



Council Minutes – Regular Meeting

June 21, 2022

CALL TO ORDER:

Council Member Brisk called to order the New Albany City Council Meeting of June 21, 2022 at 6:30 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Law Director Benjamin Albrecht, Finance Director Bethany Staats, Police Chief Greg Jones, Development Director Jennifer Chrysler, Planning Manager Steve Mayer, Public Service Director Mike Barker, Engineering Manager Ryan Ohly, Chief Communications Officer and Marketing Director Scott McAfee, and Clerk of Council Jennifer Mason.

Council Member Brisk led the assemblage in the Pledge of Allegiance.

ROLL CALL:

The following Mayor/Council Members answered Roll Call:

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

Clerk Mason reported that Mayor Spalding and Council Member Fellows could not attend due to travel. Council Member Brisk moved to excuse Mayor Spalding and Council Member Fellows from the council meeting. Council Member Kist seconded and council voted with 5 yes votes to excuse Mayor Spalding and Council Member Fellows from the council meeting.

ACTION ON MINUTES:

Council adopted the June 7, 2022 regular meeting minutes by consensus.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE.

HEARING OF VISITORS:

Richard Justman 7891 Peter Hoover Road resident for about 25 years. He referenced his presentation and handout at the prior council meeting and was offering a second option. If city didn't want to buy all 5 acres, he had a survey done to split his property. He would keep 2 acres with his home and barn, and could sell the remaining 3 acres. A nearby 5.5 acre property just sold. Last time he called it the "sports campus, others had called it an "athletic campus." It got buried because New Albany didn't have infrastructure to feed and house more visitors. Now it did.

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Additionally, he came across a hit and broken fire hydrant. He called the Police Department who suggested he call Public Service. Mr. Justman suggested a city-wide text line so that if people saw something amiss, they could easily do something about it.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Council Member Wilttrout reported that the PC heard the proposed amendment to the Engage New Albany strategic plan. The PC tabled a case. The PC approved a zoning amendment for an area already zoned commercial, however, the owner wanted to add distribution uses to make the property more marketable. There was a discussion about pavement setbacks. The PC approved the Final Development Plan for the MooMoo Car Wash on State Route 62. They discussed how best to situate the business on lot given the traffic on SR 62. The car wash would shut down by 8 pm, so noise and lighting were not an issue. The variances were approved.

The PC passed 4-1 the proposed changes to city code for the hamlet concept. The PC and city held a robust discussion and 3 community members raised concerns, particularly about density. Council Member Durik recalled the question of the radius of a hamlet, how far it could extend. He didn't want to leave the boundary wide open. There was discussion about getting rid of the other hamlet. PC Member Larsen voted no stating he wanted more discussion.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ARCHITECTURAL REVIEW BOARD: Mike Durik reported the ARB approved a patio addition on a commercial property on 14 & 20 S. High Street for personal entertainment, a space for employees to take breaks. It was approved minor changes and additions including a wall to buffer the view from street. The patio would not be used commercially.

BOARD OF ZONING APPEALS: No meeting.

SUSTAINABILITY ADVISORY BOARD: Public Service Director Mike Barker reported that the Sustainability Board discussed the successful Earth Day activities. The E-Waste Drive pulled in way more than originally expected. GIS/Systems Analyst Ryan Kelley developed a way to track food waste received at composting program sites so the city could generate a weekly report. The composting program had 243 registrants and had diverted a little over 3,000 pounds of organic food waste from the landfill. Waste drop-off and pick-up had been going smoothly. Director Joly presented on Taylor Farm Park - current and future improvements, as well as the environmental benefits. Finally, there was a presentation about wheel washing stations at construction sites. Wheel washing mitigated some dirt and rocks on roads and protect local streams from sediment.

IDEA IMPLEMENTATION PANEL: Council Member Brisk reported that she expected to empanel the members and moving forward with activities soon.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.



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PUBLIC RECORDS COMMISSION: No meeting.

CORRESPONDENCE AND COMMUNICATION:

NONE.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

NONE.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-19-2022

Council Member Brisk 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 AND THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING COUNTY (C-TEC), PROVIDE FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS INTO A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND, SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THOSE PARCELS, AND APPROVE AND AUTHORIZE THE EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS.

