story from her days running for election, talked about the friction

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between entities and lack of collaboration which she addressed upon being elected, and how he saw the city go in a new direction. She set the tone that allowed for the school, township, foundation, and city to collaborate. Tax dollars were saved and many wonderful things had happened because of that. He thanked Council Member Briscoe for her impact in shaping the community.

Tom Rubey, Development Director for The New Albany Company, told the stories of the Council Member Briscoe’s part in the start of the city’s policy for dedicated park space and establishment of Bevelhymer Park, and in the origin of the New Albany Community Authority. Those policies and funds shaped what the community was today. Mr. Rubey noted her primary focus on what would be best for this community. He couldn’t imagine what the city would have been without her.

Council Member Wiltout spoke on Council Member Briscoe’s lasting impact and valuable service. Council Member Durik observed Council Member Briscoe’s 26 year commitment to New Albany. Council Member Brisk respected Council Member Briscoe’s integrity, intelligence, ability to dissect an issue, and eye for the greater good. Council Member Shull appreciated her mentorship, expertise, and inspiration for those on council. He also recognized her husband, Bob Berry, for his campaign assistance. Council Member Kist agreed with Mr. Rubey and acknowledged New Albany wouldn’t be what it was today without her leadership and legacy. Mayor Spalding spoke about meeting with Council Member Briscoe when he decided to run for mayor. He described Council Member Briscoe as cool, calm, and collected - something he tried to emulate. He was glad Council Member Briscoe would get to spend more time in Colorado.

Mayor Spalding presented a sterling silver Tiffany necklace to Council Member Briscoe. The four circles were an ode to the city’s “four pillars.” Council Member Briscoe thanked council members, stated it was bittersweet leaving, but she was leaving council in good hands.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: No report.

PARKS AND TRAILS ADVISORY BOARD: No report.

ACHITECHTURAL REVIEW BOARD: Council Member Durik reported that the ARB approved a Certificate of Appropriateness for a new wall sign at 15 W. Main. In 2021, the ARB had reviewed 17 cases in 2021, compared to 9 in 2020 during the pandemic.

BOARD OF ZONING APPEALS: No meeting.

SUSTAINABILITY ADVISORY BOARD: Council Member Kist reported that the SAB brainstormed goals for the board and came up with 4-5 objectives. He anticipated focusing on those starting in January 2022.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

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CEMETERY RESTORATION ADVISORY BOARD: No meeting.

CORRESPONDENCE AND COMMUNICATION:

NONE

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-43-2021

Mayor Spalding read by title AN ORDINANCE TO REPEAL ORDINANCE O-13-2004 AND DISBAND THE ECONOMIC DEVELOPMENT COMMISSION.

City Manager Joseph Stefanov stated that the Economic Development Commission (EDC) was formed in 2004, before the existence of the development department. At that time, council suggested taking advantage of the expertise in the community to make recommendations for things like economic development incentive packages. Since then, the city's development department had become widely-known for its successes and high level of competence. There hadn't been a need for the EDC to meet in multiple years.

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

Council Member Briscoe moved to adopt the ordinance. Mayor Spalding seconded and council voted with 6 yes votes to approve Ordinance O-43-2021.

Mayor Spalding thanked the members who served of the EDC. A lot of important work was brought to the table - what economic tools to use and when to use them.

ORDINANCE O-44-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 109.59+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Stefanov stated this annexation followed the same process as prior annexations. The 2015 Annexation Agreement with Jersey Township encompassed a large area, including these parcels. The Road Maintenance Agreement was required by Licking County Commissioners, and they approved the Expedited Type I annexation petition on June 3, 2021. The 60-day waiting period had passed and council could take action.

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 6 yes votes to approve Ordinance O-44-2021.



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ORDINANCE O-46-2021

Mayor Spalding read by title AN ORDINANCE TO ENACT CHAPTER 1154 “TMD TECHNOLOGY MANUFACTURING DISTRICT” OF THE CITY OF NEW ALBANY, OHIO’S CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY.

Planning Manager Stephen Mayer referred council to the full presentation at the prior council meeting. He solicited questions from council.

Council Member Briscoe asked and Manager Mayer confirmed there would be enhanced setbacks and screening.

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-46-2021.

ORDINANCE O-47-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A RIGHT OF WAY DEDICATION OF 0.138 ACRES AT 5170 HARLEM ROAD AS REQUESTED BY BRUCE HENNESSY AND SHIVKAMINI SOMASUNDARAM.

