

Council Minutes – Regular Meeting

April 20, 2021

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of April 6, 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, Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Economic Development Manager Michael Loges, and Clerk of Council Jennifer Mason. Staff tele-present were Law Director Mitch Banchefsky, Community Development Director Jennifer Chrysler, Public Service Director Mark Nemec, Deputy Public Service Director Mike Barker, City Engineer Ed Ferris, Planning Manager Stephen Mayer, 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:

Mayor Spalding asked if council had reviewed the proposed April 6, 2021 regular meeting minutes and if there were any additions or corrections. Clerk Mason and Council Member Shull suggested striking the reference to a cultural district in his comments on page 16 as nothing had been designated yet and it could be confusing. Hearing no further changes, Mayor Spalding moved to adopt the April 6, 2021 regular meeting minutes as amendment. Council Member Shull seconded and council voted with seven yes votes to approve the April 6, 2021 regular meeting minutes as amended.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

HEARING OF VISITORS:

Proclamation Celebrating Arbor Day in New Albany – Mayor Spalding recalled previous years' in-person ceremonies. He thanked Public Service Director Mark Nemec for his efforts to make New Albany a Tree City USA. Mayor Spalding read the proclamation. Director Nemec told council New Albany had been a Tree City USA since 2010. He explained the requirements to be designated an Arbor Day Foundation Tree City. The city maintained over 20,000 street trees and had a forester. There would be a staff-only tree planting which would be highlighted on the city's website.



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Council Member Kist asked and Director Nemec stated that there were opportunities for Tree City signage. The Public Service Department flew a flag. There used to be a flag at Village Hall. The city promoted its status on the website. Council Member Kist thought it would be nice to display signs in a more prominent place. Council Member Shull asked and Director Nemec thought the new tree would be planted at James River Park.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Council Member Shull reported that two matters were tabled to the next meeting. The PC approved an application by Axiom Plastics to allow manufacturing and production uses at 14062 Worthington Road within a 4-acre site. The applicant was looking to build a supply chain vertical economic development building and recycle their own plastics. There were conditions to passage including attaching the staff report, a technical review subject to staff approval, and that the applicant could not exceed noise and discharge limits typical in that district zone.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ARCHITECTURAL REVIEW BOARD: Council Member Durik reported that the ARB heard an application for The W Nail Bar signage at 160 W. Main Street. The design was approved, but with the standard limitations for numbers of signs, amount of window coverage, and they would have to use the existing lit board sign. The applicant would be coming back to the ARB with changes.

BOARD OF ZONING APPEALS: No meeting.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

INCLUSION DIVERSITY & EQUITY ACTION COMMITTEE: Council Member Brisk reported that the IDEA Committee had an excellent in-depth discussion regarding the city's street names some of which could be tied to historical plantations. Staff gave a presentation to the committee with the results of their research. IDEA groups discussed meanings and options for action. A working group was pulling out and prioritizing the ideas from the discussion and turning them into recommendations.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.

CORRESPONDENCE AND COMMUNICATION:

NONE.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-14-2021

Mayor Spalding read by title AN ORDINANCE TO DECLARE THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, EXEMPT 100% OF THAT IMPROVEMENT FROM REAL PROPERTY TAXATION, REQUIRE THE OWNERS

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

Economic Development Manager Michael Loges told council this legislation would create a Tax Increment Financing (TIF) district for six parcels in the business park. The TIF would capture the incremental value gained on the parcels over time so the city could invest in public infrastructure in the area.

Mayor Spalding asked and Manager Loges answered that the Ohio General Assembly passed a provision that allowed a city to “remote” a TIF for a limited time. Improvements associated with the investment of TIF dollars had to be shown to benefit the TIF area. For this TIF, the city included language in its agreements that provided some leeway. New Albany could demonstrate improvements in regional traffic flow would be of significant value to those parcels.

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 Fellows seconded and council voted with seven yes votes to approve Ordinance O-14-2021.

