



# Council Minutes – Regular Meeting

April 16, 2024

## CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of April 16, 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, Director Adrienne Joly, Police Chief Greg Jones, Development Director Jennifer Chrysler, City Engineer Kylor Johnson, Economic Development Manager Sara Ziegler, Human Resource Officer Lindsay Rasey, Chief Marketing Officer Josh Poland, and Clerk of Council Jennifer Mason.

## ROLL CALL:

The following Mayor/Council Members answered Roll Call:

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

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

## ACTION ON MINUTES:

Council adopted the 3/19/24 meeting minutes by consensus.

## ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE

## HEARING OF VISITORS:

NONE

## BOARDS AND COMMISSIONS:

**PLANNING COMMISSION:** Council Member Wiltrout reported that the PC discussed code updates regarding park and open space requirement in the Urban Center Code. The PC provided feedback to staff who would revisit the language. The driving range case was tabled.

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

April 16, 2024

**ARCHITECTURAL REVIEW BOARD:** Director Chrysler reported that the ARB approved a Certificate of Appropriateness for a building demolition at 97 E. Main street. There were no conditions. The ARB held their annual organizational meeting and elected Alan Hinson as Chair, Jon Iten as Vice Chair, and Jim Brown as Secretary.

**BOARD OF ZONING APPEALS:** Council Member Shull reported that the BZA approved a variance for a detached garage to encroach into a rear yard setback on Lambton Park Road. There was precedence for this on corner lots. The BZA approved a variance for artificial turf on a kid’s play area at the Plymouth Brethren Church on Bevelhymer Road. The BZA did not approve the artificial turf on the parking lot islands. There was precedence for an artificial surface on a playground at a nearby daycare center. The BZA also held their organizational meeting and Shawn LaJeunesse was reelected as Chair.

**SUSTAINABILITY ADVISORY BOARD:** Council Member Kist reported that the SAB heard from Jacob Heffon, Municipal Sales Specialist with Rumpke, and also a New Albany resident. Rumpke was developing a new Material Recovery Facility (MRF) in the Milo-Grogan neighborhood. It would possibly be the largest MRF in the world and would be equipped with AI vision scanners, have increased efficacy, and include a 4,000 square foot education area. The SAB heard the results of their survey regarding composting. 80% of respondents were interested in curbside recycling. The biggest hurdle was cost. Most were interested if the cost was \$3-\$5 per month. At \$10, they were less interested. The SAB discussed starting with 1 neighborhood. Earth Day to Arbor Day events were as follows: April 21 - compost story time at the library, April 23 - New Albany 101 at the Public Service Complex, April 24 at Taylor Farm for the community garden open house, April 26 at Resch Park for the Arbor Day celebration - there were many trees to plant and there would be an army of students, April 27 at the Public Service Complex was the e-waste and household hazardous waste drop-off. Links to these events were on the city’s website.

Council Member Fellows asked and Council Member Kist confirmed that these events had been promoted by the city’s Communications & Marketing Office. More would be going out.

**IDEA IMPLEMENTATION PANEL:** Council Member Wilttrout reported that the IDEA Panel was planning the next Juneteenth for Wednesday, June 19 at the Hinson Amphitheater. The focus group included all the members from last year, plus some new members. The next New Albany 101 was the tour of the Public Service Complex. The IDEA Panel was working on the Neighborhood Ambassador program, also called the “welcome wagon.” Planner II Chelsea Nichols had put together a conceptual application form and orientation for potential neighborhood ambassadors. The goal was to have someone in each neighborhood be a resource and to help plan neighborhood-wide events. The most common neighborhood event was the last day of school. They were working with legal to fine tune the details.

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

**PUBLIC RECORDS COMMISSION:** No meeting.

**CORRESPONDENCE AND COMMUNICATION:**

NONE

April 16, 2024

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

NONE

**INTRODUCTION AND FIRST READING 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.

Development Director Jennifer Chrysler stated this legislation would rezone 2.9 acres located at 2278 Beech Road in Licking County from Limited General Employment (L-GE) to Limited General Employment (L-GE). The purpose of this rezoning application was to add Industrial Product Sales as a conditional use and to modify development standards in the existing L-GE zoning text as follows: reduce the Beech Road pavement setback from 50 feet to 25 feet, modify the required rear yard setback to match the requirements of section 1153.04(d) so that any structure or service area, the required rear yard shall not be less than 25 feet, to permit solar panels on roof top areas and have them be appropriately screened from view, and several topographical errors were corrected. The addition of industrial product sales as a conditional use was not inconsistent with surrounding industrial uses. This parcel was uniquely located on a peninsula. The pavement setbacks were slightly reduced, but still consistent with other areas of the Business Park with smaller parcels. The Planning Commission (PC) added language clarifying that solar panels were permitted, but with screening requirements. The request was consistent with the city’s strategic plan and the PC recommended both the rezoning and the conditional use.