Development Director Jennifer Chrysler stated this ordinance amended the Oak Grove II TIF text to include the 1,689 acres recently annexed and zoned. The purpose of the TIF was to capture the incremental increase in the value of the land and appurtenances, and put those funds toward qualified public infrastructure and projects. The city entered into supplemental agreements with Jersey Township regarding EMS and fire services. This was a non-school TIF - meaning that it did not negatively impact the Johnstown-Monroe Local School District or the Career and Technology Education Centers of Licking County.

Council Member Brisk set the ordinance for second reading at the July 5, 2022 council meeting.

ORDINANCE O-20-2022

Council Member Brisk read by title AN ORDINANCE TO ADOPT A TAX BUDGET FOR THE CITY OF NEW ALBANY, OHIO FOR FISCAL YEAR ENDING DECEMBER 31, 2023.

Finance Director Bethany Staats stated that this tax budget was required by the Franklin County Budget Commission. It established local need for tax revenue and kept the city in compliance with the Ohio Revised Code. Other counties, including Licking County, had eliminated it. This ordinance would be submitted to Franklin County along with Resolution R-22-2022 to be considered later that evening. The inside millage represented \$530,000 of General Fund. This tax budget was highly conservative. As more information

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became available later in the year, it would be accounted for in the 2023 Annual Budget Program. Director Staats reviewed Schedule A attached to the legislation with council.

Council Member Durik asked and Director Staats replied that the city projected that 2022 revenue would be down around 10%. At this time, revenues were running above that. Director Staats hadn't adjusted this tax budget due to the uncertainty around tax refunds to people working from home. Those filers had 2 years to request refunds. City Manager Stefanov noted that the Ohio Supreme Court accepted a case that challenged the Ohio legislature's position on income tax withholdings during the pandemic.

Council Member Kist asked and Director Staats replied that she analyzed the city's 4 biggest businesses utilizing work from home employees. She took the percentage of work from home employees' income out of projections and applied normal rates the remainder. This budget was very conservative. The city kept buffer amounts in reserves to account for additional losses. Currently, the city was still tracking better than projected. Council and staff discussed percentages of employees working from home outside of New Albany and residents working from home in New Albany.

Council Member Brisk set the ordinance for second reading at the July 5, 2022 council meeting.

ORDINANCE O-21-2022

Council Member Brisk read by title AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022.

Director Staats stated this legislation proposed appropriations amendments adjustments in the General Fund totaling \$596,100. The changes were to Operating and Contractual services across several departments. Around 62% of the adjustments were 1-time costs, pass-thru costs, or revenue driven charges. The remaining 38% resulted from increased operations. The increased appropriations were expected to be covered by the city's projected increase in revenue over original estimates. Increases in the Capital Funds were for 2 police cruisers, the Forest Drive/Smith's Mill traffic signal project, and the Byington and James River parks projects. A transfer of funds budgeted to be received from the New Albany Community Authority would be transferred between the Economic Development Capital and the Economic Development Fund – a special revenue fund to appropriately account for professional services and incentives versus capital expenditures. Director Staats referred council to the Legislative Report attachments for more detail and a summary of movement of funds to-date.

Council Member Shull asked and Director Staats answered that she could further detail the pass-thru costs, which included plan review and software fees, at the next meeting. The fee increase was largely RITA fees due to increased revenue. Council Member Shull offered to meet with Director Staats for more information.

Council Member Brisk set the ordinance for second reading at the July 5, 2022 council meeting.

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READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-21-2022

Council Member Brisk read by title A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT WITH INTEL CORPORATION AND MAKING RELATED AUTHORIZATIONS.

Community Development Director Jennifer Chrysler stated, in January, Intel became the latest global company to announce plans to invest in New Albany. Intel would be investing an estimated \$20 billion into leading edge computer chip fabrication facilities, accompanied by related structures and office facilities. Intel would be located on 848 acres of the 1,689 acres recently annexed and zoned. Construction was expected to begin in 2022, with facilities to be operational by 2025. The site was large enough to expand and hold related companies. This was the largest private sector investment in Ohio's history, with good paying jobs, plus construction and support jobs. This project was expected to ultimately generate more than 20,000 jobs - including 3,000 at Intel earning an average of 135,000 per year, plus benefits. The project was expected to contribute \$2.8 billion to Ohio's annual growth. This resolution authorized the city manager to execute Community Reinvestment Area agreement with Intel. The agreement provided for a 100% real property tax abatement for the first 30 consecutive years for each new building or structure. The exemptions granted in this agreement were conditioned on the project generating a minimum qualified payment amount to the city annually and for any year in which he qualified payments were less than the minimum qualified payment for that year, the company was required to make an additional payment to the city to meet the minimum revenue requirement. The city would share a portion of the income tax revenue with Johnston-Monroe Local School District and C-TEC, per the existing revenue sharing agreements. Emily Smith, Intel, Director of Ohio Public Affairs, was present to answer questions.

