



## Council Minutes – Regular Meeting

May 7, 2024

### CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of May 7, 2024 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, Law Director Benjamin Albrecht, Finance Director Bethany Staats, Administrative Services, Planner II Chelsea Nichols, Police Chief Greg Jones, Development Director Jennifer Chrysler, City Engineer Kylor Johnson, Economic Development Manager Sara Ziegler, Planning Manager Stephen Mayer, Chief Marketing Officer Josh Poland, Multimedia Communications Specialist Sam Fahmi, Public Services Engineer Justin Wilkinson, and Clerk of Council Jennifer Mason.

### 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	A
CM Kasey Kist	P
CM Matt Shull	P
CM Andrea Wiltrout	A/P – arrived 6:36 pm

Clerk Mason reported that Council Member Fellows could not attend due to travel for work and requested to be excused. Mayor Spalding moved to excuse Council Member Fellows from the council meeting. Council Member Brisk seconded and council voted with 6 yes votes to excuse Council Member Fellows from the meeting.

### ACTION ON MINUTES:

Clerk Mason reported, after distribution of the draft, she fixed several typos and Director Staats clarified in the Finance Director’s Report how the increase in revenue occurred when property tax abatements rolled off. These changes were not substantive. Council Member Shull stated that on page 14, the written “\$250” referred to potential participants, not money. Clerk Mason stated she would make that correction to the original. Council adopted the 4/19/24 meeting minutes as corrected by consensus.

### ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE

### HEARING OF VISITORS:

Proclamation: Declaring May 12 to May 18, 2024 as Police Week & May 15, 2024 as Peace Officer Memorial Day - Mayor Spalding stated the city was privileged have wonderful officers who served and protected. They were out every day doing a difficult job and had the full support of council, staff, and the community. Mayor Spalding read the proclamation. Police Chief Greg Jones was proud of the men and women of the NAPD who demonstrated the department’s values on daily basis. He wanted to honor and remember the officers who had died in the line of duty, as well as their families, friends, and co-workers. Unfortunately, Ohio was 5<sup>th</sup> in nation for officers killed in the line of duty. He hoped to see that number drop in Ohio and the nation.



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### Proclamation: Declaring May as Jewish American Heritage Month

Mayor Spalding stated the city was blessed to live in a community with a high level of diversity. The Jewish community in New Albany was strong. Members of council and officers worked hard to make sure that members of the Jewish community felt safe in their homes. In these troubling times, feeling safe was important to all. Mayor Spalding read proclamation. Rabbi Benjy Bar-Lev stated he was grateful to accept the proclamation and to live in an inclusive place that valued its residents' diversity and where we could be ourselves. God willing, every single person could feel that where they lived at some point soon.

### Proclamation: Founders Day Grand Marshals - New Albany All Stars 12U Boys Little League Team

Mayor Spalding noted, it being spring and baseball season, that the 12U Boys Little League team was playing and not able attend. He recalled the team competing on the world stage. They did a great job representing themselves, their families, the community, and the state. He looked forward to seeing them at the parade. Mayor Spalding read proclamation.

### Proclamation: Founders Day Community Connection Honoree - Neighborhood Bridges New Albany -

Mayor Spalding read the proclamation. Christy Apple and Vineetha Thomas of New Albany Bridges stated it had been a great 5 years in New Albany. They couldn't do this and be here without the support, generosity, and kindness of the New Albany community. Mr. Thomas thanked everyone.

### Proclamation: Declaring May 6 to May 10, 2024 as Economic Development Week

Mayor Spalding stated the city was lucky to work with great development staff. When the president of the United States came to New Albany to do a groundbreaking, that said something about the accomplishments of your community. The city's economic development team was second to none. He congratulated staff for doing an outstanding job, noting the hard work making sure the city met its commitments to its great business partners. He couldn't be prouder of the team. Mayor Spalding read the proclamation.

### Council meeting visitors and James River Road park

Mayor Spalding recalled that residents had planned to address council regarding the James River Road basketball courts at the April 2 meeting that was canceled due to the tornado warning. He wondered if council needed to do better job of inviting folks to come forward and talk to council. He knew several council members received correspondence about that issue. He received an email from someone who planned to speak this evening, but was understandably not feeling well. There were members of the community with concerns about the future of that park.

## **BOARDS AND COMMISSIONS:**

**PLANNING COMMISSION:** Council Member Wiltout reported that the PC discussed staff's code recommendations. No action was taken, but they talked about Urban Center Code parkland requirements and a new concept called "minor residential subdivisions." The latter code would apply to an owner dividing a lot into 2 or more parcels, any one of which was less than 5 acres. Under current code, there were many requirements which could be burdensome for a smaller lot split, including leisure trails, street lighting, parkland, storm sewers, and open space. Staff and PC discussed a proposal to allow an exception for situations where there was no more than 5 lots created from any given parcel. The zoning code still applied and made sure that each lot was right-sized and had appropriate frontage. The PC was receptive and gave some suggested changes and feedback.

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



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**ARCHITECTURAL REVIEW BOARD:** No meeting.

**BOARD OF ZONING APPEALS:** No meeting.

**SUSTAINABILITY ADVISORY BOARD:** Council Member Kist reported that Earth Day to Arbor Day events were successful. Council Member Shull and Public Service Director Barker noted the kids planted over 400 trees. There were 200+ kids present. The e-waste collection drive collected 7,750 pounds of e-waste. They were waiting on the household hazardous waste numbers. Over 400 vehicles came through the drop-off line. Council Member Kist thanked staff for the smooth operation. Micro Systems held their first e-waste competition and the City of New Albany won its division for most recycled goods. Planner II Nichols stated staff did not know how many communities participated in the competition. New Albany won the municipality award and there was also an award for a commercial entity.

