



Council Minutes – Regular Meeting

May 4, 2021

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of May 4, 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, Police Chief Greg Jones, Deputy Public Service Director Mike Barker, 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, Administrative Services Director Adrienne Joly, City Engineer Ed Ferris, Engineering Manager Michael Loges, 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 – Tele-present
CM Kasey Kist	P
CM Matt Shull	P

Council Member Fellows gave a Star Wars-themed speech in support of the city.

ACTION ON MINUTES:

Mayor Spalding asked if council had reviewed the proposed April 20, 2021 regular meeting minutes and if there were any additions or corrections. Hearing no changes, Mayor Spalding moved to adopt the April 20, 2021 regular meeting minutes as amendment. Council Member Briscoe seconded and council voted with seven yes votes to approve the April 20, 2021 regular meeting minutes as amended.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

HEARING OF VISITORS:

Proclamation Declaring May 9-May 15, 2021 as Police Week and May 15 as Peace Officer Memorial Day – Mayor Spalding cited the recent community survey showing high regard of New Albany officers' level of service and he praised the service of all of the officers. Mayor Spalding read the proclamation. Police Chief thanked council and staff for their support. The officers did a great job and Chief Jones was appreciative of the community's support. Four officers were present for the proclamation. Council expressed their thanks to the officers.

May 4, 2021

Mary Ann Akins, 7145 Central College Road, spoke about her chickens. She thought they were allowed where she lived because nearby neighbors had horses. She kept them in her backyard and she believed someone complained about them. The city told her that she had to get rid of the chickens. They have a large backyard and live next to a church. She described the area surrounding her house.

The chickens were her pets. She described how they positively supported her health, particularly during the winter. She had a stressful job, a nurse for 27 years. Her doctor wrote a note in support. She kept six chickens, the number she was required to purchase. She did not sell eggs, fed organic feed, and cleaned the coop daily. She explained how the chickens behaved like pets. She didn't have a rooster. Her neighbors reacted positively, visiting and bringing kids. She believed the complaint arose from someone walking their dog when her chickens were out. She no longer let the chickens roam to the pine trees. She was also planning on getting a privacy fence. If the city approved the fence, the chickens would be out of sight.

Her property was not part of a homeowner's association. She asked council to reconsider. She didn't expect council to change the code. She expressed a willingness to work with the city to make her having chickens manageable. She invited council to see the chickens.

Council Member Kist asked for more information from staff regarding city code and the options available to council. City Manager Stefanov stated that Development Department staff had done some research and he would share it with council.

Council Member Fellows noted the nearby property with horses. City Manager Stefanov stated the Akins property was zoned R-1 Residential and the parcel with horses was likely zoned for agricultural use. He described some similar situations in New Albany.

City Manager Stefanov did not recall the specific complaint to the city. Ms. Akins thought it was from a man walking his dogs and she thought the dogs pulled at their owner to get to the chickens under the pine trees. She stated she apologized. She had stopped letting the chickens roam except in a smaller, enclosed area due to hawks.

Council Member Durik stated he was sympathetic and favored finding a solution. Ms. Akins stated the city gave her a deadline of May 18. City Manager Stefanov stated the city could adjust the date to pursue a solution – which could involve a code change going through Board of Zoning Appeals. Law Director Banchefsky stated “grandfathering in” these chickens would be legally problematic. He suggested treating them as a conditional use, with appropriate conditions. He was aware of issues in other municipalities.

City Manager Stefanov stated that the type of animal determined where it fell under the agricultural code. Council Member Brisk expressed empathy and cautioned council on setting a precedent. Council Member Briscoe noted the neighbors should also be considered. Council Member Brisk preferred a formal process with neighbor notification. Mayor Spalding advised Ms. Akins that gathering neighbor support would be helpful.

City Manager Stefanov offered, and council agreed, to extend Ms. Akins' deadline. Saff would bring the research back to council and give more direction. Mayor Spalding stated a June 15, 2021 deadline would be

May 4, 2021

appropriate. Mayor Spalding thanked Ms. Akins for signing in to the meeting and said staff would be following up.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: No meeting.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ACHITECHTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: Council Member Brisk reported that the BZA denied a variance for an over-sized detached garage at a home on Grandin Road. The vote was 2-2. The applicant had the option to build a second detached garage and a few other alternatives were discussed. The BZA approved a variance to remove the height requirement for a new building in the business park. Several adjacent buildings had already exceeded the 65 foot height restriction. Council Member Briscoe asked and Council Member Brisk answered the BZA did not establish a new height limit. The project would go through PC. The BZA approved variances for the Amazon Fulfillment Center's larger signage to better match the scale of the building. She distributed drawings to council. Council and staff discussed when signs went to BZA and ARB.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: Mayor Spalding reported that the PRC held their organizational meeting and re-appointed the same officers – Mayor Spalding as Chair, Law Director Banchevsky as Vice Chair, and Director Staats as Secretary. The PRC approved a retention schedule update and several requests to destroy documents.

