



## Council Minutes – Regular Meeting

December 15, 2020

### **CALL TO ORDER:**

Mayor Spalding called to order the New Albany City Council Meeting of December 15, 2020 at 6:30 pm at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, and Clerk of Council Jennifer Mason. Staff tele-present were Law Director Mitch Banchevsky, Police Chief Greg Jones, Community Development Director Jennifer Chrysler, Public Service Director Mark Nemec, Deputy Public Service Director Mike Barker, Engineer Ed Ferris, and Chief Communications and Marketing Officer Scott McAfee.

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	P
CM Kasey Kist	P
CM Matt Shull	P

### **ACTION ON MINUTES:**

Council first voted to approve minutes using an incorrect date listed on the published agenda. To correct the record, Mayor Spalding then asked if council had reviewed the proposed December 1, 2020 regular meeting minutes and if there were any additions or corrections. Hearing no changes, Mayor Spalding moved to adopt the December 1, 2020 regular meeting minutes. Council Member Shull seconded and council voted with seven yes votes to approve the December 1, 2020 regular meeting minutes as amended.

### **ADDITIONS OR CORRECTIONS TO THE AGENDA:**

NONE.

### **HEARING OF VISITORS:**

Proclamation Congratulating the New Albany High School Girls Golf 2020 State Champion Team – Coach Ritter introduced the team members Madison Spiess, Kary Hollenbaugh, Anna Ritter, Anna Coccia, Lily Canales, and Emerson Purcell by year and described their 2020 individual and team accomplishments. The team’s record three-year record was 593-1. The Eagles now owned the five best scores ever posted at the state tournament. Coach Ritter expressed gratitude for being able to compete this season and thanked the school’s athletic director, principal, and the school board for making it possible.

### **BOARDS AND COMMISSIONS:**

PLANNING COMMISSION: No meeting.



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**PARKS AND TRAILS ADVISORY BOARD:** Council Member Fellows reported that the PTAB heard the MKSK presentation on the Rose Run Phase 2 project, including the proposed Veterans Memorial Park and First Responder’s Park. Everyone was impressed with the plans and favorable about moving forward.

**ACHITECHTURAL REVIEW BOARD:** Council Member Shull reported that the ARB also heard the Veterans Memorial concept study presentation, and Rose Run Phase 2 was included. The ARB also responded favorably. The only questions were about when the project would start and when the updated Strategic Plan would come out.

**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 15 of the 17 appointed IDEA members were able to make it on the Zoom call. They introduced themselves individually and talked about why they were vested in this committee. The next meeting would be the second week in January.

**CEMETERY RESTORATION ADVISORY BOARD:** Clerk Mason reported that the CRAB heard the Veterans Memorial and Rose Run Phase 2 presentation along with the PTAB. The CRAB was particularly appreciative that the four corners of the New Albany Cemetery were being respected. They had ideas and were looking forward to more updates.

**CORRESPONDENCE AND COMMUNICATION:**

NONE.

**SECOND READING AND PUBLIC HEARING OF ORDINANCES:**

**ORDINANCE O-27-2020**

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, 2020.

Finance Director Bethany Staats told council this ordinance was the final appropriation amendment for the 2020 budget. The purpose of the legislation was to eliminate any negative account balances and ensure appropriations were in compliance with Ohio Revised Code (ORC) requirements. The proactive measures were to ensure budgetary compliance for the 2020 audit.



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Director Staats referenced the summary of different appropriations which highlighted the changes between the first and second reading.

Director Staats reviewed the individual sections of the legislation with council, explaining their purpose. Section 1 now listed an increase for the local coronavirus fund to reflect the distribution the city received in November. Director Staats referenced the summary of the appropriations amendments throughout 2020.

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. Council Member Fellows seconded and council voted with seven yes votes to approve Ordinance O-27-2020.

### INTRODUCTION AND FIRST READING OF ORDINANCES

NONE

### READING AND PUBLIC HEARING OF RESOLUTIONS:

#### **RESOLUTION R-42-2020**

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A ROAD MAINTENANCE AGREEMENT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR THE MAINTENANCE OF COBBS ROAD.

