



## Council Minutes – Regular Meeting

February 6, 2024

### CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of February 6, 2024 at 6:30 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Law Director Benjamin Albrecht, Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Development Director Jennifer Chrysler, Economic Development Manager Sara Zeigler, Public Service Director Mike Barker, Chief Communications and Marketing Officer Josh Poland, Public Information Officer Sam Fahmi, and Clerk of Council Jennifer Mason.

### ROLL CALL:

The following Mayor/Council Members answered Roll Call:

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

Clerk Mason reported that Council Member Fellows could not attend due to travel 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 council meeting.

### ACTION ON MINUTES:

Council adopted the 1/16/24 meeting minutes by consensus.

### ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE

### HEARING OF VISITORS:

Proclamation - Congratulating MLS Cup Champion Aidan Morris – Mayor Spalding observed that Aidan Morris grew up in, supported, and represented the New Albany community. Mayor Spalding invited Council Member Kist to read the proclamation. Council Member Kist talked about how Mr. Morris moved in with the Kist family at 15 years old to pursue his dream of becoming a professional soccer player and had achieved that dream. New Albany had many Columbus Crew connections. Chief Marketing Officer Josh Poland had called 3 MLS Cup Championships, Public Information Officer Sam Fahmi photographed the games and was part of the Massive Report podcast, and Communications & Marketing Specialist Katie Witham Allen had reported from the Crew sidelines.

Council Member Kist read the proclamation aloud.



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Mr. Morris stated it had been an honor to be in this beautiful city. He enjoyed coming back to spend time with family and reset. He shook hands with council members.

## BOARDS AND COMMISSIONS:

**PLANNING COMMISSION:** Council Member Wilttrout reported that the Courtyards at Haines Creek Final Development Plan was tabled. The PC also tabled the Rinchem variance request. Rinchem was planning to resubmit their application for a 30-foot setback for storage of hazardous materials. The PC approved a variance request at 7823 Calverton Square for a paver patio which was encroaching a conservation area. The PC voted down the owner’s request to build a fire place and porch on the paver patio. Council Member Wilttrout understood the matter would be coming to council. The PC approved Oakland Nursey’s request to rezone their property to I-PUD. There was a robust discussion of screening requirements to protect neighbors from lights in the parking lots. The PC approved a variance for 7113 Armscote End to allow a specific kind of artificial turf around a pool deck. Council Member Brisk asked and Council Member Wilttrout answered that the turf would abut the pool deck. Mayor Spalding favored some level of inspection to make sure the turf was still in good repair. Director Chrysler said this was the first time for this kind of application. Staff had added turf evaluation to its list of projects. Council Member Wilttrout recalled turf being an option for private courtyards in one of the Epcon Communities.

**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 Wilttrout reported that tomorrow was the Souper Supper event at the Heit Center. All proceeds would go to the New Albany Food Pantry.

**CEMETERY RESTORATION ADVISORY BOARD:** No meeting.

**PUBLIC RECORDS COMMISSION:** No meeting.

## CORRESPONDENCE AND COMMUNICATION:

Mayor Spalding stated that staff was addressing concerns in emails about the intersection of Bevelhymer Road and Central College Road.

## SECOND READING AND PUBLIC HEARING OF ORDINANCES:

### **ORDINANCE O-02-2024**

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTERS 183.21, 939.01, 1187.08, 1187.09, 1187.10, AND 1187.11 OF THE CITY OF NEW ALBANY, OHIO’S CODIFIED



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ORDINANCES TO REMOVE REFERENCES TO COUNCIL STANDING COMMITTEES AND UPDATE CITY STATUS AS REQUESTED BY THE CITY OF NEW ALBANY.

Clerk Mason reminded council that, at their last meeting, they voted to remove council standing committees from their Rules of Procedure as most had not convened a meeting in a long time. This ordinance struck standing committee references from city code as marked on Exhibit A. Committee chairs will no longer need to sign mylars. The ordinance further updated a few “village” and “village administrator” references to “city” and “city manager.”

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 Wiltrout seconded and council voted with 6 yes votes to approve Ordinance O-02-2024.