INCLUSION DIVERSITY & EQUITY ACTION COMMITTEE: No meeting.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.

CORRESPONDENCE AND COMMUNICATION:

NONE.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

NONE.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-18-2021

Mayor Spalding read by title AN ORDINANCE TO PROVIDE FINANCING FOR INFRASTRUCTURE IMPROVEMENTS TO GANTON PARKWAY EAST & WEST, INCLUDING ROADWAY AND WATER AND WORTHINGTON ROAD SANITARY SEWER PHASES 1 AND 2 IMPROVEMENTS, AND TO AMEND CURRENT APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021.

May 4, 2021

Finance Director Bethany Staats told council that city had identified necessary infrastructure improvements, including roadway, water, and sanitary sewer, in the New Albany International Business Park to increase pedestrian, vehicular, and utility access, and to expand a development corridor around Beech Road. Resolution R-16-2021 authorized the city manager to bid for the Ganton Parkway roadway improvement projects. The estimated cost of the three sections totaled \$8.7 million which included \$1.9 million for waterline and \$6.8 million for roadway improvements.

Resolution R-21-2021 would authorize the city manager to bid and execute contracts related to the Worthington Road Sanitary Sewer Phases 1 and 2. She described that project. Estimated costs of those two phases totaled \$3.2 million.

JobsOhio awarded the city \$1 million in support of the job creation related to Ganton Parkway road improvements. Amazon.com would be contributing \$700,000 towards the overall costs of roadway improvements.

The city submitted a loan application to the Ohio Water Development Authority (OWDA) to fund the Ganton Parkway East and West water improvements, plus Phase 1 of the Worthington road Sanitary Sewer. The application was for an amount not to exceed \$3,325,210 and carried a 1% interest rate for a term of 20 years, no prepayment penalty. Staff expected a decision on the loan in May of 2021.

This legislation authorized the city manager to enter into the OWDA loan agreement, and authorized the appropriation of funds from the Water and Sanitary Sewer Improvement Fund for \$5,100,000 and Economic Development Capital Improvement Fund for \$6,800,000.

Council Member Briscoe asked and Director Staats clarified that the Ganton Parkway appropriation was not done with Resolution R-16-2021. It was included here. The city was using OWDA financing for a portion of the water and sewer projects. The city was also using grant funds and the contribution from Amazon.com for Ganton Parkway.

City Manager Stefanov added that the money being appropriated here was coming from several sources. Money couldn't be spent unless it was appropriated. This ordinance approved both the appropriation and the OWDA debt.

Council Member Shull asked if the city had the funds, what was the reason for the loan. City Manager Stefanov stated the city didn't have the full amount to cover the water, sewer, and road. The city would cover the road improvements with local funds and cover a portion of water and sewer with OWDA funds. Director Staats added, per Ohio Revised Code, appropriations could not exceed estimated resources for the year. The city's estimated resources included proceeds from the OWDA loan. If the city did not receive the loan, it would be unable to spend the full appropriation.

May 4, 2021

Council Member Durik understood the Ganton Parkway project would cost \$8 million, including everything. Staff stated that estimate included the waterline under the road, the sewer line was not included. The sanitary sewer didn't follow the alignment of the roadway and was being constructed separately. Council and staff discussed sewers built with roadways and the reasons behind the planned alignment.

Council Member Briscoe asked and Director Staats replied that the appropriation, including the loan amount, totaled \$11.9 million. \$8.7 million of this was city funds. Mayor Spalding requested a budget showing revenue sources and what amounts were being used for at second reading.

City Manager Stefanov stated this water and sewer development were part of a greater plan of development. This infrastructure would serve a property, but was also a subtrunk to serve a larger area. The authorized project would complete all of Ganton Parkway. Council and staff further discussed the plans and bids for the Ganton Parkway stages and area sewer lines.

Council Member Durik stated that developers whose land the city was extending infrastructure should be contributing towards these projects. Council and staff discussed different kinds of developer contributions. Staff would continue these kinds of conversations with developers. Council Member Durik wanted to know where the contributions were coming on the third phase of Ganton Parkway and future projects.