Council Member Durik asked and Development Director Jennifer Chrysler answered that including “industrial product sales” was a clarification where the code itself didn’t call for product sales, but just manufacturing. The word “sales” indicated the conditional use, not the manufacturing. The business would be selling product out of their facility.

Jack Reynolds, attorney for the applicant, stated the sales component drew the conditional use. Manufacturing and distribution was already permitted. The business had a presence in Westerville, Ohio. They wanted to move to a larger facility and have a showroom for sales to customers that might come in to the proposed store.

John Leck, Executive Administration for Keim Lumber, stated they had an operation in Westerville where customers and contractors selected building materials. They did millwork, doors, and inside finish work. They were looking to grow the business around the Columbus area, particularly this quadrant. Their facility would include a showroom where customers could come in with their builders to make selections.

Council Member Shull asked and Director Chrysler replied that the rear setback changes were because this was a single, small parcel, not conducive for meeting the developments standards. Several

April 16, 2024

applicants/prospective companies had not been able to build without a variance. Staff determined this rezoning was an opportunity to include the variance, rather than come back later for it.

Mr. Reynolds added there was nothing behind the business where the setback was needed.

Council Member Kist asked and Director Chrysler answered that staff was working on solar panel city code. There had been a debate about whether solar panels were prohibited or just not specifically allowed. City codes didn't mention solar panels as an accessory structure or part of a building as an approved use. Staff was making an effort to include language in zoning texts. They were reviewing many sections of code for updates. They were work-shopping solar panel code language with the PC and a consultant to figure out how to move forward.

Council Member Kist asked and Director Chrysler responded that staff's current position was that if a business in the Business Park wanted solar panels, they should come to the city for a variance. The city hadn't received any formal requests at that level, yet.

Council Member Fellows asked and Director Chrysler replied, in the absence of city code, solar panel use did not default to state code.

Mr. Reynolds stated that the solar panel language was included to be proactive. Keim Lumber wanted to make sure they had the opportunity.

Council Member Kist noted the Sustainability Advisory Board had been discussing being proactive and policy-driven zoning code.

Director Chrysler agreed this was an interim step until a full code change was brought forward. Staff wanted to be cognizant of the interest in solar panels in each new zoning text, especially in the Business Park.

Mayor Spalding set the ordinance for second reading at the May 7, 2024 council meeting.

**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.

Clerk Mason told council that every 2 years or so, the city's codifier, Municode, now Civic Plus, did a review of the updates made to the Ohio Revised Code (ORC) against existing New Albany city code, Traffic and General Offenses. The purpose of this extensive legislation was to amend and update New Albany's Codified Ordinances, thereby maintaining consistency with the ORC and facilitating police department operations. In reviewing the recommended changes, she worked with Law Director Albrecht and attorney

April 16, 2024

David Moser. She listed some highlights of the code changes, including modernized language usage, additional restrictions and penalties related to distracted driving, inclusion of emergency preparedness vehicles to those that could use flashing lights and park in right-of-way, and added definitions and prohibitions regarding commercial driver’s licenses. Acknowledging there was a lot of material, she invited council to reach out with questions between the first and second reading of the ordinance.

Mayor Spalding set the ordinance for second reading at the May 7, 2024 council meeting.