### **INTRODUCTION AND FIRST READING OF ORDINANCES:**

#### **ORDINANCE O-03-2024**

AN ORDINANCE TO DETERMINE THE ANNUAL COMPENSATION AND BENEFITS OF THE MAYOR, COUNCIL MEMBERS, AND ADDITIONAL SALARY FOR THE MAYOR, PRESIDENT PRO TEM, OR DESIGNATED COUNCIL MEMBER PRESIDING OVER MAYOR’S COURT

Clerk Mason stated section 4.04 of the city’s charter allowed council, by ordinance, to annually determine its compensation 1 time per year, and not by emergency.

Salaries for the mayor, council members, and president pro tem or council designee serving in Mayor’s Court were last adopted last January of 2023 as O-09-2023. This ordinance would increase council’s salary by 3%, which was the same as the raise given to city staff. The adjusted salary would be effective January 1, 2024. These amounts were appropriated in the 2024 budget.

This ordinance also makes health insurance available to council members as described in Section 155.19(a) of the city’s codified ordinances. Council will be eligible to sign up during open enrollment in October.

Mayor Spalding set the ordinance for second reading at the February 20, 2024 council meeting.

#### **ORDINANCE O-04-2024**

AN ORDINANCE TO ESTABLISH THE VILLAGE CENTER CAPITAL IMPROVEMENT FUND, AMEND CHAPTER 181 “INCOME TAX”, AND CHAPTER 187 “FUNDS” OF THE CITY OF NEW ALBANY OHIO CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY

Director Staats stated that staff analyzed the capital improvement needs of the Village Center and determined a need to fund various infrastructure projects beginning with a road network extension in 2024.

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To fund those projects, council authorized the creation of the Village Center Capital Improvement fund. The fund would receive 1 ½ percent income tax of the general municipal income tax collections which would start with the city’s February 2024 distribution from RITA. This legislation authorized the creation of the Village Center Capital Improvement fund. The capital projects fund, according to the Ohio Revised Code (ORC), could be used to accumulate resources for the acquisition, construction, or improvement of fixed assets of the subdivision. ORC section 5705.10 stated that money paid into a fund must be used only for the purposes for which the fund was created. Specific uses would be evaluated each year during budget preparation. This legislation also authorized code changes to New Albany city code sections 181 and 187 to create the fund and reallocate the income tax.

Council Member Kist asked and Director Staats answered, per ORC, if the need for or purpose of a fund no longer existed, the monies could be returned back to the fund of origin – in this case, the General fund.

Council Member Shull asked and Director Staats responded that monies could be transferred to different fund if that fund was paying for something with the same purpose. If the city dissolved the Village Center Capital Improvement fund, having determined there was no longer a purpose for it, monies would be returned to the General fund. Once the Village Center Capital Improvement fund was established and started receiving funds, the city would carry those funds into subsequent years as long as the need for the fund existed.

Mayor Spalding stated, in talking with staff and the city manager, the city had numerous projects on the horizon and these funds wouldn’t cover it all. He didn’t anticipate a problem spending the funds in the short term. Mayor Spalding asked whether the term “subdivision” was tied to a specific geographic location or was simply within the city. Director Staats answered that the legislation was written to cover capital improvements within the Village Center. The Village Center was not specifically defined in city code, but city staff would refer to the Engage New Albany strategic plan when evaluating projects for that area.

Mayor Spalding set the ordinance for second reading at the February 20, 2024 council meeting.

**READING AND PUBLIC HEARING OF RESOLUTIONS:**

**RESOLUTION R-02-2024**

**A RESOLUTION TO APPROVE THE UPDATED DRAFT SOLID WASTE MANAGEMENT PLAN OF THE SOLID WASTE MANAGEMENT AUTHORITY OF CENTRAL OHIO (SWACO)**

Public Service Director Barker stated that SWACO was 1 of 52 state-appointed solid waste management entities in Ohio. SWACO covered Franklin County and municipalities with a majority of their population therein. SWACO owned and maintained the Franklin County sanitary landfill. State law required the solid waste entities to develop a 15-year plan which confirmed that there were methods in place to reduce reliance on landfills. SWACO’s plans generally focused on opportunities to defer some types of waste away from the landfill. SWACO’s update included an expansion of existing programs, including recycling, hazardous waste collection, composting, grant opportunities, and other incentives for participation in solid waste

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diversion programs. Expanded programming may require more staff. This update would not increase the landfill tonnage fee, which would remain at \$5 per ton.