Mayor Spalding set the ordinance for second reading at the next council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-19-2021

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE CITY OF GAHANNA FOR THE PROVISION OF MAYOR'S COURT SERVICES.

Law Director Mitch Banchefsky described the function and responsibilities of mayor's courts. After the departure of a mayor's court clerk, city staff evaluated operations and investigated other options. The city managed approximately 11,000 cases annually which required not just an assigned clerk, but significant support from other staff. New Albany explored consolidating court functions with Gahanna and, after several successful meetings, signed a Memorandum of Understanding to consolidate court operations in Gahanna. This resulted in a Shared Services Agreement attached to this legislation which outlined obligations, terms, compensation, and other matters.

Both courts would operate independently and be distinct except both would be located in Gahanna's municipal building and use Gahanna's support staff. Each party would provide their own magistrate, prosecutorial liaison, and prisoner transport services. New Albany would pay an annual Facility and Support fee, and a per case charge calculated and reviewed on an annual basis. New Albany would receive all costs and fines from its jurisdiction. Financial analysis expected the cost to be around \$5,000

May 4, 2021

more per year based on recent case load. New Albany would benefit from reduced building wear, ability to reallocate building space, and more staff time for other tasks. Gahanna's council committee had approved this agreement.

Council Member Fellows asked for hard numbers. Council Member Briscoe described the financial schedules prepared by Director Staats which could be furnished. She stated there would be a \$38,000 one-time payment to download the city's data to Gahanna's mayor's court. The city was already in need of new court software. There could be more ways to increase savings.

The services provided by Gahanna would about the same as New Albany. It would still be New Albany's court with its own prosecutor and magistrate. Council Member Briscoe believed it made sense. City Manager Stefanov agreed and added that New Albany's mayor's court math didn't include a percentage of building maintenance whereas Gahanna's did. Gahanna had a more waiting room area.

Mayor Spalding asked and City Manager Stefanov confirmed that the cities were able coordinate fee schedules in the agreement. Mayor Spalding favored this opportunity for savings and maintaining quality services at a short distance. He understood 90% of offenders that came through New Albany's Mayor's Court were not New Albany residents. Council and staff discussed trends in the city's case load.

Law Director Banchefsky stated the first term of the agreement was about 3 ½ years and the ongoing term would be 3 years. Either party could cancel the agreement at the end of a term. There were performance provisions and a termination provision with notice. Council and staff discussed other municipalities with shared services.

Council Member Briscoe stated that officers would travel to Gahanna to participate in New Albany's trials, similar to traveling to downtown Columbus. New Albany had a court liaison officer who went wherever the mayor's court was. Police Chief Jones stated officers preferred being local versus the time spent going to Columbus.

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 Briscoe seconded and council voted with seven yes votes to approve Resolution R-19-2021.

Mayor Spalding thanked Council Member Briscoe for her long-standing service as the mayor's court magistrate.

RESOLUTION R-20-2021

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE, BID, AWARD AND EXECUTE ALL CONTRACTS RELATED TO THE SR161/US62 INTERCHANGE IMPROVEMENT PROJECT.

May 4, 2021

Deputy Public Service Director Mike Barker told council this legislation would put the State Route 161/US 62 project in motion. This area had the highest volume of traffic in the city. Travel lanes were overly wide, not well delineated - which encouraged a higher rate of speed. Some on/off ramps were undersized. The interchange did not accommodate bikes and pedestrians. The area did not match improvements made elsewhere in the city.

The city desired to improve the safety, aesthetics, movement of traffic to and from the highway, and establish connected bike and pedestrian facilities between Thurston Hall and Walton Parkway. The initial phase of construction would start in July of 2021 with pavement improvements and the installation of a traffic light at Thurston Hall and US 62. The final phase would start in July of 2022 and include the balance of the interchange improvements.

Deputy Director Barker described in greater detail specific improvements including a separated and protected bike lane, a robust landscaping package, bike and pedestrian crossing markers and beacons, median tree preservation, traffic light coordination with the fire department, leisure trail, widened SR 161 off ramp with designated right turning lane, distinct bike signals integrated with traffic signals, reconfigured SR 161 westbound on ramp, an extended median to prevent vehicles from turning left out of Zarley Street, and curb ramp improvements at Walton Parkway and US 62.