Planning Manager Stephen Mayer stated the applicant was finishing construction of a single-family home on middle Harlem Road. This was a dedication of 30 feet of right-of-way which would allow leisure trail installation in the future, however, the city anticipated a fee-in-lieu request in January 2022.

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 Brisk seconded and council voted with 6 yes votes to approve Ordinance O-47-2021.

ORDINANCE O-48-2021

Mayor Spalding read by title 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, 2021.

City Manager Joseph Stefanov referred council to the full presentation at the prior meeting. This was the annual housekeeping ordinance to close out the city’s 2021 books and be ready for a successful audit.

The appropriation for the Hinson Amphitheater Fund which would provide seed money for facility contracts. The K-9 patrol fund was adjusted to match revenue to expenses. The Economic Development

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Fund was adjusted for the revised amortization schedule from the Ohio Water Development Authority (OWDA). The Blacklick TIF Fund was adjusted for revenue sharing with Plain Township which funded fire and EMS services. The Oak Grove II TIF Fund reflected a transfer to Water & Sewer Fund from which the OWDA debt was paid. The Park Improvement Fund was adjusted for a project where the expense would occur in 2022. Sections 2-5 were the tools created to address the unexpected through the end of the year. City Manager Stefanov did not believe the city had ever used them. Section 6 was the final, multi-entry process for the Hinson Amphitheater.

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 Kist seconded and council voted with 6 yes votes to approve Ordinance O-48-2021.

ORDINANCE O-49-2021

Mayor Spalding read by title AN ORDINANCE TO PERMIT COUNCIL MEMBERS TO ATTEND COUNCIL MEETINGS VIRTUALLY UNDER LIMITED CIRCUMSTANCES.

City Manager Stefanov stated this ordinance was created to facilitate discussion about council’s remote attendance as an option for meetings.

Council Member Durik stated this could enhance council member’s ability to participate in critical issues when traveling. However, given the complications with state regulations and that the City of Worthington’s ordinance didn’t fit with what New Albany had in mind, he questioned whether it should be pursued at this point. He suggested postponing indefinitely – see if a public emergency required it in the future.

Council Member Kist agreed and thought remote meetings on an infrequent basis would be more effort and confusing. If 4 council members had to be present anyway, this option wasn’t necessary to achieve a quorum.

Mayor Spalding was aware of virtual attendance legislation being shopped around the Ohio General Assembly to find a sponsor. He understood the General Assembly was struggling with whether to make it for public emergencies or generally allowed. Many communities found some value with the remote environment. He would update council as the state legislation progressed.

Council Member Durik moved to table the ordinance indefinitely. Mayor Spalding seconded and council voted with 6 yes votes to table Ordinance O-49-2021 indefinitely.

INTRODUCTION AND FIRST READING OF ORDINANCES:

NONE.

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-62-2021

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Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT ON BEHALF OF THE CITY OF NEW ALBANY, OHIO WITH ARCHITECTURE!OHIO, INC. TO PROVIDE COMMERCIAL PLAN EXAMINATION, BUILDING INSPECTION, AND CHIEF BUILDING OFFICIAL SERVICES TO THE CITY.

Community Development Director Jennifer Chrysler stated this was the annual contract for Architecture!Ohio and Mike Boryca who served as the city’s contract Chief Building Official (CBO) and also lead commercial plan reviewer. A unique provision was commercial walk-thru services and a 14-day turn-around time for completing a plan review. State code provided for up to thirty (30) days. Services also covered electrical inspections - filling the gap after the city lost an in-house electrical inspector. The cost of the contracted work was passed through to the applicant. Rates aligned with the current market.

Council Member Shull asked and Director Chrysler stated this continued Architecture!Ohio’s services with the city from prior years. Every 3 years the city either issued a Request for Proposals or tested the market to make sure the city was getting a good rate. Because not many firms offered these services, these rates were market tested. Staff highly recommended Mike Boryca for his professionalism. He was also a certified architect. City Manager Stefanov noted the city’s high bar for plan turn-around and Mr. Boryca did an exceptional job. The Ohio Department of Commerce also spoke well of Mr. Boryca.

Council Member Kist asked and Director Chrysler replied that Mr. Boryca was the sole owner of Architecture!Ohio. Sherri Scholl, under a separate contract, acted as a back-up reviewer and worked under Mr. Boryca’s direction.

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

Council Member Briscoe moved to adopt the resolution. Council Member Brisk seconded and council voted with 6 yes votes to approve Resolution R-62-2021.

RESOLUTION R-63-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT ON BEHALF OF THE CITY OF NEW ALBANY, OHIO WITH THE ENGINEERING FIRM OF E. P. FERRIS & ASSOCIATES TO PROVIDE ENGINEERING SERVICES TO THE CITY.