City Manager Stefanov explained that the Road Maintenance Agreement (RMA) was a standard requirement in Licking County whenever there was an annexation petition that included road right-of-way. The city was already maintaining other sections of Cobbs Road and Harrison Road, which was the only regular mean of access to Cobbs. There was emergency access from Mink Road. The county would be responsible for stormwater management issues. City Manager Stefanov described the location of the property to be annexed. It was likely the property would be combined with other parcels and turned into a commercial development site. The related annexation agreement was signed in 2015. If the county wanted substantive changes to the RMA, those would be brought back to council.

Council Member Kist and Mayor Spalding asked and City Manager Stefanov replied that there were no plans to extend Cobbs Road in either direction. A prospective road extension west would be blocked by development sites along Smiths Mill Road. To extend east, there would have to be a significant realignment which would likely require acquisition of land the north.

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

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Mayor Spalding moved to adopt the resolution. Council Member Kist seconded and council voted with seven yes votes to approve Resolution R-43-2020.

**RESOLUTION R-43-2020**

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH SIEKMAN AND SIEKMAN, LLC FOR GOVERNMENT RELATIONS SERVICES.

City Manager Stefanov reviewed the city’s history with the Dwayne and Pam Siekman. The city had been working with them regarding legislation, grants, and communicating with elected representatives. The Siekmans had been responsive and proactive. The city was anticipating a grant for the Miracle Field project. The monthly retainer would be maintained at the same rate as 2020.

Council Member Durik asked and City Manager Stefanov replied that the city did not pay any money beyond the retainer.

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 seven yes votes to approve Resolution R-43-2020.

**RESOLUTION R-44-2020**

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 WITH MITCHELL BANCHEFSKY TO PROVIDE LEGAL SERVICES TO THE CITY.

City Manager Stefanov reviewed the city’s history with Law Director Mitch Banchefsky. Law Director Banchefsky’s retainer would not be changing for 2021. The retainer reflected an average of 25 hours per week. He had been working an average of 30 hours per week for the past few years. The contract included his regular services in consultation to the city for planning, general legal counsel, and serving as prosecutor at Mayor’s Court.

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 seven yes votes to approve Resolution R-44-2020.

**RESOLUTION R-45-2020**

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

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NEW ALBANY, OHIO WITH ARCHITECTURE!OHIO, INC. TO PROVIDE COMMERCIAL PLAN EXAMINATION, BUILDING INSPECTION, AND CHIEF BUILDING OFFICIAL SERVICES TO THE CITY.

Director Chrysler told council that this contract covered Chief Building Official services, back-up commercial building plan review and inspection, and electrical service. She recalled the city's history with electrical inspectors and how the city decided to contract out that service. Architecture!Ohio was highly qualified and had been part of the New Albany team for several years. Unique in this contract was the commercial walk-thru service and plan review turnaround in 14 days. State code allowed for 30 days. Director Chrysler went through the rates and costs which were aligned with the current market. Electrical inspection costs were increasing likely due fewer persons doing that work.

Council Member Fellows asked and Director Chrysler replied that this contract was for commercial plan review services, however, as Chief Building Official, Mike Boryca had final say when interpreting building code, doing back-up inspection services, or electrical services which could be either for commercial or residential buildings.

Council Member Shull asked and Director Chrysler answered that it was difficult to predict the amount of work Architecture!Ohio would do for the city. She described how staff monitored the costs to determine whether it would be more cost effective to bring these positions back in-house. The city would be reviewing plan review rates, as well as other fees, on the city's fee schedule in 2021.

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 Brisk seconded and council voted with seven yes votes to approve Resolution R-45-2020.

**RESOLUTION R-46-2020**

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 EIGHT-ONE CONSULTING LLC TO PROVIDE BACKUP COMMERCIAL PLAN EXAMINATION AND BACK UP CHIEF BUILDING OFFICIAL SERVICES TO THE CITY.

Director Chrysler told council that this contract was previously with FMS. Eight One Consulting LLC was owned by Sherri Scholl who left FMS and established this company. This contract was similar to the Architecture!Ohio contract except that Eight One only provided commercial plan review services and back-up Chief Building Official (CBO) services. Director Chrysler stated there weren't many women in this field, particularly those who also provided CBO services. Ms. Scholl had worked with a city a long time, was fantastic during the pandemic, and worked well with Architecture!Ohio to provide excellent customer service. There was no change in the hourly rate for Eight One's

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commercial plan review and CBO services. The cost of this contract would vary based on the amount of work needed.