ORDINANCE O-15-2021

Mayor Spalding read by title AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE 1.D (LAMBTON PARK CENTRAL CLUSTER) AND 1.G (GOLF COURSE) SUBAREA BOUNDARIES OF THE 1998 NACO C-PUD COMPREHENSIVE PLAN AS REQUESTED BY MBJ HOLDINGS LLC., c/o AARON UNDERHILL, ESQ.

Development Services Manager Steve Mayer told council this property was zoned Comprehensive Planned Unit Development (C-PUD) which had a three-step entitlement process – a comprehensive plan adoption, a preliminary development plan, and a final development plan. Since a comprehensive plan was a large area, the city’s codified ordinances stated that the property owner could amend the subarea boundaries of a C-PUD by following the rezoning process. This subarea was established in 1998 and this was the first change.

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Manager Mayer described the subarea boundaries being changed with this legislation. There would be no changes to the development standards, uses, or densities as part of this ordinance. The subarea boundary allowed for all portions of land that were used or serving the residents within Section 30 to be completely within the same residential subarea.

This request did not change the permitted number of residential units. The amendment actually lowered the subarea density. It had no effect on the overall 1998 C-PUD. Existing uses and development standards matched the recommendations of the 2021 Engage New Albany strategic plan. The Planning Commission (PC) recommended approval of the subarea boundary at their March 2021 meeting. Staff and the applicant were present to answer questions.

Council Member Briscoe asked and Manager Mayer answered that the total area, with the golf course, was approximately 29 acres. The preliminary development plan approved by the PC had 36-37 units. As part of the process, the applicant would have to accomplish the final plat with the total number of subdivision lots - and that would be reviewed by PC and come back to council at a future date. Council Member Briscoe didn't have a problem with the rezoning, but did expect the final number of lots to match what was previously discussed. She didn't see anything in the legislation or staff report indicating the number of units. She had the assurance of Mr. Rubey and Mr. Underhill at the prior council meeting.

Aaron Underhill, attorney for applicant, stated there was a process for making the units – there were 88 units currently allowed. The process occurred later in the development plan process where they would take the extra units out and put them into the housing bank. The intent was to create more room and provide larger lots and less units. Council had the commitment that they would come in with – there might be one or two more units than 36 – but it wouldn't be any more than that.

Tom Rubey, Development Director for The New Albany Company, stated that the plan shown to council had 37 lots. They were going through the final check and balance of that plan before they submitted both the final development plan and the final plat to the PC. He anticipated that happening sometime in May. They continued to test house-sized icons and existing grading – there were changes to the golf course – he would appreciate a little bit of flexibility as they came up with a final lot count. Certainly no more than – he didn't know – he was picking the number of 39 units. He didn't know. It would certainly be consistent with the plan that was previously shown.

Council Member Kist asked and Mr. Rubey answered that an owner could purchase multiple lots and combine them on the most of the site – if easements and utility lines didn't preclude that. They were not at a point yet to determine both where public utilities and private utilities would be laid out. They would not allow for people to purchase multiple lots in the northeast corner of the site – which was intended to be geared towards empty nesters and cluster-type developments. That area was where Mr. Rubey was questioning the final lot count.

Mayor Spalding opened the Public Hearing.

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Mike Bonadies, 7935 Lambton Park Road, told council he had been a homeowner there for 15 years. Their home sat on the golf course and faced the tenth fairway of the East 9 golf course. That was one of the areas most significantly impacted by this proposed plan. He believed he was addressing this to Mr. Rubey.

