



## Council Minutes – Regular Meeting

May 3, 2022

### CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of May 3, 2022 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, Interim Law Director Benjamin Albrecht, Deputy Finance Director Drew Turner, Police Chief Greg Jones, Planning Manager Steve Mayer, Engineering Manager Ryan Ohly, Development Director Jennifer Chrysler, Public Service Director Mike Barker, Chief Communications Officer and Marketing Director Scott McAfee, and Clerk of Council Jennifer Mason.

Mayor Spalding led the assemblage in the Pledge of Allegiance.

### ROLL CALL:

The following Mayor/Council Members answered Roll Call:

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

### ACTION ON MINUTES:

Council adopted the April 19, 2022 meeting minutes by consensus.

### ADDITIONS OR CORRECTIONS TO THE AGENDA:

Mayor Spalding reported that Clerk Mason stated that council did not need the executive session. Mayor Spalding moved to remove the executive session on the agenda. Council Member Shull seconded and council voted with 7 yes votes to remove the executive session from the agenda.

### HEARING OF VISITORS:

Proclamation - Dr. Glyde A. Marsh New Albany Founders Day Parade Grand Marshal Colleen Briscoe - Mayor Spalding read aloud the proclamation. Ms. Briscoe recalled her early experiences with Founders Day. She thanked the Linda Honaker and Beckie Knore - some of her earliest friends in New Albany, and the Founders Day Committee.

Mayor Spalding reminded those present that Founders Day would be opening day for the Designated Outdoor Refreshment Area (DORA).

Proclamation - Founders Day Community Connection Honoree Celebrating One – Mayor Spalding read aloud the proclamation. Jurgita Fumo, Founder and Executive Director of Celebrating One, appreciated the Founders Day Committee. Celebrating One was established in 2016. The Innovate New Albany incubator had been their home. In their short time, they had helped 213 under-privileged families to keep

May 3, 2022

moving forward and sent over 11,000 motivational cards. They encouraged acknowledging each other, celebrating achievements, and recognizing people.

Proclamation Declaring May 9 to May 13, 2022 as Economic Development Week - Mayor Spalding read the proclamation aloud and presented it to Economic Development Specialist Jackie Russell. Mayor Spalding acknowledged how busy the Development team had been lately.

Chris Anderson, 12030 Jug Street, Johnstown, Ohio, expressed concern about the construction on Jug Street. They had to move horse trailers and a 42 foot RV in and out of their driveway. Based on the work being done on the west of Jug Street, he didn't see how they would get their trailers out when construction reached them. The temporary road was only 12 feet wide. They didn't want the horse trailer to flip over. He didn't know if it was possible to make a wider turn for them.

Mayor Spalding introduced Mr. Anderson to Public Service Director Mike Barker and Engineering Manager Ryan Ohly. The Jug Street construction that was currently underway was to install the service road for the Intel plant. Mayor Spalding didn't anticipate that level of construction impacting Mr. Anderson's side of Jug Street in the near term. Jug Street would be getting a redesign/rebuild which had been pending since before Intel. Council and staff thanked Mr. Anderson for bringing up the issue.

Manager Ohly stated he would be the point of contact for Mr. Anderson and would work to make sure Mr. Anderson had the right road access.

**BOARDS AND COMMISSIONS:**

**PLANNING COMMISSION:** Council Member Shull reported that the PC tabled, at the applicant's request, a variance at a residence on Southfield Road to allow an 1,110 square foot pool house to be located approximately 15 feet from the rear lot where code allowed a maximum of 800 square feet and a 30-foot rear setback.

**PARKS AND TRAILS ADVISORY BOARD:** No meeting.

**ARCHITECTURAL REVIEW BOARD:** No meeting.

**BOARD OF ZONING APPEALS:** Council Member Wiltrout reported that the BZA swore in new members, Abe Jacob and Tiana Samuels. The BZA elected their officers. The BZA approved a variance to allow a building setback to be reduced to 60 feet from a property line and to eliminate landscape screening. The property was adjacent to another commercial property.

**SUSTAINABILITY ADVISORY BOARD:** Council Member Kist reported that Earth Day was a success. Kids were running through Rose Run using an app to identify nature. City staff manned the e-waste collection and multiple vehicles were needed to haul away the waste. Clearly there was pent-up demand and they were considering more collections in the future. The composting program had over 200 official registrations. Mayor Spalding helped to plant a tree for Arbor Day. It was a good Earth Month in New Albany.

May 3, 2022

**IDEA IMPLEMENTATION PANEL:** Council Member Brisk reported that the first multicultural festival was tentatively scheduled for October 6-7, 2023. They reserved the school facilities and Hinson Amphitheater. The Rotary Club was taking the lead on organizing. The IDEA Panel would be put together as soon as the city's new programming manager was on board.

