



Council Minutes – Regular Meeting

April 6, 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, Public Service Director Mark Nemec, Police Chief Greg Jones, and Clerk of Council Jennifer Mason. Staff tele-present were Law Director Mitch Banchefsky, Administrative Services Director Adrienne Joly, Community Development Director Jennifer Chrysler, Deputy Public Service Director Mike Barker, City Engineer Ed Ferris, Planning Manager Stephen Mayer, Economic Development Manager Michael Loges, Engineering Manager Ryan Ohly, Chief Communications and Marketing Officer Scott McAfee, and Human Resource Officer Lindsay Rasey.

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 – tele-present
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 March 16, 2021 regular meeting minutes and if there were any additions or corrections. Hearing no changes, Mayor Spalding moved to adopt the March 16, 2021 regular meeting minutes. Council Member Brisk seconded and council voted with seven yes votes to approve the March 16, 2021 regular meeting minutes.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

HEARING OF VISITORS:

NA Eagles State Champions Girls Swim Team Proclamation – Mayor Spalding recognized the New Albany Girl Varsity Swim Team for their hard work, dedication, and sacrifice. Coach David Wharton described the challenges of the year and how the team focused. Mayor Spalding read the proclamation aloud. Mayor Spalding congratulated the team and Mr. Wharton for his Ohio High School Division 1 State Girls Coach of the Year award. Council Member Kist stated it had been an honor to watch their discipline and work ethic.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: No meeting.



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PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: Council Member Brisk reported that the ARB held its organizational meeting and elected Andrea Wilttrout as Chair, Everett Gallagher as Vice Chair, and Kerri Mollard as Secretary.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

INCLUSION DIVERSITY & EQUITY ACTION COMMITTEE: No meeting.

CEMETERY RESTORATION ADVISORY BOARD: Clerk Jennifer Mason reported that the CRAB held its organizational meeting and elected Brian Zets as Chair, Victor Wilson as Vice Chair, and Bill Resch as Secretary. They would be meeting again in two months to discuss the Wagner Cemetery fence status and the Historical Marker application.

CORRESPONDENCE AND COMMUNICATION:

NONE.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-08-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 6.7+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Stefanov referred to his March 16 council meeting presentation. The property was one of the handful of remaining unincorporated parcels on the Beech Road corridor. It would become part of the business park south development area. This was the final step in the annexation process. The Annexation Agreement and Road Maintenance Agreements were in place. The sixty 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 Fellows moved to adopt the ordinance. Council Member Shull seconded and council voted with seven yes votes to approve Ordinance O-08-2021.

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ORDINANCE O-09-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 25.8+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Stefanov described the location and told council this annexation enabled the city to expand the Beauty Park. Parcels would be combined to gain access to Smith's Mill Loop. The land would be open to commercial development. This was an Expedited Type I annexation. The sixty day waiting period had expired, so council was able to take action.

Council Member Kist asked and City Manager Stefanov answered that the name of Jug Street was technically Jug Street Road, even though it was often referred to as Jug Street.

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

Council Member Fellows moved to adopt the ordinance. Council Member Brisk seconded and council voted with seven yes votes to approve Ordinance O-09-2021.

ORDINANCE O-10-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 13.193+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Stefanov told council that, like Ordinance O-08-2021 and O-09-2021, this was an Expedited Type I annexation. He described the location which had frontage on Cobbs Road and State Route 161. When combined with a parcel to the north, the property would reach Innovation Campus Way and open up an expansion area to the Beauty Park. The Annexation Agreement was done back in June of 2015 as part of a larger area. The sixty day waiting period had elapsed 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 Briscoe moved to adopt the ordinance. Council Member Shull seconded and council voted with seven yes votes to approve Ordinance O-10-2021.