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

Council Member Wilttrout moved to adopt the resolution. Council Member Kist seconded and council voted with 6 yes votes to approve Resolution R-02-2024.

**RESOLUTION R-03-2024**

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT BETWEEN THE CITY OF NEW ALBANY, OHIO AND THE NEW ALBANY COMMUNITY IMPROVEMENT CORPORATION AND RELATED AUTHORIZATIONS RELATED TO THE SUPPORT AND OPERATION OF INNOVATE NEW ALBANY**

Development Director Jennifer Chrysler stated the Community Improvement Corporation (CIC) was created in 2006 and its mission was “to work at the direction of city council to advance, encourage, and promote commercial growth and civic development and economic sustainability through entrepreneurial support, connectivity, and technological advancement to enhance the lives of residents, businesses, and corporate citizens.” The CIC had operated Innovate New Albany from its inception. Innovate New Albany’s mission was to “inspire creativity, discovery, and commerce among existing businesses while attracting entrepreneurs and growing new businesses in New Albany.” The program had 2 components, the physical space and coaching, mentoring, and programming, including TIGER Talks.

Innovate New Albany operated primarily from 7,400 square feet at 8,000 Walton Parkway. The lease for the space was heavily subsidized by the building’s owner. The program had been at full capacity for several years, and there was often a waitlist. The Innovate New Albany lease would expire on March 31, 2024. City staff was working with the CIC to cooperatively negotiate a new lease agreement at a new location. The new space would serve as an entrepreneurial business center and welcome businesses of all sizes, lifecycle phases, and industries. With this expansion, Innovate New Albany would be able to facilitate new offerings, like day passes and drop-in working opportunities, the rental of meeting rooms, and large community event spaces, making Innovate New Albany more accessible to New Albany residents. The Letter of Agreement memorialized the city’s designation of the CIC as an agency for growth and the city’s support of these types of business activities. It further memorialized the Economic Development fund as the funding source of funding for Innovate New Albany. The Letter of Agreement stated the city’s commitment to appropriate and contribute the necessary funds to satisfy lease obligations, programming, and other administrative CIC costs, which the city had already been doing for several years.

Council Member Shull agreed that Innovate New Albany needed to more space. This plan ensured the CIC could move forward.

Council Member Brisk stated staff had been working hard and with great expediency to put together these agreements. This would create a far better incubator for the city when it was all done.



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Council Member Wilttrout commended staff for their work. It was important to the community to have that event space.

Director Chrysler recognized Economic Development Manager Sara Ziegler, Law Director Ben Albrecht, the CIC subcommittee which included Council Member Brisk, Phil Smith, and Everett Gallagher. The CIC members had put in a lot of hours on this.

Mayor Spalding hoped the city could find a permanent location for Innovate New Albany and appreciated staff's efforts towards that goal.

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 6 yes votes to approve Resolution R-03-2024.

### **COUNCIL SUBCOMMITTEE REPORTS:**

Council deferred the discussion of subcommittees to the next meeting.