**IDEA IMPLEMENTATION PANEL:** Council Member Wiltout reported that the IDEA Panel enjoyed their New Albany 101 event at the Public Service Complex. They were going full steam ahead planning for Juneteenth. Member Duerkson resigned from the panel. Council Member Brisk and Council Member Wiltout were taking a holistic look at the panel member terms. Currently, all terms expired at same time, 2 years after appointment. The council liaisons wanted to bring the panel up to the standard 3-year terms and stagger them, similar to other city boards. She would report more on that soon.

**CEMETERY RESTORATION ADVISORY BOARD:** Clerk Mason reported that the CRAB swore in new member, Elizabeth Murch. At the organizational meeting, Mary Fee was elected chair, Ron Stoughton was elected vice chair, and Tom Shockey was elected secretary. The board discussed the New Albany Cemetery historical marker application. The board was holding onto that application for the next update of the Rose Run 2/Veterans Memorial plans because those would impact where the historical marker was placed.

The CRAB discussed the Wagner Cemetery flag which was now lit up at night per American flag “proper illumination” guidelines. They further discussed that historical marker which reads “Wagnor” despite many grave markers reading “Wagner.” Clerk Mason emailed the Ohio History Connection for a copy of that historical sign application in that hopes that it had an explanation of the “Wagnor” spelling and for documentation of the 4 veterans it says were buried there. The Franklin County Recorder records only showed 1 veteran, and that person wasn’t 1 of the named 4. Member Murch was a member of the Daughters of the American Revolution (DAR) and would reach out to the DAR for their cemetery records. The CRAB discussed the temporary horse fence installed around Wagner cemetery. They would still like an iron surrounding fence. They planned to write a letter to council and Member Murch will be presenting that letter at a future council meeting. Finally, Public Services Manager Angie Hobart updated the CRAB about the progress at Taylor Farm Park.

**PUBLIC RECORDS COMMISSION:** Mayor Spalding reported that the PRC held their organizational meeting and the same officers were reelected. The PRC approved 2 police department applications, 1 administration application, and 1 council application. The next meeting would be November 19, 2024 at 4:30 pm.

**CORRESPONDENCE AND COMMUNICATION:**

NONE

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

**ORDINANCE O-12-2024**

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 2.9 +/- ACRES OF LAND LOCATED AT 2278 BEECH ROAD FOR AN AREA KNOWN AS THE “BEECH ROAD EAST ZONING DISTRICT” FROM ITS CURRENT ZONING OF LIMITED GENERAL EMPLOYMENT (L-GE) TO LIMITED GENERAL EMPLOYMENT (L-GE) AS REQUESTED BY NEW ALBANY CROSSING LLC, C/O JACK B. REYNOLDS III.

Planning Manager Steve Mayer stated this legislation would rezone 2.9 acres located in the Licking County Business Park to allow for Industrial Product Sales uses on the property. There were no other changes to the uses, and the zoning matched the surrounding General Employment (GE) zoning districts. Industrial Product Sales allowed for businesses involved in the sale of goods intended for other industrial and commercial users. Examples included businesses selling industrial machinery, equipment, and related supplies. The proposed zoning was Limited General Employment (L-GE) consistent with the surrounding zonings. The proposal included reducing some setbacks to 25 feet. This was consistent with other areas in the business park. The property was surrounded by water on 3 sides and a 3 to 5 lane section road on the west side. This was a limitation text, so it could only be more restrictive than the base GE zoning district. There were no other changes to the development standards and this contained all of the existing landscaping, screening, and architectural standards and requirements. There was a residential property, not in New Albany, across the street. This text retained the requirement for mounding and 75% opacity screening along the frontage across from the residential use. This zoning matched the strategic plan’s land use and development standard recommendations, and was appropriately located in the Business Park close to the Beech Road/SR 161 interchange. The Planning Commission (PC) recommended approval on March 18.

Jack Reynolds, attorney for the applicant, stated his client was in central Ohio and saw an opportunity to relocate to New Albany. He purchased property and changed the zoning so he could come here. John Leck, Keim Lumber, was present to answer questions.

Mayor Spalding asked and Mr. Reynolds answered that Keim Lumber would engage in both public and commercial sales. That was the reason for the 6,000 feet of sales area which would be showing what could be made at Keim’s facility in Sharon, Ohio.

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 Durik seconded and council voted with 6 yes votes to approve Ordinance O-12-2024.

**ORDINANCE O-13-2024**

Mayor Spalding read by title AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF NEW ALBANY, OHIO TO PROVIDE AMENDMENTS TO TRAFFIC NEW ALBANY CITY CODE SECTIONS 301.35, 301.52, 303.98, 331.35, 331.38, 333.01, 333.03, 335.10, 337.10, 337.16, 337.22, 337.26, 337.30, 341.01, 341.04, 341.05, 351.04; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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Clerk Mason told council that every 2 years or so, the city’s codifier, Municode/Civic Plus, did a review of the updates made to the Ohio Revised Code (ORC) against New Albany city code, traffic and general offenses. The purpose of this extensive legislation was to amend and update the city’s Codified Ordinances, thereby maintaining consistency with the ORC and facilitating police department operations. In reviewing the recommended changes and preparing the summary in the legislative report, Clerk Mason worked with Law Director Albrecht and David Moser from his firm. She referred to her first presentation and the legislative report for code change highlights.