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 resolution. Council Member Brisk seconded and council voted with seven yes votes to approve Resolution R-46-2020.

**RESOLUTION R-47-2020**

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.

Director Chrysler told council that the contracted amount for E.P. Ferris & Associates was the same as in 2020. Engineering services included approval of private site improvement plans, design and preparation of construction documents for select capital projects, attendance at public meetings as requested, review of development plans for site improvements and traffic impacts, and creation of comment memos used by public boards and commissions to evaluate development proposals. Director Chrysler noted the company provided other services as well, including assigning addresses and answering questions for residents. She lauded their employees’ detailed knowledge of New Albany’s history. The company was an integral part of the team. Deputy Public Service Director Mike Barker concurred that E.P. Ferris and associates helped set the standard in the city. Matt Ferris, President of E.P. Ferris & Associates, thanked staff and recalled the company’s long history with the city.

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 Shull seconded and council voted with seven yes votes to approve Resolution R-47-2020.

**RESOLUTION R-48-2020**

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.

Director Chrysler described the city’s relationship with MKSK, LLC. The Rose Run project was a great example of MKSK’s work, and demonstrated how well they understood the city. This contract was for planning and design services. The contract was broken up into “special projects” and planning and design services. The city didn’t always spend the amount budgeted for planning and design

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services. The city budgeted less for special projects in 2021. Director Chrysler recalled the four major planning initiatives presented at council’s capital projects workshop. Mayor Spalding appreciated the process that went into creating the Veterans Memorial plan.

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 resolution. Council Member Durik seconded and council voted with seven yes votes to approve Resolution R-48-2020.

**RESOLUTION R-49-2020**

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.

Director Chrysler told council that Pentella’s contract contained the same amount as 2020 and several years past. The format of the contract was changed from a retainer to an hourly billable contract with a not-to-exceed cap per council’s request. Contract deliverables included market research, benchmarking, copywriting, and the design of both print and electronic economic development marketing materials. The contract also included updates to the image/photography catalog, which was coordinated with the city’s marketing team. Director Chrysler described the company’s history with Pentella which started in 2006. The company understood the city’s economic development marketing program and helped the city achieve success.

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 Brisk seconded and council voted with seven yes votes to approve Resolution R-49-2020.

**RESOLUTION R-50-2020**

Mayor Spalding read by title A RESOLUTION TO AMEND, RENEW AND EXECUTE THE EMPLOYMENT AGREEMENT WITH THE CITY MANGER FOR 2021.

Law Director Banchevsky explained that the contract renewed the city manager’s employment agreement with the city for 2021. The terms and conditions were unchanged. Law Director Banchevsky had reviewed and approved the contract as to form. He praised City Manager Joseph Stefanov’s commitment to the city, to council, to staff, to the ethics and values, and to residents which was second to none.

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

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Mayor Spalding moved to adopt the resolution. Council Member Brisk seconded and council voted with seven yes votes to approve Resolution R-50-2020.

**STANDING COMMITTEE REPORTS:**

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

**REPORTS OF REPRESENTATIVES:**

- A. Council Representative to MORPC: City Manager Stefanov reported that MORPC approved their 2021 budget and appropriations and the 2021-2022 Public Policy Agenda. A fifth goal was added to the agenda regarding racial and social justice. The Smart Region Task Force work was validated via a resolution of support. The three deliverables were: the Smart Streets Policy, the Smart Region Playbook, and the Smart Region Resources Guide. Municipalities and townships could use these tools to prepare for changes in technology and incorporate technological elements into their infrastructure design/re-design projects.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that the Michael Lucey Basketball project was off and running, receiving some publicity. The Joint Parks Foundation was close to starting. The Miracle League hosted a groundbreaking ceremony. They hoped to complete Phase 1, including the field, dugouts, stands, and some screening, and perhaps start playing in the spring. The Joint Parks did some flooring and bathroom updating. They would be repurposing a few buildings due to COVID and budgetary issues. Basketball leagues were paused. The Joint Parks was running their e-sports program again in December after its great success last year. Council discussed the growing popularity of e-sports.
- C. Council Representative to New Albany Plain Local Schools: Council Member Brisk reported that the board held a special meeting on December 10<sup>th</sup>. They opted to move too all online



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classes effective December 14<sup>th</sup> through Winter Break for all grade levels due to many absences. They planned to reopen on January 4<sup>th</sup> in a hybrid format for one week. They hoped to go back to all-in for all grades after that.