Mr. Bonadies thought he could easily speak for a lot of the homeowners, who invested in property for over two decades now, bordering this golf course both on Brandon and Lambton Park. When they all purchased property, it was pretty clear that they were investing in one of the key tenants of the master plan for New Albany – which was to have a minimum number of homes that backed up directly to the golf course. They all loved that part of the master plan and they bought into it. He had to say that he was flabbergasted that Mr. Rubey had gotten to this point with this design and this plan – which had well over 30 homes now backing up to the golf course – after a month ago, Mr. Rubey admitted to all of them that this was the same mistake made over on the West 9 – where backed-up homes to the golf course – and it had been a travesty. It was a disaster. What this plan did, for all of them, homeowners and some of the highest tax payers in the community – is it completely destroyed the aesthetics and their property values. By now, for the first time in New Albany, having homes that face the golf course looking just a couple hundred feet across a fairway into the rear of over two dozen homes. He would like to understand how in the world did this plan get this far – when it essentially took a sledgehammer to one of the key tenants of the master plan for the City of New Albany. Mr. Rubey seemed like the best one to address that. If there were others, he was all ears.

Tom Rubey, Development Director for The New Albany Company (NACO), stated he wanted to clarify one point. When this came up the last time – both at the Planning Commission and the introduction to city council – the description about what had happened over at Ebrington and Highgrove was not that it was a disaster – but rather that there were lessons to be learned, from the developer’s standpoint, of how to handle rear elevations to homes on golf courses. Particularly today’s economy, where you see lots of folks that want to do swimming pools and basketball courts and all kinds of things that they don’t typically see. There were several communities that were developed at the inception of the county club communities project, most notably Edge of Woods - where all of the homes fronted on public and private roads – but also backed onto the golf course. He thought there were lessons learned of how to handle the back elevations of those homes, both architecturally and from a landscape perspective. There were examples of where that had been handled well and examples of where it hadn’t been handled terribly well. His point in describing that and talking about that – was that they intended on taking all of those things together as this project proceeded down this path – when they came back to the Planning Commission and, ultimately, back to city council with final development plans and final plats – those items, such as architectural standards as well as landscaping and grading in the rear of those property, would be addressed.

Mr. Bonadies stated it didn’t appear that there were any lessons learned. He wanted to address Mr. Rubey’s remarks about Edge of Woods and some of the other places where homes backed up. The main difference was, while those homes backed up to the golf course, there were not homes directly on the other side of any fairway that were facing those rear yards. And that was a huge issue for dozens and dozens of homes that aligned Lambton Park and Brandon. He didn’t believe that Mr. Rubey took

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that into account one bit in this design – if he did, there was no way he would have gotten this far with this many homes set up and planned to be lining the golf course and, worst of all, a dozen homes destroying the look the wetlands at Hole 6. That wetland was now going to look like an ugly retention pond with a dozen homes bordering right up to it. It was mindboggling that Mr. Rubey spoke to mistakes that were made and how he was doubling and tripling down on those mistakes - and making it even worse. Because, for the first time, there were a bunch of owners invested in property along the golf course – never, ever thinking that they would be facing a rear of a property right on the other side of a fairway. If Mr. Rubey really learned from the mistakes, what he would have done, was come up with a design that mimicked how the owners fronted the golf course on the other side. Mr. Rubey would have made sure that all the homes, along the white picket fence and what would be the out-of-bounds line for the golf course, faced the golf course. So that, like all the other areas, they were facing each other. No one would be forced to face the rear yard across the fairway.

Mr. Rubey stated he didn't believe those were mistakes at Ebrington and Highgrove. He thought that the design of the homes – the design of the backyards – the rear elevations of those homes were not a mistake and were done quite well. When he talked about lessons learned along the way and things that they could fix – he was specifically referring to window detailing, roof material, fencing, and pools – those four items, specifically. Mr. Rubey would be happy to meeting with Mr. Bonadies one-on-one on the site or via Zoom or whatever works best with Mr. Bonadies' schedule. Mr. Rubey could go into great detail of how the intent on dealing with those rear elevations, both architecturally, material-wise, landscaping and fencing – to at least make sure Mr. Bonadies was aware of what they were doing and what their goals and objectives were. He respectfully disagreed with Mr. Bonadies when Mr. Bonadies described that existing wetland on the northern end of the site that was built back in the early 90s. Mr. Bonadies had been there a long time, as had Mr. Rubey. That wetland was built as one of the first wetlands to deal with the construction of development of the golf course. There were an awful lot of lots which backed up to that wetland. They had a program, with this site plan, to incorporate the wetland into the overall aesthetic of the neighborhood. It was not a detriment. There would be improvements to that wetland – there were certain constraints from the Army Corps and the OEPA on what one could do on an existing permitted wetland – but there would be improvements made to that wetland to make it as much of an amenity as possible. Including controlling and regulating how the architecture and the landscaping that faced that wetland would occur. Again, great detail that they typically didn't go into at this level, or at least, at this point in the design process. There were lots of things that were still moving and changing as they went through the engineering and design of the subdivision. He offered whatever would work with Mr. Bonadies' schedule to sit down and talk about it in more detail. Because he thought, at the end of the day, this would be a wonderful addition to the community – not only for those folks that would buy into this new subdivision, but for all who fronted on to the golf course – looking into this new neighborhood.