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 Kist seconded and council voted with 6 yes votes to approve Ordinance O-13-2024

**ORDINANCE O-14-2024**

Mayor Spalding read by title AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF NEW ALBANY, OHIO TO PROVIDE AMENDMENTS TO GENERAL OFFENSES NEW ALBANY CITY CODE SECTIONS 509.04, 509.06, 513.01, 513.03, 513.04, 513.12, 517.08, 521.10, 521.11, 525.05, 525.13, 525.15, 529.02, 529.07, 533.01, 533.06, 533.07, 537.06, 537.07, 537.15, 537.16, 537.19, 537.20, 537.23, 545.05, 549.02, 549.04, 549.10, 549.11; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Clerk Mason told council CivicPlus also did a review of the changes to the state’s general offenses statutes and made recommendations to amend New Albany’s code. By adopting these amendments, the city was getting needed updates, maintaining consistency with the state, and facilitating police department operations. She referred to her first presentation and the highlights of the substantive changes in the legislative report.

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 ordinance. Council Member Wiltout seconded and council voted with 6 yes votes to approve Ordinance O-14-2024.

**INTRODUCTION AND FIRST READING OF ORDINANCES:**

**ORDINANCE O-15-2024**

Mayor Spalding read by title AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024.

Deputy Finance Director Morgan Joeright stated the purpose of this legislation was to provide for mid-year amendments to the 2024 appropriations resulting from an ongoing review of the city’s actual and projected revenues and expenditures compared to the 2024 Annual Budget Program and previously approved amendments. The total proposed adjustment in appropriations, all related to the General fund, was \$756,800. This adjustment could be broken down between Personal Services for \$279,000 and Operating & Contractual services for

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\$477,800. These numbers could be broken down into one-time versus ongoing costs. The one-time costs totaled about 30%, or \$228,000, and the ongoing cost totaled 70%, or \$528,800. The increase in appropriations to the General fund was expected to be fully funded by an increase in revenue over original estimates for 2024. Support for these adjustments, with details, was in the legislative report. The finance department was also anticipating changes to this ordinance between the first and second readings, mainly related to capital.

Council Member Shull asked about the 30% in one-time costs and whether any of that was personal services. Deputy Director Joeright answered that all personal services were under ongoing costs.

Mayor Spalding set the ordinance for second reading at the May 21, 2024 council meeting.

**READING AND PUBLIC HEARING OF RESOLUTIONS:**

**RESOLUTION R-13-2024**

Mayor Spalding read by title A RESOLUTION TO ADOPT THE DONATION AND SPONSORSHIP POLICY.

Planner II Chelsea Nichols stated the city recognized the benefit in partnering with businesses, organizations, individuals, and grant-makers to fund city-run programs, events, facilities, assets, and services. Contributions from outside sources of cash, in-kind services, labor, equipment, or supplies could reduce direct expenses, including staff time; aid in garnering public enthusiasm and support for the activity; and leverage additional resources. This policy would establish guidelines, processes, and criteria for the acceptance of donations and the consideration of requests for sponsorship in a manner that was consistent with the city’s mission, vision, and values. If adopted, the city would solicit, evaluate, and accept donations and/or sponsorships in a manner consistent with this policy. The city would neither solicit, nor accept, funding or in-kind donations counter to the city’s mission, vision, and values.

Mayor Spalding expressed surprise that the city didn’t already have a policy. It appeared New Albany had grown to that point.

Council Member Kist asked and City Manager Stefanov answered that the city had primarily accepted donations for naming rights. He didn’t recall anything specifically related to events, except for Dr. Marsh’s name for the Founders Day parade, which was a little different. There was a growing interest in the community to sponsor events, especially as the Business Park expanded. Some businesses had shown interest in Veterans Day events. There was growing interest in Juneteenth sponsorships. The city was hoping to get out ahead with adoption of this policy.

Council Member Durik supported the policy. He asked where donation money would go and how those funds would be managed. City Manager Stefanov said he would defer to the finance department’s advice, but expected the city would set up a separate city fund for donations. Staff was concerned about setting expectations. This policy was specific on what a donor would receive for a sponsorship opportunity.

Council Member Kist asked and City Manager Stefanov agreed the dollar amount and discretion to accept were in the policy. Law Director Albrecht confirmed the policy was set up to give flexibility to evaluate who the sponsor was - allowing the city to evaluate them. The city didn’t have to accept from just anyone. There was a list of

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criteria. City Manager Stefanov added, if a person or organization was questionable, he would want get council's authorization to proceed.

Mayor Spalding asked and City Manager Stefanov confirmed, if a member of council was approached by a community partner interesting in sponsoring, they should direct the partner to city staff for evaluation.

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

Council Member Wiltout moved to adopt the resolution. Council Member Brisk seconded and council voted with 6 yes votes to approve Resolution R-13-2024.

**RESOLUTION R-14-2024**

Mayor Spalding read by title A RESOLUTION TO ADOPT THE NEW ALBANY MEMORIAL PROGRAM.