Council Member Kist asked and Director Chrysler answered that the Ohio legislature changed its code in 2019 to define and make the state more competitive for major projects. Under the Ohio Revised Code, Intel was eligible for the maximum 30-year abatement term.

Council Member Shull asked and Director Chrysler clarified that 848 acres was the net amount for Intel after subtracting out right-of-way and the AEP substation from the 926 gross acres.

Council Member Brisk welcomed Intel and looked forward to a long and successful relationship.

Council Member Brisk opened the Public Hearing.

Emily Smith, Intel, Director of Ohio Public Affairs, thanked council, staff, and community members. She appreciated working with New Albany's talented, knowledgeable staff. This was Intel's first U.S. site in 40 years. The \$20 billion in investment would impact entire Buckeye State and improve supply chains. This was the first semiconductor campus in the Midwest. Ohio was an ideal location, Ohio was built for this. She looked forward to working together, being an engaged member of business community, creating jobs, supporting natural resources, and inspiring the next generation of Ohio innovators. Together, let's build something wonderful.

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Hearing no further comments or questions from the public, Council Member Brisk closed the Public Hearing.

Council Member Kist moved to adopt the resolution. Council Member Wiltrout seconded and council voted with 5 yes votes to approve Resolution R-21-2022.

RESOLUTION R-22-2022

Council Member Brisk read by title APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A NEW ECONOMIC DEVELOPMENT AGREEMENT AND NEW WATER SERVICE AND SEWER DISPOSAL CONTRACTS, ALL WITH THE CITY OF COLUMBUS, IN ORDER TO FACILITATE AND SUPPORT FUTURE ECONOMIC DEVELOPMENT IN THE CITY.

Director Chrysler stated that the City of Columbus served as New Albany’s supplier water and sanitary sewer utilities since the late 1980s. During that time, the cities’ had executed updated contracts in 2001, 2012, and 2015 due to New Albany’s growth. The primary purpose of an economic development agreement (EDA) was to address revenue sharing payments by New Albany and its developers to the City of Columbus to facilitate development and re-development. The proposed update expanded New Albany’s tax sharing rate and terms from the 2015 agreement – which was 26% for 15 years to a new 3,600 acre growth area to the east. It also applied the developer’s obligation to make an equity share payment per acre amount to Columbus with an added exemption for work force housing. The water and sanitary sewer agreements were similar to those previously approved by council. There were some language changes proposed in the agreements to help better conform all of Columbus’ agreements to those they have with other contract communities. If Columbus became unable to meet the needs of the community, New Albany had the ability to seek other alternatives, such as sourcing non-potable water elsewhere. Language was included to permit the city manager to make changes to the agreements, but they could not less favorable than the current terms. New Albany and Columbus were still finishing some work, but staff felt the agreement was in substantial enough form so that any changes would be minor and not have to come back to council. If there were more substantial changes, staff would come back. The agreements had to be approved by both cities to extend the utilities. The resolution also authorized the city manager to sign the petition to expand the Ohio EPA Section 208 boundary, which would also have to be approved by the county commissioners and the Southwest Licking Water and Sewer District.

Council Member Durik asked about timing and cooperation from the City of Columbus. Director Chrysler responded that, based on a recent quote from Columbus Mayor Andy Ginther about their role in attracting Intel with water and sewer contracts with New Albany, Director Chrysler responded she was hopeful to have the agreement wrapped up in the next 2 weeks.

Council Member Shull asked and Director Chrysler replied that when city negotiated an EDA, that set of terms only applied to that area. This new area has same terms as previous EDAs, but stood on its own. The 15-year term started upon approval. If the City of Columbus couldn’t provide the service, the agreement language contained triggers that allowed the New Albany to source from other options.