Council and staff discussed the protection for bikes and pedestrians crossing under SR 161. The city was still working on the details. The plan was for a concrete curb on both sides to block traffic. The bike and pedestrian path would be 10 feet wide. There would be bike signals that integrated with traffic signals on both sides.

Council Member Brisk asked and Deputy Director Barker replied that that traffic entering 161 westbound from the north and south would have separate, timed lights to address the current merging issue. Council and staff discussed alternate routes for entering and exiting the Zarley Street area. There would be a wayfinding package for US 62 southbound traffic to access Forest Drive and Zarley Street through Smith's Mill Road. Council expressed concern about those exiting Zarley Street and trying to get on SR 161 westbound. Staff described how the left turn lane on SR 161 to enter the highway would be configured.

Deputy Director Barker stated the engineer's estimate for the project was \$6.8 million. The city was awarded an OPWC grant of \$479,000 and OPWC loan of \$1.519 million. The city was also awarded an ODOT Safety Funds grant of \$2.79 million. The completion of the project would substantially enhance the safety of this area. It would also significantly improve the aesthetics and improve traffic flow to and from SR 161. This resolution authorized the city manager to advertise, bid, award, and execute all contracts related to the project. Funding was included in the 2021 capital improvement budget.

Council Member Fellows asked and Deputy Director Barker answered that city staff had had conversations with businesses on Zarley Street. He had heard a lot of support for the elimination of

May 4, 2021

the left turn onto US 62. The businesses were concerned about wayfinding and the city was working on signage to help people locate the businesses on Zarley Street. Council and staff discussed the dangers of the intersection of Zarley Street and US 62.

Deputy Director Barker stated, as a part of this project, the city was able to establish a warrant for a traffic signal at Forest Drive and Smith's Mill Road and had done a preliminary layout. Once the SR 161/US 62 project was done, the city would be able to proceed with the Forest Drive signal. The Public Service Department would be doing some preliminary work there in 2021 to accommodate future crosswalks.

City Manager Stefanov acknowledged Deputy Director Barker and the design team for their work and their extensive coordination and communication with ODOT.

Council Member Shull asked and Deputy Director Barker replied that it may be possible to exit Zarley Street and turn left onto SR 161 or Smith's Mill, perhaps during certain times. City Manager Stefanov explained how the city was working towards speed reduction. The city had gotten the speed down to 45 mph and the new goal was 35 mph.

Council Member Brisk asked and Deputy Director Barker confirmed that the new signal and striping would allow for a straight crossing from Theisen to Thurston Hall, across US 62. That piece of the project would be done this summer. Deputy Director Barker described future widening plans for Theisen and how the mast arm would allow for the extra lane.

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 Briscoe seconded and council voted with seven yes votes to approve Resolution R-20-2021.

RESOLUTION R-21-2021

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE, BID, AWARD AND EXECUTE ALL CONTRACTS RELATED TO THE WORTHINGTON ROAD SANITARY SEWER PHASES 1 AND 2.

Deputy Public Service Director Mike Barker told council this was for a sanitary sewer subtrunk to the Blacklick Sanitary Sewer Trunkline which served the entire business campus area. From the backbone, there was a need to continue sanitary sewer to provide access along the roadways. Phase 1 contemplated the extension of sanitary sewer along Worthington Road to a point on the east side of Ganton Parkway. Phase 2 was a future extension to serve potential development along the entire corridor.

The engineer's estimate was \$1.8 million for Phase 1 and \$1.4 million for Phase 2. The city would award Phase 1 and fulfill economic development commitments to a project starting construction

May 4, 2021

sonne. That project could be expanded to include Phase 2, or Phase 2 could support future development prospects. The city noticed a number of contractors were interested in the Ganton Parkway project, signaling an increase in competition. The alternate bid of Phase 2 allowed the city to see how competitive construction pricing was and capitalize if the price was right.

City Manager Stefanov stated that the city tried to make it so these projects paid for themselves. The original standard during the creation of the beauty park was that the economic development project had to generate enough tax revenue to begin to pay for its infrastructure within five years. That basic threshold remained, but recently the city raised its expectations to where the revenue generated by the project could retire the infrastructure debt within the tax incentive period, if the city chose to. In the case of this project, if the city could get an interest rate of 1% now - that rate could be very attractive versus rates 15 years from now. The city could choose to retire the debt over a longer period. The city also anticipated increased pressure resulting in higher prices for construction projects as federal funds flowed in.