Planner II Chelsea Nichols stated the city often received inquiries from residents about a memorial program for individuals to publicly pay tribute to a deceased loved one. Memorial programs were active in many cities, counties, and states. Requests could come from individuals or organizations. Staff researched memorial programs in neighboring communities and found that many provided the option of either a memorial bench or a memorial tree program. Some cities did both. These programs were also designed to help fund needed benches and trees in public spaces. The New Albany Memorial Program established the description and approach for the initiative in a manner consistent with the city's mission, vision, and values.

City Manager Stefanov stated he met with Council Member Shull that morning and was proposing an amendment to resolution. The current language was specific in fee structure and types of memorials. Council Member Shull anticipated a time when it would be necessary to make adjustments to the schedule, perhaps as bench or tree costs increased. There could be unanticipated types of memorials that staff would want to consider. City Manager Stefanov wrote a suggested amendment to Section 1 of the resolution. The amendment would give the city more flexibility, with notification of any change to council. The city would not need new legislation to make changes.

Mayor Spalding stated he was good with the amendment. He recalled a conversation about a year prior regarding the authority of the city manager. He thought council felt comfortable consenting to the city manager having certain authority to modify. Consent, in the amendment language of "notification and consent," sounded like a council vote. Council would have to have a longer conversation about what "consent" meant or remove the word. He suggested, "The exhibit may be modified as necessary by the city manager with notification to council." He asked and council members indicated they were okay with this language.

Mayor Spalding move to amend R-14-2024 under Section 1 to include language saying, "The City of New Albany does hereby adopt the memorial programs attached hereto as Exhibit A. The exhibit may be modified as necessary by the city manager with notification to city council." Council Member Kist seconded and council voted with 6 yes votes to amend the resolution.

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



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Mayor Spalding moved to adopt the resolution as amended. Council Member Kist seconded and council voted with 6 yes votes to approve Resolution R-14-2024 as amended.

### RESOLUTION R-15-2024

Mayor Spalding read by title A RESOLUTION DECLARING A 2002 MASSEY FERGUSON TRACTOR AND ALAMO BOOM MOWER AS SURPLUS PROPERTY, AUTHORIZING THE SALE OF SAID SURPLUS PROPERTY TO PLAIN TOWNSHIP AND TO WAIVE THE ADVERTISING REQUIREMENT IN CODE SECTION 123.05(b).

Public Service Director Mike Barker stated city staff performed a lot of roadside mowing throughout the city for which a boom mower was a key piece of equipment. Boom mowers were good for steep grading and keeping vegetation areas clear. The city previously owned a 2002 Massey Ferguson tractor and attached boom mower. In 2021, that equipment was retired and the city purchased the ATMAX yellow boom mower. Since then, Plain Township expressed interest in purchasing the older tractor and boom mower. The city’s fleet manager researched and estimated the value to be between \$15,000 and \$20,000. In reality, at auction, the city could get \$800 or \$30,000. There was a lot of variation in pricing. In consultation with the city manager, staff felt that \$15,000 was a fair amount to sell to Plain Township, especially since the equipment was maintained by the city. The sale was subject to council approval. Plain Township trustees recently passed a resolution authorizing the funding and purchase.

Per city code, a public notice was required when the city planned to dispose of an asset exceeding \$10,000. A public auction would satisfy the notice requirement. Staff was requesting, for this sale, to waive code section 123.05(b) that required the public notification process, considering that the city had an interested community partner and an opportunity to support them. This legislation further authorized the director of finance to declare the 2002 tractor and the boom mower as surplus property and provide for their sale. Lastly, the resolution authorized the city manager to execute any contracts needed to sell to Plain Township.

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 6 yes votes to approve Resolution R-15-2024.

### RESOLUTION R-16-2024

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY OF NEW ALBANY TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2024.

Public Service Director Mike Barker stated the Ohio Department of Transportation (ODOT) required a resolution for the city to opt into the annual salt contract. During the 2023-2024 winter season, the service department responded to 11 separate weather events and used just over 1,870 tons of road salt. The city anticipated buying 1,800 tons of salt to replenish the city’s supply and prepare for the next season. This ODOT contract was most competitive program available. Salt pricing had been favorable for the past few years. Price fluctuations had tapered and were, lately, more predictable for budgeting purposes.

Council Member Kist asked and Director Barker answered that the salt barn could potentially hold 5,000 tons. The city generally filled it to 4,800 tons, allowing for space to move salt within the barn. Staff’s salt removal



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process naturally rotated the salt because they scooped from bottom. The barn's opening faced south. Weather, rain, humidity, and hot days could lead to salt clumps on the bottom. When they found clumps, staff would use the loader to bang the big blocks on the ground. The product did not degrade with weather.

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 Brisk seconded and council voted with 6 yes votes to approve Resolution R-16-2024.

**RESOLUTION R-17-2024**

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO ANY AND ALL CONTRACTS FOR THE PURCHASE AND UPFITTING OF THREE 1/2-TON WORK TRUCKS.

Public Service Director Mike Barker stated, while New Albany's corporate boundaries continued to grow, so did the expectations and service delivery, in magnitude and consistency. The city was ramping up maintenance activity. There were increasing infrastructure needs as the city matured. Public Service needed 3 trucks for the fleet, 2 would be replacements. The first to be replaced was a 2014 Ford F-150 that served primarily as a utility line locator. It logged over 123,000 miles and around 3,500 engine idle hours due to the nature of the work. The truck was purchased in 2014 for \$26,000 and the estimated resale value was about \$7,500. The second vehicle to be replaced was a 2009 Chevy Suburban which was also used by utility line locators. It held equipment in the passenger area which was better suited for outside the truck. This vehicle had 35,000 miles and 3,000 engine hours, equating to about 100,000 miles of engine wear. Given its age, maintenance costs were expected to increase. This vehicle was purchased used in 2017 for \$22,500 and the estimated resale value was around \$6,000. There was an opportunity to repurpose the Suburban within the city's fleet as a spare or to haul equipment.