ORDINANCE O-11-2021

Mayor Spalding read by title AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 25.8 +/- ACRES OF LAND LOCATED AT 13607 AND 13525 JUG STREET FOR AN AREA TO BE KNOWN AS THE "JUG STREET SOUTH ZONING DISTRICT" FROM ITS CURRENT ZONING OF AGRICULTURAL (AG) TO LIMITED GENERAL EMPLOYMENT (L-GE) AS REQUESTED BY MJB HOLDINGS LLC., c/o AARON UNDERHILL, ESQ.

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Planning Manager Stephen Mayer stated this rezoning was related to Ordinance O-09-2021. He described the location. The proposal was to rezone to Limited General Employment (L-GE) district which allowed for the same uses as adjacent commercially-zoned properties. Permitted uses included office, data centers, research & production, and warehouse and distribution uses. The limitation text established consistent architectural, height, screening, and setback standards as those in the surrounding business park. There were residential properties to the west and east, so the text established 50 foot setback building setbacks, as well as requiring 75% opacity landscape screening along residential property lines. This proposal matched the use and development recommendations found in the newly adopted 2021 Engage New Albany plan. The Planning Commission approved this during their February 2021 meeting. Staff and the applicant were present to answer questions.

Council Member Durik moved to adopt the ordinance. Council Member Kist seconded and council voted with seven yes votes to approve Ordinance O-11-2021.

ORDINANCE O-12-2021

Mayor Spalding read by title AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 13.193 +/- ACRES OF LAND LOCATED AT 12746 COBBS ROAD FOR AN AREA TO BE KNOWN AS THE “MINK INTERCHANGE EXPANSION ZONING DISTRICT” FROM ITS CURRENT ZONING OF AGRICULTURAL (AG) TO LIMITED GENERAL EMPLOYMENT (L-GE) AS REQUESTED BY MBJ HOLDINGS LLC., c/o AARON UNDERHILL, ESQ.

Planning Manager Stephen Mayer described the location. This proposal was also to rezone to Limited General Employment (L-GE) and allowing the same uses as adjacent commercial districts. Permitted uses included office, data centers, and research & production uses. The limitation text established the same consistent architectural, height, screening, and setbacks standards of the surrounding business park properties. There was residential property to the west and this text established a 50 foot building and pavement setbacks and 75% opacity screening along those property lines. This proposal matched the uses and development recommendations found in the 2021 Engage New Albany strategic plan. The Planning commission approved of the application at their February 2021 meeting. Staff and the applicant were present to answer questions.

Mayor Spalding asked and Aaron Underhill, attorney for applicant, answered that there were development prospects for this property. He anticipated this property would be combined with the property to the north to provide access to Innovation Campus Way. He hoped to make an announcement in the near future. Mayor Spalding understood that, due to an EPA rule, trees had to be taken down during a certain time of year to accommodate construction throughout the year. He asked about preserving the tree line along the western residential lots. Mr. Underhill replied, to the extent that trees had been removed - the trees Mayor Spalding indicated would likely stay. There had been a lot of activity on the site due to restrictions related to the Indiana bat being a native species. The New Albany Company would proactively remove trees where they thought development was imminent. There was a possibility that additional trees could be removed in the future because of some

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utility issues - but they had accommodated enough room between where development would occur and that property line to ensure they could replace trees with mounding and plantings on top.

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 ordinance. Council Member Kist seconded and council voted with seven yes votes to approve Ordinance O-12-2021.

ORDINANCE O-13-2021

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A 1.633 ACRE CONSERVATION EASEMENT AS REQUESTED BY AMERICAN ELECTRIC POWER COMPANY.

Engineering Manager Ryan Ohly told council that this legislation accepted a 1.633 acre conservation easement. AEP was expanding their utility substation on this parcel to further serve New Albany customers. This legislation was the next step of the permitting process with the Ohio EPA and U.S. Army Corps of Engineers. The environmental permit required that the environmental impacts be offset by recording a conservation easement. A public entity must be the recipient of the conservation easement. The easement contained restrictions intended to preserve and protect the area by prohibiting construction of man-made structures, cutting vegetation, land surface alteration, altering natural water courses, installing new utility lines, or any other activity that could endanger the biological or ecological integrity of the conservation area.