Mr. Bonadies asked Mr. Rubey to give him a couple of reasons that all who invested in property on the other side of the street facing the golf course should be excited about. Mr. Rubey and Mr. Bonadies clarified the question.

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Mr. Rubey stated he was doing his best to describe what the neighborhood would look like, they were taking into account the heightened level of scrutiny to the various elements, both architecturally, grading and landscaping-wise to the rear of these homes – something he thought was pretty significant.

Mr. Bonadies replied that there were a lot of residents who knew what it was going to look like because it existed over on the West 9. He understood that Mr. Rubey would talk about standards and say bunch of wonderful things about how it was going to look great. But those rules were almost never enforced, as they knew. The main point that was being missed here was that they would not even have to worry about all these standards if they just did what the master plan called for. Homes to face the golf course. Not back to. He would end his comments there. He certainly hoped the Planning Commission would take into account the repercussions that all of the homeowners, who invested in property facing the golf course, were going to be subjected to with this awful plan. He thanked council.

Mayor Spalding thanked Mr. Bonadies and Mr. Rubey and stated that he expected that Mr. Rubey would follow up with the Bonadies directly to address some of their concerns regarding the project.

Council Member Durik stated that he could appreciate Mr. Bonadies' point of view. He had seen the results of the West course. Council Member Durik asked Mr. Rubey to explain, in the northeast corner of the plot plan, what looked like two highlighted lots which were necessitating changing the golf course and rerouting. Why was it necessary to take land away from the golf course to add additional lots?

Mr. Rubey stated a couple of things were going on within that area. The portion of the rezoning in this legislation was not being necessitated by the design of this neighborhood, but rather by the redesign of Hole 5 East, as well as a leisure path that would connect this neighborhood to the park located at the intersection of Brandon and Lambton Park. One of their development goals was to make sure that this neighborhood was connected to what was happening to the perimeter of the neighborhood. What council would see, when this went back before PC, was a public trail connection that extended from the northeast corner of the site, went between Hole 5 and Hole 6 East, and would connect into a dedicated park at Brandon and Lambton Park.

Council Member Durik asked if they decided to change the golf course before NACO designed this plot plan. Mr. Rubey said they were done together. Council Member Durik stated the Mr. Rubey represented it was not a result.

Mr. Rubey reiterated they were done together. One of the things they struggled with, throughout the community, was the line between where the private golf course was and individual lots. That line had been a problem to accurately define throughout the community for many years. So, while this plan was being developed, the golf course redesigned Hole 5 at the same time. That had always been a part of the plan for the golf course. These two items were done simultaneously. Council Member Durik stated he raised the issue because he could attest to many golf members who were not happy about that change and had expressed that to him. It was not just the residents across the street who had questions and challenges with the direction this project was taking.

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Council Member Kist asked if there were preliminary versions of the plan that showed a ring road with houses facing toward the golf course. Mr. Rubey answered that there had been multiple – there had been a tremendous amount of time and energy spent on this plan. And yes, there were plans that showed a ring road around the perimeter with more dense, multi-story buildings, that were more consistent with the existing printed number of units on the site. A very conscientious decision was made not to pursue that option on this site. To do something that was more consistent with the size and value of the surrounding properties and to look at perhaps building that type of unit elsewhere in the country club communities.