City Manager Stefanov recalled that the Suburban was a former Secret Service vehicle which the city bought at a federal government surplus vehicle program. The city bought a second Suburban used by the police department for the D.A.R.E. program.

Director Barker stated staff was requesting an additional vehicle to support growing office functions. Staff needed to get to sites that required additional vehicle clearance, like work zones and construction areas. These 3 vehicles were considered in the 2024 Capital Equipment budget. The city intended to purchase the trucks through the City of Columbus purchase contract. The total cost of the purchase and upfitting, including logo, branding, safety equipment, strobes, and radios came to \$193,950.

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

Council Member Wiltout moved to adopt the resolution. Council Member Durik seconded and council voted with 6 yes votes to approve Resolution R-17-2024.

**RESOLUTION R-18-2024**

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ADVERTISE, AWARD BIDS, AND EXECUTE ALL CONTRACTS RELATED TO THE 2024 CITY OF NEW ALBANY

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**STREET IMPROVEMENT PROJECT.**

Public Services Engineer Justin Wilkinson stated that the city was looking at a more comprehensive street improvement program in 2024 than prior years. He showed a Pavement Management Dashboard. The city had hired a third-party consultant to evaluate its roadways. They provide an objective score of 0 to 100, with 100 being the best condition. The public service department intended to increase the frequency of these evaluations to have a more data-driven approach to managing and maintaining the city's roadways. Engineer Wilkinson praised city staff Jordan Gambill and Brian Walkenspaw who put a lot of work into the program. Overall, staff was recommending 191,000 square yards of mill and overlay. The goal for this year's street program was to address the more visible streets as people enter/exit New Albany. Engineer Wilkinson review the streets that would get crack fill. Cracks tended to create potholes as water migrated into them and the freeze-thaw cycle expanded them. Crack fill was less expensive and was a good first line of defense. As cracks further deteriorated, the city would move to mill and overlay. The city planned to scrap micro-overly from the 2024 program. The city had had issues with micro-overlay peeling up, particularly on Reynoldsburg-New Albany Road. After discussions with the contractor, the city thought there were ways to improve micro-surfacing in future programs.

Engineer Wilkinson stated the city was piloting a GlasPave 25 program, a type of asphalt fiber bedding, which ultimately delayed the reflection of cracking from an overlaid surface. Its purpose was to extend the life of the road so that milling and overlaying could be done, perhaps, every 8 years instead of every 5. The city would try this out on US 62, Walton Parkway, SR 605, and another higher volume road, and collect data on its performance

Engineer Wilkinson reviewed the 28 streets that would receive crack fill followed by the 4 areas that would receive Reclamite. The city would not use Reclamite in residential areas or areas where staff was concerned about tracking as it could be messy. Reclamite was a good product and more sustainable compared to asphalt. It made oxidizing, brittle pavement more flexible resulting in better performance over time. Reclamite was applied early on in a street's life to reduce oxidation. It was one of several tools the city had available.

Director Barker stated the city contracted with PMG Management group to use their expertise and gather a lot of data to plan for and project out the street improvement program for at least the next 2 years. He expected to have estimates by the coming budget season for 2025 to 2027. Having pavement rated more frequently now would be a valuable tool. Every area could be evaluated for different weather conditions and the different ways the city treated for snow and ice. Data would help determine the degradation rate specific to New Albany, its traffic, its seasons, its drainage conditions, and help the city project its future needs. The data could also provide residents with a higher level of transparency as the Public Service Department would have plans for the next 3 years.

The city had an average pavement condition index (PCI) of 77. That was a high standard for central Ohio, but New Albany wanted better. The city's average PCI would be going up over time. Director Barker described how street PCI was determined. All the data collected was processed through artificial intelligence (AI) thereby avoiding subjective individual determinations. Staff could also review the data and drive the street to see conditions.

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Engineer Wilkinson stated the engineer’s estimate for the 2024 street improvement project was \$4.1 million. The bulk of that would come from the 2024 Capital Improvement fund. Some construction project bids came in under their respective estimates, so the city had around \$1 million more budgeted than awarded. That would be rolled into the street program. Additionally, the city had some Business Park maintenance funds to draw from. This was more robust than what had been requested in the past. The city’s new infrastructure was beginning to age. To take care of it, the city needed to invest money in maintenance. Staff believed the cost was well-founded.

Director Barker and PMG were excited to develop and expand a well-informed program. This would produce data and help plan for the next 2 years. He hoped to have 2025 and 2026 projections by the 2024 budget season. Having pavement rated more frequently was a valuable tool. Every area had different factors that impacted longevity. This data would be specific to New Albany weather and drainage conditions and would be the foundation for all future planning.

Council Member Shull supported these tools and noted the city had talked about it for years. In the last 2 to 3 years, old Dublin-Granville Road, between Fodor and Harlem roads, especially by Pickett Place and Meadway Drive, it looked good and then looked really bad. One was always dodging potholes. He didn’t know why. Director Barker responded that Dublin-Granville Road was micro-overlaid twice. Staff learned there was a paving condition that didn’t accept micro-overlay. Dublin-Granville’s condition wasn’t good enough at the time. This year, the city would mill and overlay that roadway. Council Member Shull noted he didn’t see that issue in other locations. Director Barker responded it depended on surface underneath.