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

Mayor Spalding moved to adopt the ordinance. Council Member Shull seconded and council voted with seven yes votes to approve Ordinance O-13-2021.

INTRODUCTION AND FIRST READING 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 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,

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AND APPROVE AND AUTHORIZE THE EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS.

Economic Development Manager Michael Loges told council this legislation would expand the Tax Increment Financing (TIF) area of the business park. He described the location. The purpose was to allow for the community to capture a percentage of the incremental value increase on properties as they were developed and use the proceeds to further invest in the business park and benefit the community.

Council Member Briscoe asked and Manager Loges confirmed that many of the other parcels on the map were commercially zoned, in New Albany, and were already in the TIF. He also confirmed that this was a non-school TIF and the city had made agreements with the township regarding EMS services.

Mayor Spalding set the ordinance for second reading at the April 20, 2021 council meeting.

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 process – a comprehensive plan, a preliminary development plan, and a final development plan. The subarea on the slide was established in 1998. City code contemplated that there could be changes over time to the subarea boundaries and stated that a property owner could amend them at any time following the rezoning process. He 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.

Changing the subarea boundaries allowed for portions of land to be within the same boundary. This was being done in anticipation of developing Section 30 of the New Albany Country Club. This request did not change the permitted number of residential units. In expanding the subarea, the density was being lowered. It had no effect on the overall 1998 C-PUD. Existing uses and development standards matched the recommendations and objectives of the 2021 Engage New Albany strategic plan. The Planning Commission reviewed and recommended approval at their March 2021 meeting. Staff and the applicant were present to answer questions.

Council Member Fellows asked and Manager Mayer replied that the last proposal was 36-37 units in the subarea. That would be finalized with the Final Development Plan. Aaron Underhill, attorney for applicant, noted that the existing language allowed for a variety of housing types, including attached

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townhomes, up to 88 units. What was legally permissible under the current zoning, even without this change – what was going to happen there was less than half of the planned density.

Council Member Briscoe asked if there was a commitment to keep it to 36-37 homes if the city granted this rezoning. Mr. Underhill stated that would play itself out through the Planning Commission with the preliminary development plan and final development plan. Around 2007, there was an agreement between the Village of New Albany and The New Albany Company (NACO) which dealt with what happened to these units. There had always been a housing bank, but there never really was a process formalizing that. What would happen, when NACO had final development plan approval – essentially, they would take the units they didn't build here and put them in the bank for council action. The applicant was trying to accommodate some larger lots by meandering the boundaries around the existing 1.d, which meant less density. Mr. Underhill thought they could make a commitment to that number as they proceeded.

Council Member Briscoe didn't want to approve this zoning and then find out there was a decision to put 50 homes here. She wanted to know, before second reading of the legislation, that the city had some kind of commitment to keep the number of units to the anticipated 36-37. Tom Rubey, NACO Development Director, stated, yes, the city had NACO's commitment to do that. At the moment, they were working closely with The Nicholas Group as they were redesigning hole 5 east. This would set the boundary and the number of units in the subdivision. He couldn't imagine a scenario where there would be any more than 37 units. NACO had been trying to tie in and make the leisure trail connection to a park around the intersection of Brandon Road and Lambton Park Road - which currently wasn't part of the parkland for this neighborhood. This was a rogue parcel that had never been dedicated to the city as part of their parkland requirements. This was a loose end they were trying to tie up with this project. Yes, the expectation was this would not exceed 37 units.

Council Member Fellows asked and Mr. Rubey answered that they were early in the design process for the neighborhood. He expected the lot prices would range from \$300,000-\$700,00+. They had done the school impact analysis for the project.

Mayor Spalding set the ordinance for second reading at the April 20, 2021 regular council meeting.