- D. Council Representative to Plain Township: Council Member Durik reported that the township conducted a number of end-of-the-year activities. The board approved a 3% COLA increase for all employees. They reviewed the fire budget and approved CARES Act expenditures for HVAC purification equipment.

**REPORTS OF CITY OFFICIALS:**

- A. Mayor: Mayor Spalding praised the Macabee Landing event and Rabbi Kaltmann’s energy.
- B. Clerk of Council: No report.
- C. Finance Director: Director Staats reviewed November’s financial report with council. As of November 30<sup>th</sup>, the city’s revenue was at 99% of the city’s amended budget. The city was ahead by a small amount for income tax compared to 2019. The city had spent 70% of its appropriations within the General Fund while the year was 92% completed. The city’s average investment yield was small, but ahead of the average 2-year Treasury yield.

The city’s CARES small business grants had been awarded and paid. Director Staats served on the grant committee which was rewarding. Feedback was very appreciative. Council Member Kist thanked the grant committee for acting so quickly in putting the program together and commended staff for how the efficient process. Thirty entities received grants.

- D. City Manager: City Manager Stefanov reported that the city received a suggestion from a resident to have a Santa Claus parade. Chief Communications and Marketing Officer Scott McAfee reached out to Plain Township and the two entities were able to put together a micro-parade including fire vehicles, Santa in the bucket of the ladder truck, and some city vehicles. The parade would follow the same path as the July 4<sup>th</sup> parade. Council supported the event. Mayor Spalding asked and City Manager Stefanov described the plan to get the word out.

- E. City Attorney: No report.

**POLL FOR PUBLIC COMMENT:**

Chief Rupp, Plain Township Fire Department, told council retired Fire Chief Hoovler would be Santa Claus in the micro-parade. He asked for clarification on the date and would be in touch with Chief Communications Officer McAfee.

**POLL FOR COUNCIL COMMENT:**

Council Member Fellows asked and City Manager Stefanov responded that the New Albany Company (NACO) had plans for the old Duke & Duchess site. Ideally, the property would be redeveloped as part of

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the Rose Run 2 project. Additional improvements were needed to the rear of the property along with site clean-up. In the next 12-15 months, with council’s approval, the city planned to proceed with redevelopment in the area. City Manager Stefanov did not know when the Duke & Duchess building or canopy would be demolished. The underground clean-up would be done in the near future. Council Member Fellows didn’t want a shuttered business in that location for too long.

Council Member Fellows described the difficulty of dealing with household hazardous waste. If SWACO couldn’t come to New Albany, he wanted more and better communication in the city’s newsletters about how they could safely dispose of batteries and other hazardous waste. City Manager Stefanov stated staff could look into that. Council Member Briscoe recommended SWACO’s website as a resource. Mayor Spalding recalled Reynoldsburg having a day devoted to disposing of hazardous waste. He recommended that the Public Service Department reach out to Reynoldsburg to learn more about their programming.

**EXECUTIVE SESSION:**

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22 (G)(1) to consider employment or compensation of a public employee. No action was anticipated after the executive session. Council Member Fellows seconded and council voted with seven yes votes to go into executive session at 8:09 pm.

Council Member Briscoe moved that council come out of executive session and resume the regular meeting. Council Member Shull seconded and council voted with seven yes votes come out of executive session and resume the regular meeting. Council resumed the regular meeting at 8:44 pm.

**OTHER BUSINESS:**

Council Member Kist recalled the Columbus Crew’s recent Major League Soccer Cup win. The head coach, Caleb Porter, recently built a house in New Albany and a New Albany-Plain Local Schools graduate, Aidan Morris, played, accomplishing an assist in the 3-1 win. Council Member Kist talked about the Crew’s story of their time in Columbus. A new stadium was being built in downtown Columbus. Council agreed to do proclamations for the coach and player.

**ADJOURNMENT:**

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Brisk seconded to adjourn the December 15, 2020 regular council meeting at 8:50 pm.

ATTEST:

  
Jennifer H. Mason, Clerk of Council

  
Sloan Spalding, Mayor

  
Date