



Council Minutes – Regular Meeting

May 5, 2020

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of February 18, 2020 at 6:35 pm at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Community Development Director Jennifer Chrysler, and Clerk of Council Jennifer Mason. Staff tele-present were Law Director Mitch Banchefsky, Engineer Jay Herskowitz, Deputy Development Director Mike Barker, Public Service Director Mark Nemece, 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 – tele-present
CM Michael Durik	P – tele-present
CM Chip Fellows	P
CM Kasey Kist	P
CM Matt Shull	P

ACTION ON MINUTES:

Mayor Spalding asked if council had reviewed the proposed September 13, 2019 Council Retreat and Capital Projects Workshop meeting minutes and asked if they had any additions or corrections. Clerk Mason reported that Council Member Shull found a typo on page 4 that she had corrected on the original. Mayor Spalding moved to adopt the September 13, 2019 meeting minutes as corrected. Council Member Shull seconded and council voted with seven yes votes to approve the September 13, 2019 Council Retreat and Capital Projects Workshop meeting minutes as corrected.

Mayor Spalding asked if council had reviewed the proposed April 7, 2020 regular meeting minutes and asked if there were any additions or corrections. Hearing no changes, Mayor Spalding moved to adopt the April 7, 2020 regular meeting minutes. Council Member Fellows seconded and council voted with seven yes votes to approve the April 7, 2020 regular meeting minutes.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Mayor Spalding moved to amend the agenda to add an executive session pursuant to Ohio Revised Code 121.22(G)(3) conferences with attorney for pending or imminent court action. Council Member Shull seconded and council voted with seven yes votes to amend the agenda to include the additional executive session.



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HEARING OF VISITORS:

Mayor Spalding solicited comment from the public participating electronically. No questions or comments were forthcoming. Mayor Spalding further told those listening that if they wanted to give feedback, they could always go to the city's website and communicate with council individually or as a group.

Proclamation Recognizing Police Week and Peace Officer Memorial Day

Mayor Spalding read the proclamation recognizing May 10, 2020 to May 16, 2020 as Police Week and May 15, 2020 as Peace Officer Memorial Day. Mayor Spalding acknowledged the new challenges brought about by COVID-19 and reported hearing public praise. Officers had been doing door knocks and birthday drive-bys. Police Chief Greg Jones thanked council and city manager for their support over the years. The past few months, the Police Department had received donations and well-wishes which were much appreciated. Police Chief Greg Jones reported that Officer Kevin Deckop was promoted to sergeant that morning.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Mayor Spalding reported that three agenda items were tabled to the next PC meeting. The PC approved an amendment to the zoning text for the Courtyards at New Albany to allow for artificial turf in limited locations. There was a long conversation about a pool variance which would be heard at an upcoming PC meeting.

PARKS AND TRAILS ADVISORY BOARD: No meeting

ACHITECHTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: Council Member Brisk reported that the BZA held an evidentiary hearing from an appeal of a city decision regarding how to measure the footprint of an accessory structure at 4646 Wilkins Court. A neighbor appealed the city's decision. The BZA, after an extended hearing, denied the appeal. Member Everett Gallagher abstained. Mayor Spalding and Council Member Brisk commended the Chair for doing a good job of handling the questioning and processes.

The BZA held their organizational meeting. Andrea Wiltrout was appointed as Chair, Everett Gallagher was appointed Vice Chair, and Kerri Mollard was appointed Secretary.

ECONOMIC DEVELOPMENT COMMISSION: No meeting.

PUBLIC RECORDS COMMISSION: Mayor Spalding reported that the next PRC would be held in the fall.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.

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CORRESPONDENCE AND COMMUNICATION:

Mayor Spalding acknowledged that council received some emails regarding trash in Thompson Park from an unidentified individual. Parks & Recreation Director David Wharton had been in contact with that person to address their concerns. Council would wait to see how that progressed.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

NONE.

INTRODUCTION AND FIRST READING OF ORDINANCES

ORDINANCE O-06-2020

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A 0.316 ACRE TRACT OF LAND FROM THE NEW ALBANY COMPANY LLC FOR THE PURPOSE OF PUBLIC RIGHT OF WAY.

Administrative Services Director Adrienne Joly told council that there were two parts to this dedication. One was for 1,100 square feet at the corner of Dublin-Granville Road and Main Street. When Rose Run Park was designed, it included streetscape improvements ending by the driveway of the old mill because the city didn't have adequate right-of-way. In early 2019, The New Albany Company acquired the property and the city was able to extend its improvements. Pedestrians and cyclists would have a better experience.

The second piece of the dedication was the result of the subject having a highway easement to the centerline of Dublin-Granville Road. This legislation would make the easement into right-of-way, cleaning up the property title. In total, the legislation would dedicate 0.316 acres to the city.

Mayor Spalding set the ordinance for second reading at the May 19, 2020 council meeting.