**PUBLIC RECORDS COMMISSION:** Mayor Spalding reported that the PRC met and approved several requests for document destruction in compliance with retention schedules and modifications to retention schedules. The next meeting would be November 15, 2022. The PRC reconfirmed the election of officers.

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

**CORRESPONDENCE AND COMMUNICATION:**

NONE.

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

**ORDINANCE O-11-2022**

Mayor Spalding read by title AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 1,689.59+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY.

City Manager Joseph Stefanov described the general location in Licking County. The subject property boundaries were contiguous with city boundaries. The petition was filed as an Expedited Type 1 annexation. Council approved the Annexation Agreement and Road Maintenance Agreements in early 2022. The Licking County Commissioners approved the annexation petition. The 60-day waiting period had lapsed and council could take action. The one difference in this annexation ordinance was that staff was asking for an emergency provision to move on an expedited schedule to build the infrastructure to support the Intel project, including road improvements and utility extensions.

Mayor Spalding opened the Public Hearing.

Mayor Spalding had a speaker card for Lucke Wickline, 12204 Jug Street, Johnstown, Ohio. Clerk Mason explained that Ms. Wickline called the week prior to schedule Mr. Wickline. Mayor Spalding asked Mr. Wickline to approach, but no one came forward.

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

Mayor Spalding stated that Ordinance O-11-2022 contained an emergency declaration. Council Member Kist moved to adopt the ordinance and declare an emergency. Council Member Durik seconded and council voted with 7 yes votes to approve Ordinance O-11-2022 and declare an emergency.

**ORDINANCE O-12-2022**

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 1,689+/-

May 3, 2022

ACRES OF LAND GENERALLY LOCATED SOUTH OF GREEN CHAPEL ROAD, WEST OF MINK STREET, AND NORTH OF JUG STREET, FROM AGRICULTURAL (AG) TO TECHNOLOGY MANUFACTURING DISTRICT (TMD) AS REQUESTED BY MBJ HOLDINGS LLC, C/O AARON UNDERHILL.

Planning Manager Steve Mayer stated this rezoning was in the same area described in O-12-2022. The proposed rezoning would permit uses including manufacturing and production, warehouse and distribution, research and production, and limited industrial uses. The zoning also allowed park-and-ride facilities, gas storage, water and wastewater treatment facilities, electric switch stations, and concrete batch plants. With the exception of the parking structures and gas storage, all of these uses currently existed in the Business Park.

The Technology and Manufacturing District (TMD) took the best practices from the surrounding commercial areas and amplified them. All of the requirements of this zoning were contained within Chapter 1154 of the city’s codified ordinances, which included permitted and conditional uses, setbacks, architectural requirements, lighting, and parking. The code uniquely included a Landscape Standards Plan, which carried the same weight as the city code. The standard landscaping design contained provisions for streetscape, landscaping, and street sections. There were characteristics for both arterial and collector streets. There was additional landscape screening, mounding, and stormwater basin standards. Chapter 1154 did not have height requirements, but it did have additional setback requirements for taller buildings. There was additional information on the city’s website.

The TMD was a large district, so allowed for improvements to be phased in overtime. If there were improvements, like buildings or pavement setbacks, then the requirements would need to be met at that time so long as it was within 800 feet of any perimeter boundary of the site.

The city hired a Carpenter Marty Transportation to work with the city’s traffic engineer to complete traffic study for the TMD zoning. Traffic patterns were expected to change and the report included an in-depth analysis of expected traffic assuming full build-out of the TMD. The study provided a basis for infrastructure planning. The recommendations in the traffic study were consistent with the Engage New Albany strategic plan addendum, mobility chapter. There was additional information on the city’s website, including the timing for those improvements. ODOT had regional improvements planned and anticipated beginning construction in the summer of 2023.

The large scale of the rezoning would result in a more comprehensive plan for the area and ensure compatibility between uses. The proposal matched the land use recommendations in the Engage New Albany Strategic Plan addendum. The requirements of the TMD zoning Landscape Design Standards Plan took into account the existing residential nature of the surrounding area by requiring larger setbacks, mounding, and landscaping that was sensitive to existing uses. The TMD zoning advanced employment center opportunities and protected rural corridors as recommended by the Western Licking County Accord. The Planning Commission recommended approval at their April 2022 meeting.

May 3, 2022

Mayor Spalding encouraged those present to take the handouts on the table and to visit [www.newalbanysiliconheartland.com](http://www.newalbanysiliconheartland.com) which talked about these zoning requirements.