Council Member Wiltrout asked and Director Barker confirmed the mill and overlay on Dublin-Granville Road would run from Fodor Road to the city’s corporate boundary by Taylor Farm Park. Council Member Kist asked and Director Barker answered that the city could prioritize that work. Director Barker wanted to be careful to schedule around high traffic volume and events. The city was engaged in construction projects north and south of the Village Center that needed attention also. He agreed that Dublin-Granville Road was not great at present. Council Member Kist noted Dublin-Granville Road was one of the gateways to the community. Council Member Wiltrout didn’t think it was that bad - just bad compared to the rest of the New Albany.

Council Member Kist appreciated the new Reclamite application strategy. He recalled bikes and vehicles coated with the material. Director Barker responded that he didn’t want to eliminate Reclamite because it successfully added longevity and value, but there was a right and wrong place for its use. Mayor Spalding asked and Director Barker confirmed that Reclamite was the road “reconditioning program” for several years. It would not be used in residential areas anymore. The product reduced pavement graying and drying out. It helped to encapsulate and seal in the asphalt, prolonging flexibility and delaying potholes. It darkened pavement which helped it hold heat, assisting snow plowing efforts.

Mayor Spalding asked about Lambton Park, north of Head of Pond. He noticed a consistent drainage issue on the shoulder. Director Barker and Engineer Wilkinson replied they would make sure it was part of the program.

Director Barker stated Planters Grove, Ealy Crossing, a section of the Links, Tidewater, and the second half of Windsor were all scheduled for mill and overlay. The first half of Windsor was completed last year.

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Mayor Spalding asked about the plan to inform the community. It was also important for council to know because they were contacted about it before and after. Director Barker recalled the significant communication effort in Windsor in 2023 because of the amount of street parking and density of the homes. He thought the city’s communication strategy went well, including mailers, messages, and information on the website. Each area received a direct communication with a contact person. The city intended to do the same in 2024. City Manager Stefanov stated he would share that all of that with council.

Mayor Spalding asked and Director Barker said that public access to a GIS program for street improvement was still to be determined. He would defer to GIS Analyst Ryan Kelley. Immediately, Director Barker could provide street names and neighborhoods in list form. There was an opportunity to create a more public product – but it depended on how the systems communicated with each other and other technical challenges. The end goal was for more public access.

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

Council Member Durik moved to adopt the resolution. Council Member Brisk seconded and council voted with 6 yes votes to approve Resolution R-18-2024.

**RESOLUTION R-19-2024**

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN ODOT CONSENT LEGISLATION FOR THE CONSTRUCTION OF NOISE WALLS ALONG SR161 WITHIN THE CITY OF NEW ALBANY.

Public Service Director Mike Barker recalled Resolution R-17-2023 which permitted ODOT to widen a portion of SR161 within New Albany’s corporate boundaries. As part of that project, a sound study identified several locations along the widened section of SR 161 that warranted the noise wall construction to mitigate the sound impact on adjacent residential properties. Some proposed noise walls were immediately adjacent to the city, 2 of the walls fell within New Albany’s corporate boundary.

Director Barker described a noise barrier safety, the installation of which was standard ODOT procedure. The barriers were installed between the sound wall the traveling public. They enhanced noise attenuation, but were primarily to keep vehicles from hitting the walls. They were 81 inches tall. The sound walls would have guardrail in front. The noise wall would be 14 feet tall, with columns 24 feet apart. Each panel between the columns would be 1 foot tall. The wall columns were concrete with fiberglass panels which dropped into place. The panels were an acceptable alternative for ODOT. The wall would look the same from both sides. Director Barker further reviewed locations on map of noise wall and safety barrier.

Director Barker praised the ODOT team for being fantastic to work with. He credited to Tom Rubey, Director of Planning, The New Albany Company (NACO), for coordinating with ODOT and the City of Columbus to improve the aesthetics. The wall would mimic a New Albany look, harkening to white fence elements. At the end of the ODOT project, the plan was to add supplemental plantings along the corridor to make a more attractive gateway. NACO was actively working with ODOT toward this.

Council Member Kist asked and Director Barker replied that they were also working with the City of Columbus to make the walls more attractive throughout the corridor, not just for the 2 New Albany sections.

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Council Member Brisk asked and Director Barker answered that the Windsor subdivision had a tree buffer, possibly a reserve area, that would not be removed. Clearing would occur where the horse fence was. Some trees may be limbed up or otherwise impacted to support the construction on the highway side of the fence, but, other than that, the city didn't anticipate tree removal or mass clearing.

Mayor Spalding asked and Mr. Rubey answered that the fiberglass panels had horizontal scores going up to the top. ODOT had been great to work with, very amenable. They walked the corridor to talk about selective tree clearing. There would be more tree clearing to the west, but also some removal in front of Windsor. NACO was able to impact that some. They were modifying association fees and budgets so that the Master Association would be the entity to help fund additional planting between the noise wall and SR 161. They were now trying to impact wall height variation. Currently, between 24-foot sections, the wall hopped up and down. He wanted all of those to be consistent, 1-foot height differences. They were making some headway.