ORDINANCE O-07-2020

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 NEW ALBANY PLAIN LOCAL SCHOOL DISTRICT, THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING COUNTY, AND EASTLAND FAIRFIELD CAREER & TECHNICAL SCHOOL, ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS, SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THOSE PARCELS, AND APPROVE AND AUTHORIZE THE EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS.

Community Development Director Jennifer Chrysler described the location of the TIF district which was comprised of three properties. The VanTrust property was preparing for development. The other property, comprised of 107 acres, located in Licking County but in the New Albany Plain Local School District, was

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owned by PowerGrid. It was currently being advertised for speculative development opportunities. This TIF district would not negatively impact the schools which were notified per statutory requirements.

Mayor Spalding set the ordinance for second reading at the May 19, 2020 council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS

RESOLUTION R-21-2020

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH JERSEY TOWNSHIP IN ORDER TO FACILITATE THE ANNEXATION OF PARCEL NUMBER 37-11210400001 WHICH IS COMPRISED OF APPROXIMATELY 2.9 +/- ACRES.

City Manager Stefanov told council that this contained the city's standard annexation agreement. The Expedited Type I annexation reduced the process time and preserved all of provisions of the Ohio Revised Code relative to a traditional annexation. The agreement had a provision for the sharing of revenue with the township for fire and EMS services. The term was 50 years. The township approved the agreement at its May 4, 2020 meeting. City Manager Stefanov described the parcel as one of the missing pieces along the Beech Road corridor. The applicable Road Maintenance Agreement had been in place for many years.

Council Member Fellows asked and City Manager Stefanov replied that this piece had not been annexed previously as the prior owner did not pursue it. That land had changed hands and the current property owner was requesting annexation.

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 Shull seconded and council voted with seven yes votes to approve Resolution R-21-2020

RESOLUTION R-22-2020

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

Finance Director Bethany Staats told council that the Administrative Services Department received an invoice for \$3,595 from Columbus Business First for the purchase of an ad in their April issue. This happened when the city was short-staffed due to COVID-19. Council's approval was required for Then and Now certificate amounts over \$3,000.

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

Council Member Shull moved to adopt the resolution. Council Member Brisk seconded and council voted with seven yes votes to approve Resolution R-22-2020.

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STANDING COMMITTEE REPORTS:

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

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: City Manager Stefanov reported that MORPC had been holding joint meetings with the Central Ohio Mayors and Managers Association (COMMA) on all of the topics related to COVID-19. Best practices were being shared. Members of the state legislature and health department had presented at these meetings. MORPC was facilitating, but not driving these discussions.

City Manager Stefanov requested Independence Day feedback from council to report at the next MORPC meeting. Council Member Kist expressed concern at being one of the few communities that held a July 4th event which drew crowds from other communities. Council Member Kist asked and City Manager Stefanov replied that New Albany was already committed to the fireworks company as part of a 2-year contract. The city could post-pone the event. The big question was how to socially distance. Council and staff discussed the number of events planned for July 4th and whether it was possible to provide any of those events individually with sufficient social distance - including virtual 5Ks, reverse parades, fireworks, vehicle caravans, homeowner decorating, etc. Council discussed the challenges of enforcing social distancing, attractive nuisances, and postponement. Mayor Spalding had heard that Columbus was leaning towards canceling, however, it had not yet canceled.

Council discussed that if many other communities were hosting July 4th celebrations, including Columbus' Red, White & Boom, then New Albany could hold an event on the same night. If not, New Albany would decline to keep crowds from gathering.

City Manager Stefanov told council that MORPC declared May 4th – May 8th as Air Quality Awareness Week.

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- B. Council Representative to Joint Parks and Recreation: No report.
- C. Council Representative to New Albany Plain Local Schools: Council Member Brisk reported that the schools were busy with remote learning challenges. They were working on a plan to celebrate High School Seniors via a virtual graduation. The diploma distribution and “Clap Out” might be accomplished by car. Finally, the schools were finalizing contracts to get the playground work done over the summer.
- D. Council Representative to Plain Township: Council Member Durik reported that the township continued prepping the pool for the summer season, but had not yet decided if the pool would open.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding reported the New Albany Schools Superintendent Michael Sawyers had convened a COVID-19 task force which had transformed into a more community-based task force with a wider focus. This task force would next look at how to restart New Albany’s economy under the governor’s direction.
- B. Clerk of Council: Clerk Mason told council that their 2020 Budget Binders were in their mailboxes.
- C. Finance Director: Finance Director Bethany Staats reported that the city had received the RITA advanced collection report for collections through April 30th. So far, the city was ahead of last year’s numbers. Staff would continue to watch reports for signs of the COVID impact.
- D. City Manager: No report.
- E. City Attorney: No report.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

Council Member Kist told council that he and his dog had been visiting Rose Run Park a lot. The park was very popular, especially on nice days. Feedback had been fantastic. He asked and Director Joly replied that the city was settling on a design solution for the repairs to the platform overlook. Leftover rock would be placed to bolster the edge of the stream. Signage with park rules was being crafted with an emphasis on graphics. Council Member Fellows asked and Director Joly confirmed a flash flood warning would be included. A plaque for council was being made for the dedication. Blue marker signs would be placed throughout the park to name areas or point to locations.