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Council Member Kist asked and Director Chrysler stated that there were many different opportunities related to non-potable water. Intel prioritized water reclamation and conservancy. There would be an ongoing dialog on how to work with all partners on more efficient uses, including irrigation, operations systems, and cooling towers.

Council Member Brisk opened the Public Hearing. Hearing no comments or questions from the public, she closed the Public Hearing.

RESOLUTION R-23-2022

Council Member Brisk read by title A RESOLUTION TO REQUEST THE FRANKLIN COUNTY BUDGET COMMISSION TO GRANT THE .74 MILLS IN AVAILABLE INSIDE MILLAGE TO THE CITY OF NEW ALBANY.

Director Staats referenced Ordinance O-20-2022. These pieces of legislation were required by Franklin County to order to receive the additional .74 inside available millage. The millage was projected to generate approximately \$530,000 in the General Fund in 2023.

Council Member Brisk opened the Public Hearing. Hearing no comments or questions from the public, she closed the Public Hearing.

Council Member Shull moved to adopt the resolution. Council Member Brisk seconded and council voted with 5 yes votes to approve Resolution R-23-2022.

RESOLUTION R-24-2022

Council Member Brisk read by title A RESOLUTION TO CLARIFY CERTAIN SECTIONS OF THE CITY OF NEW ALBANY'S PERSONNEL POLICIES TO DEFINE EARNABLE AND NON-EARNABLE SALARY AS REQUESTED BY THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM.

Director Staats reminded council about similar legislation adopted in January. OPERS required municipalities to pass an annual resolution to confirm the existence of a conversion plan. Conversion occurred when an employee converted accrued vacation or sick time into cash. Due to recent update of Chapter 155 Personnel Policies of the city's codified ordinances, OPERS required a new resolution to confirm the new plan and clarify what income was pensionable.

Council Member Brisk opened the Public Hearing. Hearing no comments or questions from the public, she closed the Public Hearing.

Council Member Brisk moved to adopt the resolution. Council Member Wilttrout seconded and council voted with 5 yes votes to approve Resolution R-24-2022.

REPORTS OF STANDING COMMITTEES:



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

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: No meeting.
- B. Council Representative to Joint Parks and Recreation: No report.
- C. Council Representative to New Albany Plain Local Schools: Council Member Kist reported that the board finalized and approve a new 3-bell schedule needed due to bus driver shortages. A minor adjustment was made when the board received feedback that the older kids were needed at home for afterschool childcare. The first bell would be at 7:45 for the high school, then the middle school, and then youngest kids. Council Member Kist anticipated less traffic around Market Street. The city had ongoing discussion with school about this and would monitor school-related traffic.
- D. Council Representative to Plain Township: Mike Durik reported that the township met with the county regarding the flooding on Clouse Road. They were working on preliminary studies regarding right-of-way and treatment for flooding. Requirements for drainage could impact road-side power poles which could push corrections out to 2024. They were looking for MORPC grant. The township approved \$1.15 per hour increase for service workers to bring them in line with market. The fire department proposed to replace an EMS vehicle. New vehicle cost was \$350,000-\$370,000, with a 2023 delivery at earliest.

REPORTS OF CITY OFFICIALS:

- A. Mayor: No report.
- B. Clerk of Council: Clerk Mason advised council of an opening on the Parks and Trails Advisory Board. She would work with Council Member Kist and advertise for applications. She polled council who did not request a hearing for the Sarasheen Partnership liquor permit. Council discussed Independence Day parade plans.

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- C. Finance Director: Director Staats reviewed the April monthly report. Revenue was tracking the same as in 2021, even though the city had budgeted for a decrease. If revenues tracked the same for the rest of the year, there would be an excess. Expenses were higher, but the bottom line was nearly the same across all categories. Investments still reflected lower interest rates. Rates were increasing some, which would produce some revenue.
- D. City Manager: City Manager Stefanov asked Public Service Director Mike Barker to give updates on construction projects.

Utility poles: Crown Castle was determined to own the remaining line on the Main Street poles. They scheduled to relocate the line underground the following week. AEP would remove poles, hopefully, in the next 2 weeks.