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 was proposing this update to ensure the city's code kept pace with the next generation of data, research, and production companies that were progressing through the market – for the city to stay globally and nationally competitive. The current "manufacturing and production" use category had been in place since 1998 and was overly broad. It included desirable uses like high tech and clean manufacturing that were recommended and targeted

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as part of the city's economic development plan. This code update proposed to create a new "industrial manufacturing and assembly use" category which included the heavy commercial and construction allocations. Those "industrial manufacturing and assembly" uses would be conditional uses requiring Planning Commission review and approval, both in the Limited Industrial and General Employment districts to ensure they were appropriate for that area of the business park.

The city had seen a large influx of conditional use applications to attract the kinds of companies the city sought out. More restrictive limitation text would continue to be used to address specific sites, circumstances, and conditions. The objective of this code update were to reduce the overall number of conditional use applications, which could, in turn, remove deterrents from the site selection process, and streamline the approval process for the city's preferred manufacturing uses. The city would continue to use "manufacturing and production" for the desirable businesses and company types identified in the economic development plan because that was the same terminology that prospective companies used. Lastly, the goal was to clarify what needed to go before the Planning Commission for a secondary review.

This code amendment was approved by the Planning Commission at their March meeting.

Council Member Briscoe asked and Manager Mayer confirmed that this took a certain types of less desirable manufacturing and moved them into their own category, and put the kind the city did want in a category, removing the conditional use, making it easier to sell. Council Member Durik asked Manager Mayer replied that anything in the attached legislation exhibit that was colored or underlined was a proposed change to the code. The city created the "industrial manufacturing and assembly" category and updated the examples and definition of the existing "manufacturing and production" category. Staff also added more examples of what "research and production" uses were to clarify the differences between them.

Council Member Fellows asked and Manager Mayer replied that it was hard to be perfectly prescriptive in what constituted clean manufacturing and production. The city was making this update to keep pace with next generation companies. The manufacturing and production use, as it existed, was for scientific research, clean production, medical and dental laboratories – things that lean more towards the consumer - the types of businesses in the Personal Care and Beauty Campus. By contrast, the industrial manufacturing and fabrication would lean more towards the firms that are manufacturing for the construction industry – what you might think of as having a smelting plant and smoke stacks.

Council Member Shull stated that the Planning Commission was highly engaged in positive discussion regarding these changes. The commission was pleased with staff's presentation.

Mayor Spalding set the ordinance for second reading at the April 20, 2021 council meeting.

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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 determined 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 to accommodate future improvements if deemed necessary. This legislation also accepted a fee payment in lieu of construction of a leisure trail. Manager Mayer reviewed the requirements for a fee-in-lieu. At the subject property, a leisure trail could be installed, however, the property was located approximately 1,500 feet away from the nearest leisure trail system, and 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 evaluated estimates provided by the property owner and determined that a \$4,653 fee in lieu was appropriate.

Council Member Fellows asked and Manager Mayer confirmed that the subject property was being developed as single-family home. Mayor Spalding recalled a creek or stream at the front of the property. He wasn't sure there would be room to construct a leisure trail. Manager Mayer told council that the county installed a culvert improvement there. City Manager Stefanov added that the property to the north, owned by Homewood, would likely be developed as a residential subdivision in the future. If there was an extension of the leisure trail, it would likely be on the north side of Central College.

Council Member Brisk asked and Finance Director Bethany Staats replied that the fee-in-lieu money generally went into the Park Improvement Fund. Council Member Kist asked and City Manager Stefanov confirmed there were adequate funds to construct leisure trail and, with this legislation, there was adequate right-of-way to cross the front of the property. Construction was paid for out of the Park Improvement Fund.