Mayor Spalding asked and Mr. Rubey replied that ODOT, as part of their process, reached out to various neighborhoods and, after approval of the sound wall, discussed the aesthetics, including logos or other marketing on wall. Mr. Rubey recalled an area with no less than 4 different wall types because they all voted differently. One aesthetic option was to identify the community name with a crest.

Mayor Spalding agreed consistency was important. He would hate to see 5 different sound walls within a few miles. He described Dayton's branding, Troy's symbol, and Medina's brick with embossed elements of their community. If he had to pick, he would vote for a consistent feature. If there was a way to do New Albany branding within the city's jurisdiction, would that be an option? Director Barker stated New Albany's noise walls would be built within the city's corporate boundary. The city would ultimately be responsible to own and maintain it. The city would thus have a lot of latitude. New Albany's westernmost sound wall was in the SR 161 overpass. The city may have an opportunity to dress up the overpass for those driving underneath. The city also had to consider if and when the SR 161 widening would continue further east. Director Barker thought the city had the opportunity to do something special in New Albany.

Mr. Rubey hoped to do some branding, specifically at the interchanges from Hamilton Road to Mink Road. Maybe there could be something different, specific to New Albany along the interchange. The branding was not incorporated in the infrastructure of sound walls or barriers. NACO would need to work with the city on what that would look like. There had been a lot of discussion and complaints about the lack of landscaping and continuity, and the cell tower in the cloverleaf. He thought the opportunity remained - maybe signage on the overpass, maybe consistent landscaping, maybe a signing program related to fencing or something like that.

Mayor Spalding observed that other overpasses, like Easton and Grove City, had architectural elements and unique features that alerted drivers of a special place. The City of Dublin had spent considerable funds on their freeway beautification program.

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



## Council Minutes – Regular Meeting

May 7, 2024

Council Member Wiltrout moved to adopt the resolution. Council Member Kist seconded and council voted with 6 yes votes to approve Resolution R-19-2024.

### **COUNCIL SUBCOMMITTEE REPORTS:**

NONE

### **REPORTS OF REPRESENTATIVES:**

- A. Council Representative to MORPC: City Manager Stefanov reported that the MORPC Executive Committee accepted the agenda for the upcoming regular meeting. Agenda items included the adoption of the 2024-2050 Metropolitan Transportation Plan, review of the Complete Streets, and MORPC attributable funding policies for the coming years.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported that the JPD expressed frustration that there was no resolution to the fieldhouse utilities nearly 2 years after the levy was approved. They hoped to know more by the end of the month. The JPD went live with the pickleball tournament the day prior. Chief Marketing Officer Josh Poland helped spread the news. Many signed up already. Council Member Shull thanked Dave Wharton, Brian Smith, Morgan Simonski, and Theo Spsychalski for their hard work in a short period of time to make it happen, expanding opportunities for New Albany residents.
- C. Council Representative to New Albany-Plain Local Schools: Council Member Kist reported that the board discussed the US News Report ranking Ohio schools. New Albany Schools ranked #35 out of 941 schools. New Albany was 1 of the 8 schools that received 5 stars from the Ohio Department of Education, so the US News report was below expectations. US News changed their criteria this year. The NAPLS College Credit Plus program didn't count towards college credit in this ranking. The accelerated path for middle schoolers to take high school classes was not factored in. NAPLS was doing well and the board would further investigate the methodology. The board discussed the Facilities Master Plan update. The architects' feedback was to add 8 classrooms and a cafeteria to the Early Learning Center. They also needed to construct an elementary building for 2 grades and around 1,000 students. They were looking at the softball and baseball fields as a likely site. Secondary schools would get minor renovations. The board was working with the city and The New Albany Company on relocating the expanded bus garage. The board discussed the demolition of the annex building to reconfigure the primary school entrance into a loop to be more efficient. The board was hoping to present the plan at their June 10 board meeting. High School Principal Kraemer was promoted to assistant superintendent. The board hired Mr. Russell as the new high school principal.
- D. Council Representative to Plain Township: Council Member Durik reported that the township was interested in the city's evaluation of TIF payments relative to fire department funding. The outcome would help them plan ongoing and future fire department spending. The township approved legislation to participate with the state in construction of a Walnut Street/SR 605 roundabout. The estimated cost \$6.5 million. The state committed \$5 million. Bids would go out later in 2024 with construction planned for 2026. The township approved a 1-year moratorium on adult cannabis operations to prevent operational activities until after the state set up regulations. The township

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approved funding for the new ambulance being delivered later that month. The pool would open May 25. Membership sales were 20% over last year.

**REPORTS OF CITY OFFICIALS:**

- A. Mayor: No report.
- B. Clerk of Council: Council coordinated their Founders Day shirts and discussed the rainy forecast. Council was invited to the Senior Connections 5-year anniversary BBQ at the Heit Center on May 8. Clerk Mason reminded council members, who had not already done so, to complete their Ohio Ethics Commission Financial Disclosure forms due May 15 and to forward the receipt to her. She reminded the Community Grants Subcommittee that she sent grant application drafts to them for feedback. Applications would go out late May and be due back July 31<sup>st</sup>.
- C. Finance Director: No report.
- D. City Manager: No report.
- E. City Attorney: No report.