Community Development Director Jennifer Chrysler stated this allowed the city to enter into a professional services contract with E.P. Ferris & Associates for 2022. The engineering services were consistent with what were previously provided, and the contract was the same amount as 2021. She reviewed all the contract services. The firm had been a long-standing partner in the community and acted as an extension of staff. As Ed Ferris had moved away from day-to-day operations, Matt Ferris had stepped up. She praised the firm’s professionalism, willingness to go the extra mile, and ability to work as team with city staff.



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

Council Member Briscoe moved to adopt the resolution. Council Member Durik seconded and council voted with 6 yes votes to approve Resolution R-63-2021.

RESOLUTION R-64-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT ON BEHALF OF THE CITY OF NEW ALBANY, OHIO WITH THE FIRM OF MKSK, LLC TO PROVIDE PLANNING AND DESIGN SERVICES TO THE CITY.

Planning Manager Stephen Mayer stated this allowed the city to enter into a professional services contract with MKSK, LLC for the same amount as 2021. The contract also included the same hourly rates and service fees as the prior contract. The majority of the firm's work was planning and design services. The city held bi-weekly meetings with the firm to ensure they were integrated with city staff. The city had a long-standing relationship with MKSK, much as it did EP Ferris & Associates. Karla Salmons and Sarah Lilly with MKSK, LLC were present to answer questions.

Council Member Shull asked and Council Member Briscoe recalled prior discussions about multi-year contracts. City Manager Stefanov stated that nothing precluded the city from having a multi-year contract. Several council members favored this with reliable outside firms so long as the rates were competitive. Director Chrysler agreed it could help firms with staffing and workflow management by reducing uncertainty. Mayor Spalding and Council Member Briscoe observed that EP Ferris and MKSK were likely confident in continued business with the city.

Council Member Brisk asked and Karla Salmons with MKSK replied that the 90-day termination notice clause in their contract was their standard wording. Manager Mayer confirmed it was in previous city contracts.

Mayor Spalding opened the Public Hearing.

Karla Salmons stated she worked for MSI, then MKSK, for 10 years and from day 1 she had worked in New Albany, and it was the great majority of what she did. Work from concept down to actual landscaping was a unique situation not many design firms got to enjoy. She thanked council and praised city staff for their great working relationship. Council related positive stories of working on MKSK-led projects.

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-64-2021.



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RESOLUTION R-65-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT ON BEHALF OF THE CITY OF NEW ALBANY, OHIO WITH PENTELLA UNLIMITED, TO PROVIDE ECONOMIC DEVELOPMENT MARKETING SERVICES TO THE CITY.

Community Development Director Jennifer Chrysler stated that Pentella Unlimited, the team of Mark Pentella and Cheryl Morehead, had been doing economic development, marketing, strategy, and projects for the city since 2007. This contract was consistent with the prior 2 annual contracts. The firm worked with both the city's development department and administration staff.

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 Shull seconded and council voted with 6 yes votes to approve Resolution R-65-2021.

RESOLUTION R-66-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A 2022 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.

Administrative Services Director Adrienne Joly stated this was the city's annual health contract with Franklin County Public Health (FCPH). It would run for the 2022 calendar year. There was a 2% increase in the charge for services. It was based on a \$9.32 per capita rate. The contract included plumbing inspections, restaurant inspections, and further work enumerated on Exhibit A.

Mayor Spalding stated the city had received some feedback from some community members with concerns regarding FCPH's stance on mandatory mask mandates, vaccine mandates, and encouraged the city to see if there were other vendors who could provide services.

City Manager Stefanov related that he reached out to the Licking County Board of Health and met with their director. It would take about 6 months to get something set up, so the city would have to explore that for 2023 if council was interested. He confirmed the city was legally allowed to contract with Licking County.

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

Council Member Brisk moved to adopt the resolution. Council Member Briscoe seconded and council voted with 6 yes votes to approve Resolution R-66-2021.

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RESOLUTION R-67-2021

Mayor Spalding read by title A RESOLUTION TO AMEND, RENEW AND EXECUTE THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER FOR 2022-2024.

Mayor Spalding moved to table this resolution to Other Business, after Executive Session. Council Member Shull seconded and council voted with 6 yes votes to table the resolution to Other Business.