Mayor Spalding set the ordinance for second reading at the April 20, 2021 council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-12-2021

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE MCDANIEL'S CONSTRUCTION CORPORATION INC FOR THE CONSTRUCTION OF A SOLAR POWER SYSTEM AT THE PUBLIC SERVICE FACILITY AS SET FORTH IN THE SOURCEWELL

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COOPERATIVE PURCHASING PROGRAM CONSTRUCTION CONTRACT No. OHGCOAGCMBA-022718-MCC AT A PRICE NOT TO EXCEED \$231,777.47.

Public Service Department Director Mark Nemec told council that the city's intention was to foster the adoption of alternate energy sources within the community to achieve economic, health, environmental, and educational benefits, while maintaining community character, design standards, and livability. Deployment of solar energy facilities and the pursuit of environmentally sustainable strategies could greatly reduce the cost and consumption of energy, while lowering carbon emissions and reducing fossil fuel use. At council's direction, the city investigated the construction of a photovoltaic (PV) system for the Public Service facility which would reduce the cost of power and demonstrate clean energy leadership.

Using the Sourcewell Cooperative Purchasing Program for job order contracting, the city obtained competitive pricing from McDaniel's Construction Corporation for a solar PV system. McDaniel's was a local contractor and registered with the state as a minority business enterprise. McDaniel's provided a proposal for a rooftop system for \$231,777.47 and generated up to 108 kw of power. This was under the 2021 budgeted amount. The array would have 256 solar panels which had a 25-year performance warranty and would generate \$257,000 of electric savings over that lifespan. The panels lasted at least 30 years. The return on investment would happen around 23 years. Once the contract was signed, the project could be completed in 90 days.

Council Member Fellows asked and Director Nemec replied that the contract could be signed the next day and manufacturing started right away.

The city's structural engineer found that both the existing building and the addition would support the panel weight. The manufacturer of the Public Service facility siding and roofing signed off on the installation of the panels – this would not void the roof warranty. The roof slope was already perfectly positioned, no angling of the panels was needed. The city would be working with AEP to install a bi-directional meter. If the panels generated more energy than was needed, the energy went back into the grid and the city was paid for it. Council Member Fellows asked and Director Nemec answered that the city did not have capacity to store energy.

Council Member Durik understood the city would save \$10,000 year, on average. He asked and Director Nemec displayed a projection of what the solar array would generate and how much of the city's use it would cover. The array generated less in the winter and about equal to what the city used in the summer. Over the year, the panels would generate 50% of the energy needed. Energy generation ability degraded 1%-2% per year. Council Member Fellows asked and Director Nemec answered that the city would maintain and clean the panels. Council Member Fellows and Director Nemec discussed how Sourcewell was organized and operated. The city had worked with McDaniel's on road and trail construction projects without issue. McDaniel's contracted with Third Sun Solar who had high credibility and many projects in Ohio.

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Council Member Shull wanted to be able to track the savings. Director Nemec stated that there was software that would monitor on a daily, monthly, and yearly basis city consumption and benefits. Council Member Kist asked and Director Nemec answered that what the city paid for electric was more than what the city would be paid for excess energy. The benefit was small if the city generated more than it used, so it didn't make sense to over-design the system.

Council Member Briscoe asked and Director Nemec replied that the city was getting a \$1,800 rebate for the project. City Manager Stefanov added staff researched and did not find other grants for this project.

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 Shull seconded and council voted with seven yes votes to approve Resolution R-12-2021.

RESOLUTION R-13-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ADVERTISE IN CONSORTIUM CONTRACTS FOR REQUIRED SERVICES AND A BID FOR THE COLLECTION, TRANSPORTATION, AND DELIVERY FOR DISPOSAL AND/OR PROCESSING OF RESIDENTIAL SOLID WASTE, RECYCLABLE MATERIALS, AND YARD WASTE GENERATED WITHIN THE CITY OF NEW ALBANY, OHIO.

Director Nemec explained that the city's Rumpke contract would expire in 2021 and the city would be rebidding with the consortium. The City of Columbus joined the recycling processing bid and that one was still out. The bid for the collection of solid waste would remain open until the recycling processing bid came in.