Taylor Farm Park: There was a preconstruction meeting on June 1st regarding Taylor Farm, Phase 1, which included parking lot and miles of leisure trails, boardwalk areas, mobilized in the site. Stakes and tree fencing were in place. The intent was to have all of the trail and boardwalk done by end of fall of 2022 and open it to residents. Stabilization efforts would continue into spring. Completion was estimated around mid-May of 2023. Useful portions will be open end of 2022. Council and staff discussed land ownership, the muddy state before work began, and working with NACO to use their construction area and fencing. All work going forward would be done by the city. Trees were going in. The city would stabilize the Taylor home and other structures in anticipation of the park opening.

Roadway projects: The city had successfully rebid the Dublin-Granville/Harlem Road traffic signal project. In July, the church construction access would move to Dublin-Granville Road and the Harlem Road access, which had been problematic for residents, would be removed. The Smith's Mill/Forest Drive signal project would be worked on alongside the State Route 161/62 improvements. The city would be installing a center median on State Route 62 which would prevent the left turn out of Zarley Street. Left turning traffic would be diverted to Smith's Mill Road. Director Barker further discussed the chronology of the Smith's Mill traffic signal and SR62 median, temporary traffic signals, lead times, and local impact. He estimated the temporary traffic signal would be operational by the end of 2022

The State Route 62/161 interchange project was currently out to bid. The pre-bid meeting was held and it seemed to be attractive project. The city hoped to begin construction starting in August.

Market Street extension: This project would include construction of a roundabout at Reynoldsburg New Albany Road. Market Street would extend east into estate property and connect into 3rd Street. The intent is to take pressure off of the intersection of Main Street and High Street. The project was 60-70% designed. There was substantial utility clearance and coordination, including some utility burial in conjunction with this work. The city was actively working with United Methodist Church as construction would impact church property. The city would need some right-of-way and was working on rectifying the impact. There was an opportunity to have a finished intersection. City Manager Stefanov praised Public Service Director Mike Barker for the design and working well with property owners on tough intersection. Construction could start late in 2022, or the city may delay bidding

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process to end of this year and begin in early 2023. City Manager Stefanov further discussed additional right-of-way and another business in the area.

Vets Memorial/Rose Run 2: Director Joly told council that Rose Run 2 was actively in design and at about 10% of plans. They were working through issues with Dublin-Granville Road, paths on both sides of Rose Run creek, status of the mill warehouse building, and the size and setbacks of the parking garage. The next step was to achieve 25% level plans and to have the Construction Manager-At-Risk give feedback. Staff would then bring it to council. .

State Route 62/Theisen intersection: Director Barker stated that the traffic signal was in place. The city was waiting on power supply from AEP. Director Barker expected the light to be operational in mid-July. The fire department would immediately have the ability to change signal to create safe access onto State Route 62.

E. City Attorney: No report.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

NONE.

EXECUTIVE SESSION:

Council Member Brisk moved that council go into executive session pursuant to Ohio Revised Code 121.22 (G)(1) to consider appointment of a public officials, reserving the right to take action afterward. Council Member Kist seconded and council voted with f yes votes to go into executive session at 7:50 pm.

Staff present: City Manager Stefanov, Director Joly, Clerk Mason, Law Director Albright.

Council Member Brisk moved that council come out of executive session and resume the regular meeting. Council Member Shull seconded and council voted with 5 yes votes come out of executive session and resume the regular meeting. Council resumed the regular meeting at 8:57 pm.

OTHER BUSINESS:

Council Member Brisk moved that council appoint 7 voting members to the IDEA Implementation Panel with a 24-month term to run from July 1, 2022 to June 30, 2024, and that council authorize said panel to form working groups of volunteer residents as needed to assist and implement its community projects. Council Member Shull seconded and council voted with 5 yes votes to adopt the motion. Motion passed.

Council Member Brisk moved to appoint these New Albany residents to the IDEA Implementation Panel for the current term: Connor Berry, Precious Singo, Marie Alvarado-Young, Eric Duerksen, Brianna



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Johnson, Dr. Nwando Olayiwola, and Kirubel Aklilu, and that council appoint herself and Council Member Wilttrout as the council liaisons to the Panel. Council Member Durik seconded and council voted with 5 yes votes to adopt the motion. Motion passed.

Council Member Shull praised Council Member Brisk’s running of the meeting.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Council Member Brisk moved and Council Member Kist seconded to adjourn the June 21, 2022 regular council meeting at 9:01 pm.

ATTEST:


Jennifer H. Mason, Clerk of Council


Sloan Spalding, Mayor


Date