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 Brisk seconded and council voted with 7 yes votes to approve Ordinance O-12-2022.

**ORDINANCE O-13-2022**

Mayor Spalding read by title AN ORDINANCE TO APPROVE THE FINAL PLAT AND ACCEPT RIGHT-OF-WAY DEDICATION FOR GANTON PARKWAY WEST PHASE 2 AS REQUESTED BY THE CITY OF NEW ALBANY.

Planning Manager Stephen Mayer stated Ganton Parkway West plat extended the existing road to the Licking County boarder. It included approximately 1,378 linear feet of new right-of-way, totaling about 3.16 acres. The plat dedicated the same 100 feet of right-of-way as the existing Ganton Parkway. Utility and streetscape easements were already in place on both sides of the platted area. This plat matched the city’s strategic plan’s recommendation. The Planning Commission recommended approval of the plat during their April 18, 2022 meeting.

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 Wilttrout seconded and council voted with 7 yes votes to approve Ordinance O-13-2022.

**INTRODUCTION AND FIRST READING OF ORDINANCES:**

**ORDINANCE O-15-2022**

Mayor Spalding read by title AN ORDINANCE TO AMEND CHAPTER 155 “PERSONNEL POLICIES” OF THE CITY OF NEW ALBANY, OHIO’S CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY.

Human Resources Officer Lindsay Rasey told council that it had been 3 years since the last changes to Codified Ordinances Chapter 155. These proposed updates aimed to address current and future needs of the city. There were updates to definitions to provide clarity and consistency and to match terms with practices. The list of unclassified positions was updated to included known positions and create a vehicle for future positions. Further notable changes included clarification on merit pay adjustments, probationary periods, overtime and holiday pay, vacation and sick leave payout options, processing injury leave, employer paid professional certifications, length of service requirement for reimbursement to the city for paid training, updated terminology and processes for personnel records, disciplinary actions, and procedures for appeal.

May 3, 2022

Council Member Fellows asked and City Manager Stefanov replied that the city tried to review personnel code every 3 years - timing it to be consistent with the city's collective bargaining agreements. This level of review was more comprehensive and hadn't been done for about 10 years. When there was an accumulation of piecemeal changes, inconsistencies developed. This update eliminated the inconsistencies.

Mayor Spalding set the ordinance for second reading at the May 17, 2022 regular council meeting.

**ORDINANCE O-16-2022**

Mayor Spalding read by title AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022, TO TRANSFER AND ADVANCE FUNDS FROM THE GENERAL, ECONOMIC DEVELOPMENT SPECIAL REVENUE AND BLACKLICK TAX INCREMENT FINANCING FUNDS, AUTHORIZING THE ACCEPTANCE OF NOT TO EXCEED \$85,000,000 OF INFRASTRUCTURE GRANT FUNDING FROM THE STATE OF OHIO AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT WITH THE STATE FOR THAT FUNDING, AND DECLARING AN EMERGENCY TO WAIVE THE SECOND READING.

Finance Director Bethany Staats stated the purpose of this legislation was to provide appropriation, transfer and advance authorization related to the cash redemption of the City of New Albany Series 2013, and the partial cash redemption of the City of New Albany Series 2012 refunding. It also authorized the receipt of state grant funds related to the infrastructure projects related to Intel. It also provided for appropriation for infrastructure and the initial increased operating costs related to the increase in city services and administration. The ordinance included emergency language to waive the second reading to allow for immediate passage.

The city had sufficient funds to provide for the cash redemptions. The legislation appropriated and authorized a transfer and advance of \$3 million total from the General Fund to facilitate the redemption. The Series 2013 bonds would be fully redeemed for about \$1.1 million and the city would save on future interest payments. The city would refinance the remaining \$4.1 million after partial cash redemption of the Series 2012 bonds. The city expected to realize substantial net savings and would shorten the maturity of the refinanced bonds to 2029.

The legislation further authorized the city manager to enter into a grant agreement with the Ohio Department of Development and accept a grant of \$85 million for initial Intel infrastructure improvements. It further authorized and directed select city staff to execute and deliver any other agreements related to the grant infrastructure improvements. The legislation appropriated the state grant money within the Economic Development Capital fund. The legislation detailed the needed appropriations adjustments, including those for personal services in the Community Development Department, Administrative Services, IT Division, and Finance Department. Appropriation increases were also necessary in several operating and contractual services categories. There were adjustments



## Council Minutes – Regular Meeting

May 3, 2022

for the New Albany Community Authority disbursement from the Capital Fund to the Special Revenue Fund.