Council Member Fellows asked and Director Nemec replied that the market for recyclables hadn't changed much. Paper and cardboard were still regularly recycled.

Director Nemec reviewed past prices, including amounts that the city covered for itself and for residents. The consortium was proposing staying with the status quo. COVID and work-from-home had increased residential collection. The consortium was looking for 3-year and 5-year proposals. All available services would remain the same with the same terms. New Albany's pricing would be paired with Plain Township.

Council Member Brisk asked and Director Nemec replied that there were 10 communities in the consortium. Council Member Fellows asked and Director Nemec answered that if a resident wanted the senior discount, they would need to contact the Public Service Department. Information was provided on cards enclosed with the billing statements. Council thought the senior discount should be communicated out more to residents.

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Council Member Fellows asked and Director Nemec responded that one could never educate enough about recycling. Council Member Fellows wanted more information out there about recycling and household hazardous waste. He wanted to make household hazardous waste removal easier. Director Nemec recalled a city video and e-blast. City Manager Stefanov stated additional messaging had gone out on the city's website and the city was looking to partner with neighborhood communities.

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 Fellows seconded and council voted with seven yes votes to approve Resolution R-13-2021.

RESOLUTION R-14-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACT (018-22).

Public Service Department Director Mark Nemec described the city's response to the 21 snow events this past winter. City staff plowed 271 lane miles during each event. The crews dispensed 2,429 tons of road salt. Current inventory was about 1,600 tons. The city would need about 3,000 tons to refill. ODOT required an approved resolution to get onto their contract. Director Nemec reviewed the amounts used by the county, the township, and school district from the city's stores. The city was reimbursed by these entities.

Council Member Shull praised the Public Service staff's hard work. Council Member Kist and Director Nemec discussed how lane miles were calculated. Council and staff discussed where New Albany plowed about 10 miles for the City of Columbus and was paid for that coverage.

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-14-2021.

RESOLUTION R-15-2021

Mayor Spalding read by title A RESOLUTION TO AMEND THE OAK GROVE II COMMUNITY REINVESTMENT AREA TO ADD APPROXIMATELY 55.823 +/- ACRES TO THAT AREA, CONFIRMING THE DESIGNATION OF A HOUSING OFFICER AND THE CREATION OF A COMMUNITY REINVESTMENT AREA HOUSING COUNCIL AND TAX INCENTIVE REVIEW COUNCILS, AND TO EXPAND THE OAK GROVE II ECONOMIC OPPORTUNITY ZONE TO ADD THAT AREA.

Economic Development Manager Michael Loges stated that this resolution was related to Ordinance O-14-2021. This legislation expanded the Oak Grove II Community Reinvestment Area for the same

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six parcels. It afforded the community the ability to abate real property taxes at those sites as they were developed, mitigating costs and encouraging investment. The city was in discussions with potential users at some of the sites. All required notifications had been made and favorable comments had been received.

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 Kist seconded and council voted with seven yes votes to approve Resolution R-15-2021.

RESOLUTION R-16-2021

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE, BID, AWARD AND EXECUTE ALL CONTRACTS RELATED TO THE GANTON PARKWAY EAST & WEST ROADWAY IMPROVEMENT PROJECTS.

Deputy Public Service Director Mike Barker told council that this legislation included three separate sections of Ganton Parkway. The base project was an 1,800 foot extension of Ganton Parkway East. He described the initial development of Ganton Parkway. The second portion was immediately west of Beech Road comprising 2,200 feet in length and would support the imminent development a 99 acre site on the south side of the roadway owned by Amazon.com. The roadway plat, which dedicated right-of-way to the city, was accepted by council on March 16, 2021. The engineers estimate for this section was \$5 million. Of that amount, Amazon.com would contribute around \$700,000 to help offset any scope that was expanded specific to their site. The city was also awarded a \$1 million grant from JobsOhio. The third section could add another 1,700 feet of roadway further west to provide access to an economic development prospect. The engineer's estimate was \$2.5 million. In addition to talks with the prospect, the city was pursuing additional grant opportunities. The total cost of all three projects was \$8.7 million, a portion of which would be offset by corporate contribution and grants.