### **REPORTS OF REPRESENTATIVES:**

- A. Council Representative to MORPC: City Manager Stefanov reported that MORPC hosted a meeting of the northeast area communities outside of the I-270 outer belt. He met the new mayor of Alexandria and representatives from the Licking County Soil and Water Conservation District. William Murdoch and his team presented information regarding mass transit, housing, and sewer and water projects. Mayor Spalding saw a reference to merger discussions between St. Albans Township and Alexandria. MORPC would be receiving a presentation from John Glenn International President Joe Nardone regarding the new airport terminal plan.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that New Albany Parks Executive Director Dave Wharton and his team were accepting the city's 2<sup>nd</sup> place award for projects between \$1-\$2 million for New Albany's pickleball courts at the Ohio Parks & Recreation Association annual meeting.
- C. Council Representative to New Albany-Plain Local Schools: Council Member Kist reported that the school board honored student athlete Mia Hammond as the Girls Golf individual state champion. The Girls Golf team finished as state champion runners up. Ms. Hammond recently signed a name, image, and likeness deal to get some sponsorships, therefore, had forgone her remaining 2 years of high school eligibility. She could still play at the collegiate level. The school board presented their future growth study by Cooperative Strategies. The study captured 10+ years of growth. The maximum yield was 1,455 students between planned and potential. There was a lot of resident concern and feedback from community. Council

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Member Kist reiterated the commitment of the school board and the city, in collaboration, to grow responsibly and in the best interest of the school district. The district was currently at 84% of capacity. Ideal utilization was between 75% and 85%. The district would have to start moving forward to accommodate additional students. The city’s statement was on the city’s website and went out in the city’s e-newsletter.

D. Council Representative to Plain Township: Council Member Durik reported the township approved a new generator and assigned trustee liaisons.

**REPORTS OF CITY OFFICIALS:**

A. Mayor: No report.

B. Clerk of Council: Clerk Mason reminded council members to audit their bios for accuracy. Clerk Mason announced that there was an opening on the RFBA. Council agreed on advertising the opening and inviting the most recent round of applicants to resubmit their prior applications. Clerk Mason polled council about parade options. Council selected golf carts for July 4 and a carriage for Founders Day.

C. Finance Director: No report.

D. City Manager: No report.

E. City Attorney: No report.

**POLL FOR PUBLIC COMMENT:**

NONE

**POLL FOR COUNCIL COMMENT:**

NONE

**EXECUTIVE SESSION:**

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22(G)(1) for discussion regarding appointment, employment, and compensation of a public employee and/or official; Ohio Revised Code 121.22(G)(2) to consider the purchase of property for public purposes, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest; Ohio Revised Code 121.22(G)(4) for preparing for or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment; and New Albany Charter Section 4.03 (E) for economic development purposes. Council Member Shull seconded and council voted with 6 yes votes to go into executive session at 7:21 pm. Council anticipated action afterward.



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Mayor Spalding moved that council come out of executive session and resume the regular meeting. Council Member Kist seconded and council voted with 6 yes votes come out of executive session and resume the regular meeting. Council resumed the regular meeting at 9:43 pm.

**OTHER BUSINESS:**

Board & Commission Appointment

Council Member Kist moved to appoint Ryan Swincicki as a city representative on the McCoy Center for the Arts Board of Directors for the term 1/1/24 to 12/31/2026. Council Member Shull seconded and council voted with 6 yes votes to appoint Ryan Swincicki to the McCoy Board for the term specified.

City Manager Stefanov salary and bonus

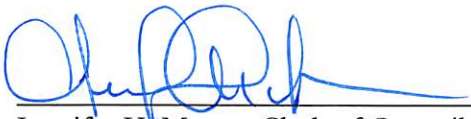
Council Member Kist moved to award City Manager Joe Stefanov a 3% pay raise on his base salary effective January 1, 2024 and a bonus of 14% of his base salary in 2023 for his performance in 2023. Council Member Wilttrout seconded and council voted with 6 yes votes on the raise and salary as moved.

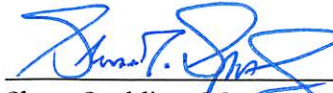
Mayor Spalding stated council had always talked about what a great job City Manager Stefanov had done and New Albany was blessed as a community to have someone with a steady hand on the wheel for 24 years. New Albany was accelerating and council respected City Manager Stefanov even more to manage so many different matters. Council members concurred.

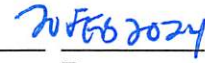
**ADJOURNMENT:**

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Kist seconded to adjourn the February 6, 2024 regular council meeting at 9:46 pm.

ATTEST:

  
Jennifer H. Mason, Clerk of Council

  
Sloan Spalding, Mayor

  
Date