Council Member Briscoe stated that, to the speaker's point, the city usually did have houses facing, not backing up to. She was curious to see what Mr. Rubey intended to share with Mr. Bonadies about this. She expressed concern that all these houses were backing up to the golf course rather than facing it. She was having trouble understanding the visual on it and why NACO chose to do it that way.

Mr. Rubey stated he was happy to share that with council. When this project came back before council – when they had the final plat for the neighborhood – they would be happy to share and include that in the presentation. It would certainly be addressed in depth before the PC.

Council Member Shull asked and Mr. Rubey answered, in the 1998 NACO C-PUD - he believed a maximum of 88 units could be developed in this area. The C-PUD talked about cluster – talked about multi-family – it was a very broad, involved, and inclusive entitlement on the parcel. Mr. Underhill confirmed that it was 88 units. They could be cluster detached or attached with the townhome product. A variety of things. When you looked at doing a ring road and loading units on one side - was where planners started saying – the value of the property *<unknown>* would be through some attached product. The text was 23 years old now. It was a surprise to some that this property had some rights on it.

Council Member Shull asked and Mr. Rubey confirmed that more units than 37 could potentially be put in play. They could do that without going through the zoning process. They were going through this rezoning process because they believed it was the right thing to do. It made the subdivision better. Mr. Rubey believed that Hole 5 and Hole 6 would be better on the golf course than what existed today. That had not been communicated to all the club members, the details of this neighborhood had not been fully vetted by NACO and not presented to the appropriate boards and commissions for their review and critique. There was a lot of heavy lifting still to happen. Things that were being raised tonight, both by the residents and by the council members, were legitimate concerns. They were things that NACO had discussed at length. Mr. Rubey stated they would handle those items that folks were raising as concerns appropriately and in a manner that would be satisfactory.

Mr. Underhill noted, to the left side of the site plan, they saw the same condition that NACO was proposing. While, on a community-wide basis, this was the exception rather than the rule, there were several homes on the west side that did back up to the course already.

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Council Member Brisk asked for clarification. Mr. Rubey confirmed that all of the lots, how many homes, and where they sat all had to go back to PC. This legislation did not address those items. It expanded the boundaries by about five acres. Council Member Brisk understood, if council didn't approve the 5 acres - the developer already had the ability to put in 80+ homes on the property. She thought the right thing to do was to let this go back to PC and trust that NACO would work with them and find a quality solution. She hoped the residents would speak their minds. Council would see the actual plan when it came back.

Council Member Briscoe asked and Mr. Rubey confirmed that the governing body of the golf club had agreed to put part of its land into the development. This was just adjusting boundaries.

Hearing no further comments or questions from the public, he closed the Public Hearing.

Council Member Brisk moved to adopt the ordinance. Council Member Kist seconded and council voted with seven yes votes to approve Ordinance O-15-2021.

Council Member Durik commented that he hoped NACO addressed some of the Bonadies' concerns when council saw the final design.

ORDINANCE O-16-2021

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTER 1153 "LI LIMITED INDUSTRIAL AND GE GENERAL EMPLOYMENT DISTRICTS" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY.

Planning Manager Steve Mayer explained that staff proposed this update to ensure the city's code kept pace with the next generation of data, research, and clean production companies that were progressing through the market – and to ensure that the city stayed competitive with other communities globally and nationally. The current code contained a "manufacturing and production" use category which had been in place since 1998 and was very broad. It included desirable uses, such as high tech and clean manufacturing. The city had seen a large influx of conditional use applications over the past several years. The conditional uses attracted the companies there today and were similar to what the city wanted to see in the future. The code change would allow for streamlining of approval of the more desirable manufacturing and production uses.

This code created "industrial manufacturing production" category for the more heavy-type uses, like those associated with the construction industry, as a conditional use. The city would continue to use "manufacturing and production" for the desirable company types identified in the economic development plan because that was the same terminology that prospective companies used.