Ganton Parkway was a part of the city's recent strategic plan update and a key component to moving traffic in and out of the Village Center and the business campus. It was planned to function similarly to Smith's Mill Road. Traffic modeling demonstrated the importance of having parallel roadway systems. This would be a fundamental backbone roadway. The ultimate plan was for Ganton Parkway to extend all the way to the west and connect with State Route 62 via Theissen Road.

Council Member Fellows stated it was an infrastructure project that would lead to economic growth – what the city should be doing. Council Member Durik asked and Deputy Director Barker replied the city could temporarily create a bottleneck at Beech Road while the project was under construction. Duration of construction was typically 12-18 months. Deputy Director Barker didn't anticipate having a dead-end roadway for an extended period of time. Once the development sites were up and running, he anticipated having the final extension and connection. Traffic studies, and the city, gave Ganton Parkway high priority. City Manager Stefanov added that the city was still exploring different

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alignments and conceptual connections, as well as what future development projects the city might encounter.

Council Member Shull, Deputy Director Mike Barker, and Director Chrysler discussed which property was already owned and under development in the area. Council and staff further discussed anticipated costs of the project. City Manager Stefanov stated the city was looking at potential OWDA funding for utility infrastructure as well as the city's Economic Development Fund for roadway infrastructure.

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 Brisk seconded and council voted with seven yes votes to approve Resolution R-16-2021.

RESOLUTION R-17-2021

Mayor Spalding read by title JMA RESOLUTION TO AUTHORIZE A THEN AND NOW CERTIFICATE WITHIN THE CAPITAL IMPROVEMENTS FUND.

Finance Director Bethany Staats stated the city received two invoices from the Mid-Ohio Regional Planning Commission (MORPC) for administrative fees related to previously approved projects. While the entire project was approved and funds were appropriated, a specific fiscal officer certificate to MORPC wasn't in place at the time that the invoice was received. The first invoice was for the Round 13 Clean Ohio Conservation Fund grant related to the Taylor Farm at Rocky Fork Creek Acquisition project. The second invoice was for the Round 33 SCIP/LTIP Infrastructure grant related to the US 62 at SR 161 Roadway Improvements project. The Ohio Revised Code required Council's approval of this Then and Now Certificate.

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

Council Member Shull moved to adopt the resolution. Council Member Durik seconded and council voted with seven yes votes to approve Resolution R-17-2021.

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.

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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 held their annual meeting. Additionally, City Manager Stefanov was reappointed to the Executive Committee.

B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that the Miracle League lease extension was completed and signed, and would run through April of 2038. All spring sports were a go. They were following state and local guidelines. In response to feedback about improving the softball fields, the dugouts for Y3 were reworked. Appropriations for 2021 were approved with a General Fund of around \$1.7 million.

Mayor Spalding asked Council Member Shull stated that the discussion around pickleball courts was still at the community level. The sport was growing exponentially. He had personally passed on feedback to City Manager Stefanov. There was space next to the tennis courts being kept open for potential expansion. Council discussed potential park lighting, shelters. There could be an opportunity to partner with the park in the future.

C. Council Representative to New Albany Plain Local Schools: Council Member Kist reported that Project Responsible Restart with modified quarantining restrictions was going well. COVID cases were continuing to decline. On April 19th, the school district was offering 400 Pfizer vaccine doses to students 16+, with a second round offered later. If demand exceeded the offering, they were working with Nationwide Children's Hospital for additional doses.

D. Council Representative to Plain Township: Council Member Durik reported that the township meeting covered administrative issues - nothing significant impacting the city.