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Council Member Kist asked and Director Joly answered that more plantings had gone in the week prior. Short screening shrubs would be replaced. The granite walk was in the process of going in. Four quote blocks based on the city's pillars were placed along the Birch Walk. Doggie pots would go up, likely at park entrances. Staff was monitoring grass seeding. Some areas could get sod.

Council Member Fellows expressed concern about ground area between the logs and the main bridge. He didn't know how much plantings would cover. At night, it could get too dark. That could be evaluated as the plantings matured. City Manager Stefanov said the city would continue to remove invasive species. Director Joly anticipated some areas would see regular clean-ups to reduce foliage density. Council Member Fellows stated that, if not properly lit, the area could be too dark for anyone down there and crimes could occur. Council Member Brisk asked if the intention was for the park to be darker at night or if it would be continually lit in different areas. Council Member Briscoe did not see Rose Run as a nocturnal park, although the bridges would have to be lit for crossing. Director Joly agreed that lighting was something to monitor. City code designated public parks to be open from dawn to dusk, and that would go on the Rose Run signage. The original lighting design called for lighting the three crossings. Whether the lighting was intense enough for the amount of use, the time of year, safety, tripping hazards, etc. would need to be determined.

Council Member Brisk clarified that the feedback she had received regarding the lighting was for the smaller pedestrian bridge across from the amphitheater location, not the main bridge. She had not been able to personally confirm this observation.

City Manager Stefanov told council that a stream restoration company would clear rocks under the bridge beginning the following week. That should help with the flow of water through the park. The city was also getting a quote to remove invasive species out of the tributary from the Phelps House to the McCoy Center.

Council Member Shull asked and City Manager Stefanov answered that the area behind the old mill was still privately owned. When the mill area was redeveloped, there should be trail through that property and a pedestrian bridge to the parking area. When that happened, there could be a natural feature easement over that entire corridor that would allow the city to go in and clean up the vegetation. Eventually, the easement could be extended along the stream to the police station and maintained by the city.

Council Member Fellows asked and Council Member Briscoe answered that SWACO hadn't been doing neighborhood hazardous waste collections for several years. They cost SWACO a lot of money. City Manager Stefanov recalled collections at the Morse Road transfer station. Mayor Spalding found mobile collection events in two municipalities, some had been canceled because of COVID. City Manager Stefanov stated he would reach out to see if they could schedule a day in New Albany. Council Member Briscoe suggested coordinating several communities together to make that ask. Council Member Fellows expressed concern about where the hazardous waste ended up when wasn't collected.

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Council Member Fellows reported seeing traffic circles in other cities with flowers and other strategic plantings. He wanted to know if the city had considered additional beautification besides the hanging baskets. City Manager Stefanov stated that the city had been waiting until materials were picked out for the Rose Run corridor to select other outdoor furniture and plantings that would complement those as part of the Village Center. Council Member Fellows recalled a fountain and tables in the open space between Fox in the Snow and Hudson 29. It was currently bare, with no way to sit and enjoy it. Director Chrysler said the city would be comprehensively evaluating the streetscapes in the Village Center for the appropriate furniture, trash cans, and garden appurtenances. It hadn't yet happened given other priorities, but she considered the point well made. Council Member Fellows asked and Director Chrysler answered that the restaurants were allowed to put out tables in that area, however, that might not happen for a while. Making this happen was a combination of how to accessorize the public spaces and working with the restaurants and downtown businesses in order to figure out a meaningful way to bring those things out. City Manager Stefanov suggested that 55 and over programs, garden clubs, or other civic organizations could become involved in maintaining those areas.

EXECUTIVE SESSION:

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22 (G)(1) for discussion regarding employment or compensation of a public employee, and pursuant to Ohio Revised Code 121.22 (G)(3) for conferences with attorney concerning disputes involving the public body that were subject to pending or imminent court action. Council Member Shull seconded and council voted with seven yes votes to go into executive session at 7:39 pm.

Council Member Fellows moved that council come out of executive session and resume the regular meeting. Council Member Shull seconded and council voted with seven yes votes come out of executive session and resume the regular meeting. Council resumed the regular meeting at 8:19 pm.

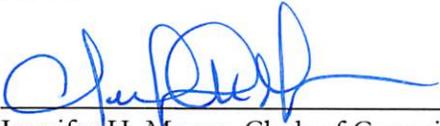
OTHER BUSINESS:

Council Member Fellows announced that council decided to provide Clerk Mason an annual bonus with 2 personal days for excellent work and a high rating in 2019.

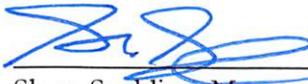
ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Shull seconded to adjourn the May 5, 2020 regular council meeting at 8:19 pm.

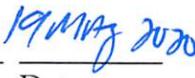
ATTEST:



Jennifer H. Mason, Clerk of Council



Sloan Spalding, Mayor



Date