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

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: City Manager Stefanov reported that MORPC members could now receive a 20% discount on MAPS courses offered by the John Glenn College at The Ohio State University. Other benefits were available at Ohio University and Franklin University. MORPC members were encouraged to make nominations for the State of the Region Awards which would be held on March 16, 2022. The Regional Mobility Plan comment period would be open through December 19. This plan was coordinated on behalf of ODOT and included 9 counties. Regarding Ozone Season, this was the first year since air quality record keeping starting in 1980 that the region had no unhealthy for sensitive group days.

Mayor Spalding stated there would be a meeting with MORPC director with January and he would report back to council.

- B. Council Representative to Joint Parks and Recreation: No report.
- C. Council Representative to New Albany Plain Local Schools: Council Member Kist reported that New Albany Schools Superintendent Michael Sawyers addressed resident concerns about school population at the last board meeting. The current sophomore through senior classes were larger in number, but smaller classes were upcoming, even when the city brought on-line the new residential neighborhoods. A bullet was found in a high school bathroom on Monday of that week. Police Chief Jones was involved and working with the superintendent. Police

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Chief Jones stated the police department reviewed a lot of video. One challenge was that there were a lot of events and competitions going on at the school during that time. They were continuing to look into it.

- D. Council Representative to Plain Township: No meeting. Mayor Spalding and Council Member Brisk stated that Township Trustee-Elect Mollard’s Open House/Swearing-in would now be smaller and held at her office due to the pandemic.

REPORTS OF CITY OFFICIALS:

- A. Mayor: No report.
- B. Clerk of Council: Clerk Mason told council to watch their emails for the proposed 2020 council rules and the reminder of current chairs, liaisons, and other representatives.
- C. Finance Director: No report.
- D. City Manager: City Manager Stefanov introduced Interim Law Director Benjamin Albrecht. His firm would be taking over as interim law director and had been working with Law Director Mitch Banchefsky for a smooth transition on January 1. Mr. Albrecht’s associate had been shadowing Law Director Banchefsky at Mayor’s Court. Mr. Albrecht had represented the city in prior labor negotiations.
- E. City Attorney: Law Director Banchefsky reported that the city would be signing up for the Johnson & Johnson opioid settlement. He expected even less revenue from this settlement than from the last one.

Since this was his last meeting as law director, he related getting a call in April of 1997 from then Mayor Colleen Briscoe to see if he would be interested in the position. 24 years later, he was still here. It had been an honor and pleasure to work with council, the city manager, and city staff, and watch the village, now city, grow to what it was now. He was excited for the city’s future.

Several council members told stories and thanked Law Director Banchefsky. City Manager Stefanov stated there would be a more formal goodbye for Law Director Banchefsky, and for Ed Ferris, at an upcoming council meeting.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

Council Member Briscoe stated it had been an honor serving with this council.

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EXECUTIVE SESSION:

Mayor Spalding asked and Clerk Mason replied that council would act on Resolution R-67-2021 after the executive session. Mayor Spalding moved that council go into Executive Session pursuant Ohio Revised Code 121.22(G)(1) for discussion regarding compensation of a public employee and for appointment of public officials. Council Member Shull seconded and council voted with 6 yes votes to go into executive session at 8:41 pm.

Staff present in executive session: Law Director Banchefsky and Clerk Mason.

Council Member Briscoe moved that council come out of executive session and resume the regular meeting. Council Member Brisk seconded and council voted with 6 yes votes to come out of executive session and resume the regular meeting. Council resumed the regular meeting at 8:15 pm.

OTHER BUSINESS:

RESOLUTION R-67-2021

Mayor Spalding read by title A RESOLUTION TO AMEND, RENEW AND EXECUTE THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER FOR 2022-2024.

Mayor Spalding stated that the city manager had agreed to a 3-year contract. Mayor Spalding thanked City Manager Stefanov for providing that extra confidence in the city's direction for the next 3 years.

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 Briscoe seconded and council voted with 6 yes votes to approve Resolution R-67-2021.

Mayor Spalding moved - in conjunction with the city manager's contract for the next year - that the city increase the city manager's salary by 3.75%, the same amount as staff, and maintain his bonus and car allowance at their current levels. Council Member Durik seconded and council voted with 6 yes votes to adopt the motion.

Council Member Durik thanked City Manager Stefanov and all city staff for a great year and everything that they had done. It had been a difficult year and what they had accomplished was amazing and spoke to the value and quality of city staff. Council members concurred.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Briscoe seconded to adjourn the December 14, 2021 regular council meeting at 8:18 pm.



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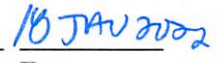
ATTEST:



Jennifer H. Mason, Clerk of Council



Sloan Spalding, Mayor



Date