**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 that, like O-13-2024, CivicPlus did a review of the changes to the state’s General Offenses and made recommendations to amend New Albany’s code. By adopting these amendments, the city was getting needed updates, maintaining consistency with state law, and facilitating police department operations. She listed some highlights of code changes, including modernized language usage, a prohibition to disturbing religious worship, whether in person or via computer – “zoom bombing” whether in a church or elsewhere, defining “overdose reversal drugs,” like Naloxone, loosening the arrest and prosecution requirements around people who are seeking medical assistance for an overdose or helping others seek treatment, broadening where one may have an open container to include certain outdoor locations next to a permit holder - including adjacent municipal land with permission, broadening the description of menacing to displaying a deadly weapon, whether or operable, to family or household members, emergency service providers, and co-workers; and adding electronic smoking and vape products to the list of products prohibited from being shipped, transported, or sold to minors and those under 21. She invited council to reach out with questions between the first and second reading of the ordinance.

Council Member Wiltrout asked and Clerk Mason replied that all of the presented code changes were prompted by changes to the state code.

Mayor Spalding highlighted the changes to section 537.16. There had been a lot of discussion in the central Ohio region around vape products. The law made clear that, no matter the flavor, these products we not to be sold to minors or individuals under 21.

Mayor Spalding set the ordinance for second reading at the May 7, 2024 council meeting.

**READING AND PUBLIC HEARING OF RESOLUTIONS:**  
**RESOLUTION R-10-2024**

April 16, 2024

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING SUCCESSOR AGREEMENT AS A RESULT OF THE LABOR NEGOTIATIONS WITH THE FRATERNAL ORDER OF POLICE, CAPITAL CITY LODGE #9 REGARDING WAGES, HOURS, TERMS AND CONDITIONS OF EMPLOYMENT FOR SWORN OFFICERS BELOW THE RANK OF SERGEANT.

Human Resource Officer Lindsay Rasey stated this resolution authorized the city manager to adopt the tentative agreement with the Fraternal Order of Police (FOP) Lodge #9. The parties came to negotiations focused on core issues. There was good discussion at the table and both sides reached a tentative agreement without proceeding to a fact-finding hearing. If adopted, the agreement would be effective upon signing with wages retroactive to January 1, 2024. It was a 3-year contract and would expire December 31, 2026.

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

Mayor Spalding complimented staff and the participants in the process. This collective bargaining agreement was a good example of both sides' collaboration. The city had been able to recruit and retain great officers. The great job they did with the public reflected their commitment, as well as staff's commitment, to making sure the officers were well-compensated and equipped to do the job. Mayor Spalding thanked everyone for their hard work and the positive result.

Mayor Spalding moved to adopt the resolution. Council Member Shull seconded and council voted with 6 yes votes to approve Resolution R-10-2024.

**RESOLUTION R-11-2024**

Mayor Spalding read by title A RESOLUTION AUTHORIZING THE CITY MANAGER TO INCREASE THE GUARANTEED MAXIMUM PRICE WITH MESSER CONSTRUCTION FOR THE PURPOSE OF ADDING TO THE SCOPE OF WORK OF PHASE 2 OF THE TAYLOR FARM PARK PROJECT.

Public Service Director Mike Barker reminded council of Resolution R-35-2023 which approved the guaranteed maximum price (GMP) contract with Messer Construction for the Taylor Farm Park project. There was interest in expanding the parking area, adding a covered picnic shelter by the playground area, and incorporating a memorial tree grove. Staff performed an evaluation and recommended modifying the existing contract manager at risk (CMR) contract to fold in these additional items. The 2024 budget contained money for the picnic and shade structures. A local family wished to donate \$30,000 for a memorial tree garden. Council previously authorized a resolution to appropriate funds for the shade structure and there was a balance available in the appropriated funds. A parking lot addition wasn't budgeted, but there was capacity in the funding appropriated for Taylor Farm Park. Staff was requesting to use the balance of appropriated funding and to increase the GMP by \$466,437.50 to offset costs of the expanded scope.

April 16, 2024

Council Member Wiltrout asked and Director Barker confirmed that the existing cost was not changing. The cost increase was only attributable to the scope increase. All of the money was fully accounted for in the planning and budgeting for 2024.

Council Member Fellows asked and Director Joly replied that the memorial tree grove would be to the left of the playground in an open area outside of the environmental covenant boundary. There would be a small walkway, trees, and benches. It would be named for a resident, Becca Eldemire, who was murdered while away at college. In the fall, the family reached out to make the donation and create a memorial to honor her.

Council Member Fellows asked and Director Joly confirmed that the sails over playground were in progress – the proposal was signed and the purchase order was pending. The city could order the sails soon. The picnic shelter was part of this legislation would be wrapped into the project. She anticipated installation sometime this summer or fall.