Staff was asking to declare an emergency to waive the second reading of this legislation to ensure the redemption of the bonds as soon as possible to maximize future cost savings on the refunded debt and to meet the urgent infrastructure time requirements for the Intel project.

Council Member Shull asked Director Staats replied that the General Fund was responsible for a portion of the bond refundings. The \$1.4 million was the amount that the city was transferring from the General Fund. The advances to the Economic Development NACA Fund and Blacklick TIF Fund, in addition to the transfer, added up to the \$3 million. The General Fund would get back the money advanced to the Economic Development NACA and Blacklick TIF funds as revenue was received over time in those funds.

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 and declare an emergency. Council Member Brisk seconded and council voted with 7 yes votes to approve Ordinance O-16-2022 and declare an emergency.

### **READING AND PUBLIC HEARING OF RESOLUTIONS:**

#### **RESOLUTION R-18-2022**

Mayor Spalding read by title A RESOLUTION TO AMEND THE OAK GROVE II COMMUNITY REINVESTMENT AREA TO ADD APPROXIMATELY 1,689.59 +/- ACRES TO THAT AREA, CONFIRM THE DESIGNATION OF A HOUSING OFFICER AND THE CREATION OF A COMMUNITY REINVESTMENT AREA HOUSING COUNCIL AND TAX INCENTIVE REVIEW COUNCIL, EXPAND THE OAK GROVE II ECONOMIC OPPORTUNITY ZONE TO ADD THAT AREA, AND APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT PROVIDING COMPENSATION BY THE CITY TO THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING COUNTY (C-TEC) FOR FUTURE TAX EXEMPTIONS IN THE EXPANSION AREA.

Development Director Jennifer Chrysler stated this resolution amended the Oak Grove II Community Reinvestment Area (CRA) to include the 1,689 acres recently annexed by the city. The expansion of the CRA included 94 parcels. The CRA program allowed communities to offer real property tax abatement for qualifying projects. This legislation did not authorize specific projects, but did set up benchmarks for different uses and revenue generation, per square foot or per acre, that the city used to evaluate whether to negotiate CRA agreements. Each individual CRA agreement had to be approved by council.

Ohio General Assembly Substitute Senate Bill 166 provided for compensation to joint vocational schools in the same amount other school districts. The Career and Technology Education Centers of Licking



## Council Minutes – Regular Meeting

May 3, 2022

County (C-TEC) approved a resolution approving the current compensation agreement adopting those terms and this legislation would allow the city to do the same. New Albany was appreciative of C-TECs partnership throughout the years.

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 7 yes votes to approve Resolution R-18-2022.

### **REPORTS OF STANDING COMMITTEES:**

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

### **REPORTS OF REPRESENTATIVES:**

- A. Council Representative to MORPC: No meeting.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that the board heard a presentation of a building and programming draft for a fieldhouse. There were 5 general areas in the approximately 195,000 square foot building. There was discussion about upcoming bond issues on the ballot. The board didn't yet have a location, but had looked at multiple sites. A survey by EMC Research was going out at the end of the week.

Council Member Brisk asked and Council Member Shull replied that the indoor area would be heated year-round. The board was looking at marketing options for rental opportunities. They had not yet discussed membership fees. Director David Wharton would be reviewing the plans with City Manager Joseph Stefanov. There could be presentation to council in the future. Council Member Shull believed they were aiming to be on this year's ballot. Mayor Spalding listed other sports buildings and programs coming online in nearby communities.

- C. Council Representative to New Albany Plain Local Schools: No meeting.





## Council Minutes – Regular Meeting

May 3, 2022

- D. Council Representative to Plain Township: Council Member Durik reported that the township conducted general business and expense approvals.

### REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported enjoying the Arbor Day ceremony. Staff did a great job.
- B. Clerk of Council: No report.
- C. Finance Director: Director Staats reported she would be back in the office officially on Monday.
- D. City Manager: City Manager Stefanov reported enjoying his vacation. There were no major issues while he was out.
- E. City Attorney: No report.

### POLL FOR PUBLIC COMMENT:

NONE.

### POLL FOR COUNCIL COMMENT:

NONE.

### EXECUTIVE SESSION:

*Clerk's note: the executive session was stricken. See Additions or Corrections to the Agenda above.*

### OTHER BUSINESS:

Council Member Kist moved to appoint Diane Jacobs to the Cemetery Restoration Advisory Board to complete the unexpired term ending 12/31/2023. Council Member Shull seconded and council voted with 7 yes votes to appoint Diane Jacobs to the CRAB for the term specified.

### ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Wiltrout seconded to adjourn the May 3, 2022 regular council meeting at 7:44 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

A green ink date stamp reading "17 May 2022".

Date