With the economic development prospects the city had, and the commitments already under construction, the city had the ability to pay for all of this infrastructure in addition to what had already been constructed - including the Blacklick Trunkline, the 30 inch redundant waterline, and the Jug Street booster pump station. This project would set the city up to extend to the east and pick up additional area within its growth zone. There was no commitment to go forward with the alternate bid for Phase 2.

Council Member Fellows expected inflation and higher prices in the future. City Manager Stefanov offered that council could table this resolution until after the appropriations ordinance second reading. Council agreed to bidding the project.

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

Council Member Briscoe moved to adopt the resolution. Council Member Brisk seconded and council voted with seven yes votes to approve Resolution R-21-2021.

Council Member Briscoe recalled that the original standard during the creation of the beauty park was that the project had to pay for itself within five years and be providing substantial benefits to the city.

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.

May 4, 2021

- E. Administration Committee: No report.
- F. Grants and Non-Profit Funding: Council Member Shull reported that the GNP Committee would be meeting to consider the application of the New Albany-Plain Township Historical Society.

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 was catching up on a maintenance backlog due to COVID. Three lots at Bevelheimer would be improved. Blind tiles would be installed at the Thompson Park crosswalk. Sports leagues were full and were still following COVID recommendations. After the Joint Parks auction of retired city street signs, winners bought ~100 more signs when they arrived for pick up. Only ~150 remained. The fundraiser netted around \$11,000. Joint Parks was following up on how people displayed their signs.
- C. Council Representative to New Albany Plain Local Schools: Council Member Kist reported that racial and some other threatening messages were written in the bathrooms at the school. Regular updates were sent out. Chief Jones and city police assisted school staff. The responsible parties were found.

Council Member Shull observed that this was Teachers Appreciation Week and recognized the tough job teachers had. He had two teachers in his family. This had been a difficult year. Council concurred.

- D. Council Representative to Plain Township: Council Member Durik reported that the township was moving forward with the pool opening. 120 memberships were sold in the first week. They appoint Scott Harper to the Rocky Fork Blacklick Accord. Plain Township augmented their fire department with experienced professionals by hiring five part-time firefighters who also worked full-time at other stations.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported that he participated in U.S. Conference of Mayors calls regarding federal funding for municipalities and how those funds could be used. They expected guidance from the U.S. Treasury Department. Additional federal legislation may be passed addressing infrastructure improvements. If another round of funding was coming down for construction, it would be wise to get contracts in place soon.
- B. Clerk of Council: Clerk Mason and Mayor Spalding polled council about accepting written testimony prior to council meetings and online speaker cards. Mayor Spalding expected the Ohio General Assembly to revisit virtual meetings post-pandemic to allow additional flexibility and may

May 4, 2021

have some requirements or suggestions aimed towards more robust participation during meetings. There was some question about whether written testimony was sworn or not, who read the testimony into record, and what was read if the testimony was inflammatory or inappropriate.

Council and staff discussed who read comments into the record in some local municipalities and how they were noted in the minutes. Council Member Durik asked if reading aloud and attaching comments was redundant. Mayor Spalding stated that reading statements in the meeting gave the public a chance to interact with the written comment. Council discussed potential restrictions regarding civility and topic, and a statement that the testimony was truthful.

Council Member Briscoe suggested seeing what the Ohio General Assembly passed before making decisions about written testimony. Council and staff discussed other municipalities COVID public access policies, and how New Albany's council meetings included continuous and contemporaneous public access. In some ways, it was easier to participate now due to technology.

Mayor Spalding stated that the General Assembly was also looking at quorum requirements, physical and virtual. Council anticipated continuing this discussion at a later date with more information.

- C. Finance Director: Finance Director Bethany Staats reported that she had participated in webinars regarding American Rescue Plan (ARP) funds. Once guidance was received, she would make sure legislation was in place.
- D. City Manager: City Manager Stefanov reported, for Independence Day, the city would host fireworks and a parade on July 3rd. Current plans were to do a traditional parade, assuming nothing changes with COVID trends. The city would do a reverse parade similar to 2020 if something changed. The fireworks program may be modified to not gather people in the school stadium and to replace some smaller shells with bigger shells which traveled higher. Council Member Kist asked and City Manager Stefanov stated the city's 2020 payment would be applied to 2021 fireworks.

The utility poles in front of Village Hall were almost down. AEP had removed wiring. A few telecom wires remained, they were likely inactive, and would be removed soon. Street name signs had been installed on their respective overpasses in the city's jurisdiction. Director Joly was working with staff and NACO to replace playground amenities in local parks. Concepts would be presented to council at the next meeting, plus Taylor Park and Kitzmiller Park updates. The city and NACO were close on street alignment for the Market Street extension and hopefully construction would start later in 2021. This would come to council likely in June-July.