Council Member Fellows asked and Director Barker answered that Setterlin Building Company was a subcontractor of IronSite, who was the primary contractor for Taylor Farm phase 1 improvements. Setterlin would be delivering stone to Taylor Farm at a laydown area off of Harlem Road. They would begin installing sections of railing towards the end of the week. The next week, they would follow up with handrails after delivery of galvanized metal brackets. The railings would be installed going all the way to the back of the park.

Council Member Kist asked and Director Barker replied that he would ask Setterlin where they planned to start the work. He knew the public was excited to get to the back of the park and it made sense to do that area first.

Council Member Kist asked and Director Barker answered that the leisure trail connector bridges were being installed by a different contractor. He expected those to be finished in the next few weeks. The stone was down, the next step was asphalt. He would follow up on the schedule for that. He anticipated those would be done in the next month, including the handrails.

Council Member Fellows asked if there had been safety studies on the Taylor Farm Park entrance and the need for turn lane in and out. Dublin-Granville Road was fast and narrow and had no berm. It could be enhanced for safety.

Council Member Shull stated there could be a right turn only sign coming out of the park, sending vehicles to the roundabout to turn around. Dublin-Granville Road was 50 miles per hour. Director Barker stated he could look into it. His recommendation was, when exiting, the best way out was to the right turn, whether going east- or west-bound. The roundabout was proximate and safer. The city could start collecting speed data. Council agreed they would hate to see an accident there.

Council Member Wiltrout stated that corridor was seeing a lot more traffic. She agreed with sending people to the roundabout.

April 16, 2024

Council Member Shull asked and Director Barker replied that the pedestrian crossing signage to slow drivers down on Harlem Road could likely be installed in the next 4-6 weeks. Director Barker needed to finish paperwork with the city manger which could happen in the next week or so. Council Member Shull had seen, with the improving weather, people standing and waiting to cross, as cars did not stop.

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

Council Member Wiltrout moved to adopt the resolution. Council Member Kist seconded and council voted with 6 yes votes to approve Resolution R-11-2024.

**RESOLUTION R-12-2024**

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO ANY AND ALL CONTRACTS FOR THE PURCHASE OF A HEAVY-DUTY AUTOMOTIVE LIFT.

Public Service Director Mike Barker noted, as city grew, the work increased, became more sophisticated, and more equipment was needed. The city provided active maintenance to its fleet. The city had 1 heavy-duty lift. It was built with building and installed mostly underground. To work on a truck, a mechanic had to lift it and dismantle gear to identify and locate the problem. Having a second lift enabled staff to work on more than 1 vehicle, thereby adding economy and efficiency. The proposed lift would serve as a duplication of the first lift. The proposed lift was floor-mounted, so no excavation was needed and it could be relocated in the future. The city continued to buy larger equipment. The city was working with the Plain Township Fire Department to help with some of their maintenance needs. This lift would help existing and future operations. If approved, the city would use a state purchasing contract for \$192,000. Funding for this purchase was provided for in the 2023 Capital Equipment budget, which anticipated the purchase being made in early 2024.

Council Member Kist asked and Director Barker answered that installation required 6-inch reinforced concrete slab. The city had 8-inch reinforced concrete slab. The lift could handle a 60,000-pound load which covered all of the city's vehicles.

Council Member Durik asked and Director Barker replied that he believed the existing and proposed lifts had the same load capacity. The city's heaviest equipment was the 40,000-pound sewer truck. The lifts couldn't handle Plain Townships' ladder truck – those were 70,000 to 80,000 pounds - but those tended to have existing outriggers to lift themselves.

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 Durik seconded and council voted with 6 yes votes to approve Resolution R-12-2024.

**COUNCIL SUBCOMMITTEE REPORTS:**



April 16, 2024

Council discussion of subcommittees

Clerk Mason stated that the grants subcommittee was created at the January 16, 2024 council meeting, however, council subsequently talked about renaming it. Mayor Spalding recalled discussions about Open Meetings Act (OMA) requirements and stated that the city wanted to go above and beyond legal requirements. He advised ongoing discussions with the law director and council clerk to make sure the city was proceeding appropriately. The grants subcommittee was reviewing applications and other materials, making decisions, and making recommendations to council - meaning they were a public body for OMA purposes. Mayor Spalding stated, the last time around, 3 council members were interested in the grants subcommittee: Council Members Shull, Brisk, and Fellows.