Manager Mayer reminded council that the Licking County business park was under a limitation text. This update did not remove or replace limitation text. Staff and Planning Commission would continue

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to look at that and ensure that the more restricting standards that addressed specific site circumstances and conditions were in place moving forward. The overall goal was to reduce the number of conditional use applications, removing deterrents from the selection process, streamline the approval process, and clarify the type of manufacturing uses that the city desired and those it deemed secondary or conditional use. The PC recommended approval in March 2021.

Council Member Kist thanked Manager Mayer and staff for putting this together. Reducing the case load and streamlining the process would be greatly appreciated.

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-16-2012.

ORDINANCE 0-17-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A RIGHT OF WAY DEDICATION OF 0.184 ACRES AND TO APPROVE A FEE IN LIEU OF LEISURE TRAIL CONSTRUCTION IN ACCORDANCE WITH CODIFIED ORDINANCE SECTIONS 1165.06(c) AND 1187.18 AT 8323 CENTRAL COLLEGE ROAD AS REQUESTED BY JOHN AND SUAH HWANG.

Planning Manager Steve Mayer stated that, during the permitting and plan review process, staff identified that the subject property line extended to the centerline of Central College Road. In accordance with city subdivision regulations, right-of-way must be dedicated to the city. This legislation accepted 40 feet of right-of-way from the centerline of Central College Road, which was consistent with the corridor and would ensure that it could accommodate future improvements if and when they occurred. This legislation also accepted a fee payment in lieu of construction of a leisure trail. Manager Mayer reviewed the criteria to determine the appropriateness of a request for a fee-in-lieu. A leisure trail could be constructed on the property, however, the closest trail system was around 1,500 feet away on the other side of the street. There was no other leisure trail within this one-mile segment of Central College. The 2018 Leisure Trail Master Plan did not identify this section of Central College Road as a priority corridor. Staff recommended a fee-in-lieu. Applicant submitted three quotes and staff recommend a fee payment of \$4,653. Staff and the property owner were present to answer any questions.

Council Member Kist and Manager Mayer confirmed that the fee-in-lieu was based on current pricing. The city did not include a premium for future construction costs. Council Member Kist expressed concern that construction material costs, like asphalt, were rising. He acknowledged that some trails would never be constructed. Council Member Briscoe observed that, when trail was constructed, it was often part of a bigger project, meaning any one section could cost less. If the city tried to work in a premium for future costs, what would happen if costs decreased for a particular piece of trail?

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Council Member Brisk noted that the city was able to hold the money and would hopefully invest it well. There were so many factors in future pricing that it was likely impossible to calculate.

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 seven yes votes to approve Ordinance O-17-2021.

INTRODUCTION AND FIRST READING OF ORDINANCES:

NONE.

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-18-2021

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

Economic Development Manager Michael Loges told council this legislation authorized the city manager to sign a Community Reinvestment Area (CRA) agreement with NA Innovation Partners LLC to construct a 130,000 square foot speculative warehouse and distribution center. The city was looking to improve its portfolio of existing, speculatively-developed warehouse space. This size was well-suited to attract tenants searching for 25,000-40,000 square feet. Tyler Ford, a development team representative, was present to answer questions.

Council Member Briscoe stated and Manager Loges confirmed that the city was limiting this project to no more than 25% warehousing. The staff report was edited to fix the percentage error. The city worked with NA Innovation Partners to secure manufacturing tenants for the space, mostly light manufacturing.

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-18-2021.