- E. City Attorney: Law Director Banchevsky reported that the Ohio Supreme Court ruled that Ohio's 5% fee for collecting municipal income tax was unconstitutional. The case was being remanded. Fees were being returned to the municipalities. One of the Buckeye Institute lawsuits regarding which municipality an employee paid taxes to while working from home was dismissed, however, it would be appealed.

May 4, 2021

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

NONE.

OTHER BUSINESS:

(Clerk's note – first two items weren't formal agenda items, but are given titles for better readability.)

Sustainability Committee – Council Member Kist reported that a sustainability subcommittee had been created as part of the strategic plan process. They wanted to formalize a group that would steer the community ideas that council wanted to execute. He proposed formulating a sustainability commission or board. The group would initially meet monthly or bi-monthly, have 5-7 members depending on response and applicants – pull from the strategic plan subcommittee, but also open it up to the community - discuss items like a composting program. The commission could vet ideas as they came in.

Council Member Briscoe asked if the commission would make recommendations to the city that the city would assist with, or pay for. Council Member Kist replied that the city could assist or pay for projects. He foresaw this committee trying to find grants to sustain initiatives. The group would do the legwork to create programs, like composting, and facilitate ideas. Not every idea would be for the city right now. A city staff member would administrate initially could bring in specialists to work with the group. The group would serve as an advisory function to council.

Council Member Brisk clarified that the IDEA Committee was not a typical board or commission. The intention was to create a short-term advisory committee. In creating it, the city wanted to do community outreach and bring in stakeholders as partners, making for a large group. Members didn't go through the standard application process. The thought was to have a year with the more informal committee to help the city figure out where to go next. Hopefully, a formal city board would be created at the end of the year.

Council Member Briscoe thought the sustainability committee was a good idea – consider it a permanent committee, conditioned on future councils' decisions. She looked forward to its role being defined. City Manager Stefanov stated if council wanted to pursue a more permanent structure, staff would bring an ordinance to council, and the board would be worked into city code. Council agreed.

Board and commission applications and selection process

Council Member Kist reminded council of the memo which described the application and selection process. Council Member Kist asked and Clerk Mason confirmed the memo was on the city's website and also provided to new applicants. She had received 2 applications in the past month. Board descriptions and qualifications were published in the city's Annual Report distributed to residents. A summary description would be posted online. Council Member Kist recently learned that all applications submitted were public record.

May 4, 2021

Council Member Kist reported receiving feedback from some community members. He understood the city had around 37 applications and only 2 positions needed filling in 2020. There would be multiple positions filled with the sustainability commission. Did council want to put out there each new opening instead of reaching into the bank of 37? Council would also need figured out what to do with the existing applications and the applicants who were not selected after a position was filled.

Council discussed feedback from board and commission applicants who were frustrated about putting in a resume and not hearing back. Council Member Brisk proposed flipping the process so an open position was advertised for a few weeks, and soliciting applicants for that position. Some council members agreed there needed to be a set period of time that active applications were kept. Council discussed whether reapplying would be necessary, how to communicate that there weren't many positions, a standard reply for an applicant not accepted, how to reach out to applicants, whether to keep a list of those interested in a particular position and contacting them when positions opened, whether individual outreach would lead to misunderstanding, filling positions for which there were no applicants or for boards which existed but were inactive, and other ideas that might resolve applicants' frustrations. Council Member Shull proposed a hypothetical process where no applications were kept. Clerk Mason described existing candidates who were interested in multiple boards or were open to any appointment as part of community volunteering and participation, and how inactive boards were filled by keeping selected candidates' resumes in the pool for future position openings. There was no consensus on the existing candidates who had applied.

Council agreed that fresh applications when an opening existed was a good idea, and that there should be a fixed time to hold applications, if they were kept. Council Member Brisk stated that council would circle back on this process.

Ohio Department of Liquor Control – 2021 Permits – Clerk Mason reminded council that the city received an annual letter from the Ohio Department of Liquor Control, usually in January, asking if council wanted a hearing on any permits before they renewed. Police Chief Jones stated that no establishments in New Albany had been problematic. Council agreed that no hearings were necessary.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Council Member Briscoe moved and Mayor Spalding seconded to adjourn the May 4, 2021 regular council meeting at 9:22 pm.

ATTEST:


Jennifer H. Mason, Clerk of Council


Sloan Spalding, Mayor


Date