Council Member Shull expressed interest in staying on the subcommittee and he knew Council Member Brisk said she would also like to be appointed. Council Member Fellows confirmed he would also like to stay on the subcommittee.

Mayor Spalding asked if any other council member wanted to be appointed. Council Members Kist and Wiltout expressed support for the 3 named council members.

Council Member Shull admitted the Hotel/Motel Bed Tax Grant Committee name was long. Council could call it the “City Grant Committee” or the “Community Grant Committee.” If a better name came up, it could be changed later. Council Member Fellows offered that the subcommittee could further discuss the name during their meeting. Clerk Mason noted that the subcommittee name would appear on the application and related forms.

Council Member Shull stated the only reason the Hotel/Motel Bed Tax Grant name was used was because that was where the money was coming from. The committee wanted to be clear about that. Mayor Spalding concurred that the bed tax funds were the appropriate source for the grants. Council members agreed. Council Member Shull stated that, in the past, council had also funded the Community Events Board from those bed tax funds.

Council Member Durik favored the “Community Grants Committee.” The source of the funds could be identified in the paperwork. He thought “Community Events -” sounded better than “City -.” He then clarified to “Community Grants Subcommittee.”

Mayor Spalding moved to designate the Community Grants Subcommittee and have its members as President Pro Tem Shull, Council Member Fellows and Council Member Brisk. Council Member Kist seconded and council voted with 6 yes votes to designate the Community Grants Subcommittee and to appoint the named council members. Motion passed.

Council Member Shull stated, as far as public records and open meetings, the subcommittee had been managed it that way for as long as he had been on it. The agenda was published on-line. Clerk Mason stated those meetings were noticed, streamed via Zoom, and minutes were taken and posted. She thanked Council Member Shull for taking the minutes.

April 16, 2024

Clerk Mason stated she would be updating the application materials for the subcommittee members to review before they went out. Council Member Shull noted he had one proposal for the Excel budget spreadsheet.

**REPORTS OF REPRESENTATIVES:**

- A. Council Representative to MORPC: No report.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported the JPD saw a 3-D “fly-thru” of the proposed fieldhouse. They were waiting to hear back on utilities. Trees had been brought down on the site. They were planning a ceremony in July and a groundbreaking in August. Pickleball classes and clinics would start on Monday the following week. They were already mostly or completely full.
- C. Council Representative to New Albany-Plain Local Schools: Council Member Wilttrout reported that the Student Belonging Committee reported their recommendations. There was an effort to encourage kids to socialize outside of their social circles and to engage in the Ron Clark Academy Experience. The board heard an update on House Bill 33 which required teachers to get better training on teaching kids with dyslexia. There was an available stipend for that training. Superintendent Michael Sawyers updated the board on the surrounding community and the potential new facility. The City of Columbus had notified the superintendent of a residential development off of Hamilton Road behind Panda Express. It would be a 360-unit apartment building that would feed into NAPLS district. That number was not part of the board’s previous impact study. The board’s consultant architect agreed that the elementary school building was exceeding capacity now and may go over. They proposed to add 8 classrooms and a cafeteria space to the ELC and that space was already set aside. They proposed a new elementary school to house at least 2 grade levels of 1,000 students on the school campus. They proposed renovations at the secondary level schools and reconfiguring the new grade-levels based on the additional building and the ELC expansion. Superintendent Michael Sawyers said “preliminary” many times during this update. The board would provide a more comprehensive report in June. No decisions were made about where this building would be. There was no discussion of where athletic fields would be. They would be relocating the bus transportation department on Johnstown Road. Ryan Grayshel would be the new Intermediate School assistant principal.

Council Member Shull asked and several council members estimated the City of Columbus apartment complex site to be 10-15 acres. Council Member Shull recalled that property being rezoned by the City of Columbus to residential. He asked if there had been any thought to including other potential parcels in the school’s June impact report. Council Member Wilttrout replied that Board President Kalinosky reiterated the need to be proactive and look at all parcels that might be changing. It sounded to Council Member Wilttrout like the Columbus apartment site wasn’t zoned residential yet, but was expected to become residential. The

April 16, 2024

architects and consultants would look at additional parcels. Council Member Shull recalled the original report and said that was 1 piece the board didn't look at – Columbus' decisions to change zoning and impact NAPLS.