**POLL FOR PUBLIC COMMENT:**

NONE

**POLL FOR COUNCIL COMMENT:**

Council Member Shull recalled the discussion at the April 16 council meeting regarding the potential for the city to run a pickleball tournament. He was in favor, but council chose another direction. He wanted to explain his position. On April 16, council was concerned about the additional workload it would place on city staff. The prior year, city staff was asked to plan 2 events: Juneteenth and Diwali. Both were very well-attended and very successful. Comparatively, the pickleball tournament would have cost 1/10 of those events and required much less workload. One of the reasons he really wanted it was to provide revenue back to city. That revenue would have covered the cost incurred by staff and would have been used for the maintenance and upkeep of the pickleball courts, and provide council with the opportunity to redirect tax payer funds to other capital improvement projects, like leisure trails, bike lanes, and parkland. He wasn't sure if other city-sponsored events provided a potential revenue stream. Another reason, was that the tournament would have attracted players from outside the city, potentially providing increased economic revenue to area hotels, shops, and restaurants. He knew, based on what was offered out of Bevelhymer – with classes and clinics – they were so well attended and there were so many people in the community looking for other pickleball-related things, and the Joint Parks Department was doing a great job. Those were the reasons why he was supporting it. His final ask of council, next time, if council had an opportunity to provide revenue to the city, address a need of residents, and increase economic activity for area businesses, he hoped council could come together and discuss ways the city could say yes to some of those opportunities.

**EXECUTIVE SESSION:**

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22(G)(1) for discussion regarding appointment of a public official; pursuant to Ohio Revised Code 121.22(G)(2) to consider the purchase of property for public purposes, if premature disclosure of information would give

May 7, 2024

an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest; and pursuant to New Albany Charter Section 4.03(E) for economic development purposes. Council Member Wiltout seconded and council voted with 6 yes votes to go into executive session at 8:42 pm. Council anticipated taking action after for board appointments.

Council Member Shull moved that council come out of executive session and resume the regular meeting. Council Member Durik seconded and council voted with 6 yes votes come out of executive session and resume the regular meeting at 10:10 pm.

**OTHER BUSINESS:**

**Board & Commission Appointments**

Council Member Kist stated there were 2 openings on the Sustainability Advisory Board and council realized they had enough quality applications to field an entirely new board.

Council Member Kist moved to appoint Zoey Kellerman to the Sustainability Advisory Board to complete the unfinished term ending 6/30/2024, and to a new full 3-year term running 7/1/2024 to 6/30/2027. Council Member Wiltout seconded and council voted with 6 yes votes to appoint Zoey Kellerman to the SAB for the term specified. Motion passed.

Council Member Kist moved to appoint Molly Scott to the Sustainability Advisory Board for a full 3-year term running 7/1/2024 to 6/30/2027. Council Member Wiltout seconded and council voted with 6 yes votes to Molly Scott to the SAB for the term specified. Motion passed.

Council Member Kist moved to reappoint Jack Baron and Evert Gallagher to the New Albany East Community Authority for new 2-year terms running 5/18/2024 to 5/17/2026. Council Member Durik seconded and council voted with 6 yes votes to reappoint Jack Baron and Evert Gallagher to the New Albany East Community Authority for the term specified. Motion passed.

Council Member Kist moved to reappoint Kyle Sellers to the Rocky Fork Blacklick Accord for a new 3-year term 7/1/2024 to 6/30/2026. Council Member Wiltout seconded and council voted with 6 yes votes to reappoint Kyle Sellers to the RFBA for the term specified. Motion passed.

Mayor Spalding appointed Development Director Jennifer Chrysler and Finance Director Bethany Staats to the Community Reinvestment Area Housing Council for the terms 1/1/2024 to 12/31/2026.

*Clerk's note: The May 7, 2024 Memo to Council regarding the appointments is attached.*

Mayor Spalding and Council Member Kist would be missing the next council meeting. Council determined there would still be a quorum. Mayor Spalding stated he would also be out for the June 4 meeting.

**ADJOURNMENT:**

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Kist seconded to adjourn the May 7, 2024 regular council meeting at 10:16 pm.



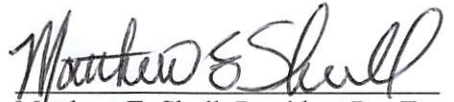


**Council Minutes – Regular Meeting**

May 7, 2024

ATTEST:

  
Jennifer H. Mason, Clerk of Council

  
Matthew E. Shull, President Pro Tem

5-21-24  
Date



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TO: Council

FROM: Christina Madriguera, Deputy Clerk of Council  
Jennifer Mason, Clerk of Council

DATE: May 7, 2024

RE: 2024 Mid-Year Board and Commission Appointments

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This memo identifies that there are two open seats on the Sustainability Advisory Board. It also lists those willing to be reappointed to board and commission positions.

#### COUNCIL APPOINTMENTS

##### **New Albany East Community Authority**

2-year terms

- Jack Baron is willing to be reappointed to the term 5/18/2024 – 5/17/2026
- Everett Gallagher is willing to be reappointed to the term 5/18/24 – 5/17/26

##### **Rocky Fork Blacklick Accord**

3-year term

- Kyle Sellers is willing to be reappointed to the term 7/1/24 to 6/30/27

##### **Sustainability Advisory Board**

3-year terms

- Open
- Open

#### MAYORAL APPOINTMENTS

##### **Community Reinvestment Area Housing Council (CRAHC)**

3-year terms

- Jennifer Chrysler, Director of New Albany Community Development Department to the term 1/1/24 to 12/31/26
- Bethany Staats, Director of New Albany Finance Department to the term 1/1/24 to 12/31/26