REPORTS OF STANDING COMMITTEES:

A. Safety Committee: No report.

B. Public Utilities: No report.

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- 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 was undertaking a strategic planning initiative and New Albany would be participating. MORPC updated members on the TRAC road project prioritization process. Nine projects were proposed for 2021. None directly impacted New Albany. Comments were open until April 28th. The Regional Data Advisory Committee completed the update of the 2021-22 regional data agenda which was approved. MORPC would be receiving the 2020 census data by the end of April. Apportionment amounts and state redistricting data would come out later. A conference on freight would be held May 20-21. City Manager Stefanov was reappointed to the Executive Committee for another year.
- B. Council Representative to Joint Parks and Recreation: No report.
- C. Council Representative to New Albany Plain Local Schools: Council Member Kist reported the school hosted a COVID-19 vaccination clinic. Response was positive. City and school representatives met the prior week - primarily discussed traffic. There were no easy solutions. The district had done extensive research into peak traffic times and tried various fixes. There was agreement that incremental options could be explored as this year ended and when school restarted. The district looked forward to partnering with the city to improve traffic flow around the city during school hours.
- D. Council Representative to Plain Township: Council Member Durik reported that the township met and discussed pool operations. With HB 22, pool operation orders changed, and much of that was still evolving. The township planned to open and was starting to sell memberships. Session scheduling, cleaning, and other compliance issues were still being worked on. They were looking for health department regulations to come out soon. They recognized Fire Captain Dudley for 25 years of service. Fire runs were normal. They were waiting on engineering proposals to repair the fire department roof.

REPORTS OF CITY OFFICIALS:

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- A. Mayor: Mayor Spalding reported that the New Albany branch of the Columbus Metropolitan library reopened after renovations. The library continued to work on a plan to make the back of the library open to Rose Run Park. The cost was considerable.

The 2021 COSI Science Festival would run from May 5-8 on the Scioto peninsula. Virtual events would be around central Ohio. The STEM Star award went to the New Albany robotics team who had visited council before. A video would be posted on the city's website.

The Ohio General Assembly House Ways and Means Committee held their fourth hearing regarding Ohio municipal income tax. Proponents and opponents testified. The current proposal would extend the existing tax law through the rest of 2021. Individuals who were outside a jurisdiction for more than 20 days during a calendar year could apply for a refund. Data was provided to the General Assembly regarding the impact to local economies and cities if the structure was altered. He would keep council updated.

- B. Clerk of Council: Clerk Mason reminded council to send her their Ohio Ethic Commission Financial Disclosure receipts.
- C. Finance Director: Finance Director Bethany Staats summarized the March 2021 Financial Report. Revenues and income tax withholdings were greater than in 2020. Most of the increase was from Net Profit taxes. That could be misleading, and based on estimated payments from the fourth quarter and the filing deadline delay. Expenses were less than 2021, possibly related to the extra pay period in 2020. Operating Contractual Services were less in 2021. The Financial Committee met. The city's investments were optimized within the portfolio, with the average yield at .72%. Investment maturities averaged 2.13 years.

Mayor Spalding congratulated the Finance Department on their Government Finance Officer's Association award.

- D. City Manager: No report.
- E. City Attorney: Law Director Banchefsky referenced the Mayor's report regarding municipal income tax. The Ohio Municipal League sent out a proposed letter and resolution. They were encouraging members to provide these to their representatives. He would report further at the next meeting.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

NONE.



Council Minutes – Regular Meeting

April 20, 2021

EXECUTIVE SESSION:

Mayor Spalding moved that council go into executive session pursuant to New Albany Charter Section 4.03 (E) for economic development purposes. Council Member Briscoe seconded and council voted with seven yes votes to go into executive session at 8:03 pm.

Council Member Briscoe moved that council come out of executive session and resume the regular meeting. Council Member Fellows seconded and council voted with six yes votes and one absent (Brisk) come out of executive session and resume the regular meeting at 9:36 pm.

OTHER BUSINESS:

NONE.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Council Member Briscoe moved and Mayor Spalding seconded to adjourn the April 20, 2021 regular council meeting at 9:36 pm.

ATTEST:

A blue ink signature of Jennifer H. Mason, Clerk of Council.

Jennifer H. Mason, Clerk of Council

A green ink signature of Sloan Spalding, Mayor.

Sloan Spalding, Mayor

4 May 2021
Date