Member Wilttrout stated the board had no information about the type of apartment building slated for the Columbus site – whether it was luxury and not likely to house many school-age children or whether it would cater to families.

Mayor Spalding stated the City of Columbus' decision to extend a Community Reinvestment Area abatement to entire footprint of Columbus had spurred development interest. Half of that site had sat empty for years. NAPLS was not only district which would be impacted by Columbus' decision. We were trying communicate to Columbus the difficult of funding schools in a suburban community – it was a lot different than in an urban or rural environment. We were trying to educate them and hopefully gain some support and resources to offset what was likely to be an increase in students in a variety of suburban communities.

- D. Council Representative to Plain Township: Council Member Durik reported that pool sales were tracking the same as last year, their best year ever. The township approved the project and funding to resolve some of the Clouse Road drainage issues, and approved an additional amount to repave and resurface the road. Work would begin this summer. The fire department continued to see record EMT runs due to the assisted living facilities. Numbers were substantially higher than 2023, a record year. The township approved a resolution for \$200,000 to repave the fire station's asphalt parking lot.

Mayor Spalding asked and City Manager Stefanov stated the city and township regularly held conversations about potential joint contracts. There were several conversations about the township's concrete work in 2023, but it didn't work out.

### **REPORTS OF CITY OFFICIALS:**

- A. Mayor: Mayor Spalding reported that he met with Kelsey Ellingsen, COTA's Local Government Affairs Director. COTA would have a levy on the November ballot for a permanent sales tax increase in Franklin County for expansion of transit services under the LinkUS program. There had been new discussions of a possible Dublin to New Albany route. Mayor Spalding polled council about hearing another LinkUs presentation and council members indicated they did not need more information. Mayor Spalding let Ms. Ellingsen know that the City of New Albany did not historically endorse any public issues. Council members could talk individually about their positions, but generally council didn't take formal action. Council members concurred.
- B. Clerk of Council: Clerk Mason reminded council members who had not already done so to complete their Ohio Ethics Commission Financial Disclosure form and forward the receipt to her. It was due May 15. The city had pre-paid the filing fees. Clerk Mason displayed photos of the

April 16, 2024

Willow Wind Carriages & Limousine Service’s “Wagonette 2” which would be used in the Founders Day parade. Council and the clerk discussed signage, whether council was riding or walking, and inviting friends and kids to join them.

- C. Finance Director: Finance Director: Director Staats referred to the March 2024 monthly report. Overall, the General Fund was tracking well in revenues and expenses. Individual income tax receipts were about the same as 2023. There had been an increase in net profits. Withholdings year-to-date collections had increased. The March report represented income tax collections for January and February. It did not capture March and April which represented the busiest tax season. Mayor Spalding asked and Director Staats answered that she wanted to do a deep-dive analysis on the increased collections. She had been flagging construction receipts. She wanted to know if these increases would be sustainable or would fall off as construction fell off. There were also property tax abatements rolling off which relieved the city of income tax revenue sharing commitments with the school district resulting in increased allocation of the businesses’ withholding to the General fund. Council Member Shull noted some local companies were doing well this year. This report included 2 months of setting money aside into the new Village Center Improvement fund. Director Staats reviewed investments and interest. The city showed good collections for interest and gains in March. She further reviewed custodial funds and the breakdown of all funds. The city was currently at 27% of budgeted income tax collections compared to 18.6% of actual tax collections at this time last year. Income tax receipts were cyclical in nature.
- D. City Manager: No report
- E. City Attorney: No report.

**POLL FOR PUBLIC COMMENT:**

Besa Sharrah, 6997 New Albany Links Drive, New Albany. Ms. Sharrah stated was running for Ohio Senate District 16, which included New Albany. There was lots of work to do in this district. She was hoping to be in the state senate working with council in making this amazing opportunity into a reality for generations to come. She was an engineer by trade. She had been in the private sector for about 15 years - being an engineer and in data center technologies. She was familiar with what was going on in New Albany. She was excited to have a knowledge base to make policy that worked, not just for big businesses, but also for citizens. She looked forward to being a big supporter of New Albany and being able to come up with things that were not only creative for New Albany, but that made New Albany a leader in the district. She was wasn’t born in US. She came over at 17. She went to Wright State University. She was excited to be given this opportunity to give back to country that had given her so much. She thanked and expressed respect for city council.