REPORTS OF CITY OFFICIALS:

A. Mayor: No report.

B. Clerk of Council: No report.

C. Finance Director: No report.

D. City Manager: City Manager Stefanov reported conversations with The Ohio State University representatives regarding The Heit Center. OSU was moving their sports medicine program to Hamilton Road. OSU Behavioral Health would be moving to the Heit Center and offering

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counselling services to all age groups. Nationwide Children's Hospital may also expand their footprint in the building. More information to follow.

- E. City Attorney: Law Director Banchefsky updated council about SB 22, passed by the General Assembly, which became effective on June 23, 2021. Among other things, it would terminate the current State of Emergency 30 days after it became effective, unless extended by the legislature. That would also start a 30-day countdown of current municipal income tax withholding provisions. Section 29 of HB 197 addressed municipalities continuing to withhold municipal tax at the tax payers place of work. That could potentially go away by operation of SB 22. The Ohio Municipal League was asking all municipalities to contact their legislators. Law Director Banchefsky would follow up with more later. Mayor Spalding asked City Manager Stefanov to work on a plan to implement these changes when they came about. City Manager Stefanov confirmed that the city was preparing.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

Council Member Shull commented on the progress of the amphitheater construction. He had been having conversations with City Manager Stefanov about potential and pending contracts, now and in the future, ~~as well as cultural districts~~. The rest of council was welcome to join him in these conversations or give feedback. Many groups would be involved and it would be nice to get structure in place.

Council Member Kist asked and Law Director Banchefsky stated that the city had been working with businesses to extend licenses for outdoor service areas. Council requested that the city move forward with a Downtown Outdoor Refreshment Area (DORA) district application to benefit city events and the amphitheater. New Albany could learn from other municipalities who had been creating or revising their DORA districts. Council Member Fellows asked and Chief Jones did not anticipate problems with a DORA.

Council discussed their interest in, and coordinating outfits for, a May the Fourth–Star Wars-themed council meeting. Mayor Spalding encouraged everyone to pick a character. Clerk Mason would help coordinate and communicate.

EXECUTIVE SESSION:

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22 (G)(1) for discussion regarding employment and compensation of council's public employee. Council Member Kist seconded and council voted with seven yes votes to go into executive session at 8:52 pm. Clerk Mason stated that there would be action after the Executive Session.

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Council Member Shull moved that council come out of executive session and resume the regular meeting. Council Member Durik seconded and council voted with seven yes votes come out of executive session and resume the regular meeting at 9:14 pm.

OTHER BUSINESS:

Clerk Mason's Performance Review

Council Member Kist told Clerk Mason that she would receive a signed copy of her employment performance review. He reported that she was highly valued and appreciated for her dedication and professionalism. This past year had meant taking on new challenges, and this year's \$2,000 bonus was larger than usual as a result. Council also awarded three additional personal days. Council Members individually expressed their gratitude and thanks.

Healthy New Albany Senior Programming Budget

Clerk Mason reminded council that this motion represented a budget correction and was needed for the auditors. Council Member Fellows moved to approve \$36,800 in city support for senior programming at Healthy New Albany for Fiscal Year 2021. Council Member Shull seconded and council voted with six yes votes and one abstention (Brisk) on the motion. The motion was adopted.

Estate at New Albany Liquor Permits

Clerk Mason reminded council that the Estate at New Albany had requested three liquor permits. Mayor Spalding asked and Clerk Mason reported that Police Chief Greg Jones received a copy of the permit application and his department didn't have an issue with the request. Mayor Spalding stated that the Estate at New Albany had been a good community partner. Clerk Mason polled council and they did not request a hearing on the permit request.


ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Shull seconded to adjourn the April 6, 2021 regular council meeting at 9:23 pm.

ATTEST:


Jennifer H. Mason, Clerk of Council


Sloan Spalding, Mayor


Date