**POLL FOR COUNCIL COMMENT:**

Council Member Fellows described the work done on Central College and Bevelhymer Roads - the signage and speed mitigation in response to concerns. The city responded by letter to the community and, quickly, the traffic calming signs went up. He knew some stop signs were still on order. The work to date and the city’s response had been terrific so far.

April 16, 2024

Council Member Shull reported a meeting that day about the upcoming pickleball tournament. They had started digging down into revenues and expenses. This was a city event. He asked for a motion to authorize city manager to make decisions about the financial components of both the league and tournament, so he could handle those items.

Council Member Durik asked for confirmation that this was a city event. He thought pickleball and other sporting events and tournaments were under the Joint Parks District (JPD). If it was a city event, he considered that a departure from what the city had done before.

Council Member Shull replied that he had been communicating with the JPD on everything – they were aligned on all of this. Looking at how to run tournament and leagues – it was done thru Pickleball Brackets software. The software did everything – it was user friendly – registration, payment, waivers, and court assignments all went through it. The city was not charged for the software. Users/players were charged. In discussion with the JPD, this was something the city could do it on its own and bring in the revenue back into the city. Same with the league. The JPD had the infrastructure for the clinics and lessons, and they were paying for the pickleball instructor.

Council Member Durik was trying to understand why the JPD wasn't running the pickleball tournament. They ran soccer, football, and baseball tournaments. He didn't understand the need for the city to run a recreational event. That wasn't the city's charter, it was the JPD's charter. The city was funding the pickleball tournament, but not other sporting tournaments. He wanted to understand (a) why the city was doing this and (b) the time and involvement for city staff, before giving the city manager the authority. Council needed more detail before committing.

Council Member Kist asked if the tournament was one-off or if would there be multiple tournaments throughout the year. Would the city operate all of the tournaments?

Council Member Shull answered that this was the only one. They were keeping it small to test it out before maybe expanding next year.

Council Member Kist asked if any expansion would be under the city's prevue. Or would the city hand off to the JPD?

Council Member Shull replied they would see how it went for this year. His thought was, if it went well, the city would continue to do it because all the expenses that the city would be involved with, they would be the same for the JPD. The JPD would still need city services to do clean-up. They were looking at, potentially, food trucks - things that the city had done for Diwali and other events.

Council Member Durik stated a pickleball tournament wasn't a community-wide event. This was 1 sports event for 1 sport that the city would step in and manage.

April 16, 2024

Council Member Kist asked and Council Member Shull confirmed there would be a registration fee, a charge for events, and this tournament would draw from well outside Columbus.

Council Member Wiltrout asked and Council Member Shull replied the tournament would take place on July 20 and July 21.

Council Member Wiltrout asked what kind of city support Council Member Shull envisioned and what costs.

Council Member Shull answered that the marketing team was developing the logo and posting the link for Pickleball Brackets on the city's sites. From Public Service, it would be cleaning up on Saturday and Sunday afternoon, during and after event. They were working on get electric out there.

Council Member Fellows asked if the city benefit would benefit from the generated revenue. Would the city get more revenue by not allowing JPD to do it. And that revenue could be sunk back into the park?

Council Member Shull agreed that was the main piece. The revenue would be coming back to the city to be reinvested into the park. If the JPD did it, there was no revenue.

Council Member Wiltrout asked if there would be any other advertising costs for outside of the New Albany area.

Council Member Shull replied, not really. He didn't anticipate other advertising costs. Perhaps a background banner for pictures for the winners. There were no flyers. It was all social media and Pickleball Brackets. There would be finance department costs because the city would receive all the funding. They would set up a strike account to accept the money. From Administration, Director Joly talked about having food trucks out there. They city wouldn't charge the food trucks, they could just show up. There would be tents for registration which the city already owned. Most of the stuff the tournament would utilize, the city already had.

Council Member Wiltrout asked for the registration cost.

Council Member Shull stated the registration fee was "to be determined." He was looking at anywhere from \$70-\$90 depending on if the player registered early, on-time, or late - plus \$20 per event. A player could play a maximum of 2 events. They were looking at around 250 to 350 participants. His anticipated total revenue would be anywhere from \$25,000 to \$30,000. That was just revenue, not taking into account expenses. They were working through the costs. He had some hard numbers on costs of medals, balls, supplies, wristbands – they were not that expensive, but would be there. He estimated \$863 for all of the medals from Amazon.com.

Council Member Shull felt pretty confident the Council Member Shull could put this together.

April 16, 2024

Council Member Durik stated this was not something the city had done for other sports. All of a sudden, the city was repeatedly stepping out for pickleball and making exceptions. He knew Council Member Shull was passionate about the sport. This was something the city could set up a standard for and could repeat every year. \$25,000 in revenue, before expenses, was hardly something that would generate a substantial amount of money - that the city didn't really need – to take on the work and effort to do it. He thought, when the pickleball courts were being constructed, that council talked about pickleball organizations putting on these tournaments, not the city. Now, it was falling on the city. And he didn't the city should be doing it. Why not do football, soccer, or other tournaments?

Council Member Shull responded that the city didn't own football, soccer, or baseball fields.

Council Member Durik stated, when the city did the pickleball courts, it was to be run by JPD. That was the understanding. Wasn't it? Not that the city would run and manage the courts. He understood the JPD was managing the pickleball leagues. Council Member Shull clarified that they were managing classes, clinics, and lessons. Council Member Durik didn't see this as something that the city should be managing.

Council Member Kist stated he didn't disagree with Council Member Durik. This was a departure from what the city had done. His main concern was city staff – their bandwidth. For something like this, he didn't know if the city needed to add to staff's plate right now. Looking at this year, he didn't feel comfortable moving forward and then have the city start running 5Ks. He was under the understanding that, if there were tournaments, that would fall under the JPD umbrella. The city would figure out how revenue was going to be shared, how costs were going to be incurred. For JPD-specific events that required city services, did the city bill the JPD for services like police, set-up, and trash collection?

Chief Jones responded that the police department had not asked for reimbursement except when they wanted special duty. Most of the time, the police department helped out with extra staff on duty. For example, during the eclipse, extra police staff were on duty and more officers were at Thompson Park. That was in the spirit of cooperation and making sure everything went well.

Council Member Wiltout thought that the pickleball courts were a great amenity and she knew there was a strong public desire to have a tournament and leagues. A tournament would be well received. She shared in Council Member Kist's concern about city staff utilization and the fast-paced nature of this event, given that we were halfway through April. There was a lot to be determined. This was worth discussing, but she didn't know if she could authorize a go-ahead tonight given council don't have all the information.

Council Member Shull stated that if council didn't want to move forward, they could cancel it. He didn't need to do it and spend the time as he had. They could pull the event. He'd rather not, but he would take council's direction.

Council Member Wiltout thought it was worthy of discussion, but she thought council needed more time.

Council Member Kist asked if it was it too late to fold this into the JPD. Slide it under their umbrella?

April 16, 2024

Council Member Shull responded that it was too late. He could ask the JPD, but based on – typically, by 90 days out, you should have your tournament online on Pickleball Brackets – to make sure to have enough time for people to view it, sign up, and get the numbers you wanted. We hit 90 days this Saturday.

Mayor Spalding appreciated that Council Member Shull put in a lot of time and effort and there was, obviously, community interest. He expected a tournament would be packed.

Council Member Shull agreed this event would be packed quickly. The league would fill up in minutes. But if council didn't want to go in that direction, it didn't have to.

Mayor Spalding understood the dates were important. He asked Council Member Shull how he found the date.

Council Member Shull answered that they looked at other tournaments in Ohio, at weekend availability, and at sunsets for the most daylight. They looked at all those things. They were going to do the league 8 weeks before so those would end right before tournament started.

Council Member Wiltout asked if “we” meant the JPD.

Council Member Shull stated that all discussions were had with the JPD.

Council Member Fellows asked and Council Member Shull answered that the JPD was just doing the classes, not the leagues. Those would start on Monday. The city would manage the leagues. Managing the leagues – the only thing the city would need was 1 person out there for the league to collect scores – which he was going to do on his own. That was \$4,800 in revenue, no expenses.

Council Member Shull stated, when they originally did all of this, the only thing he heard specifically from Council Member Durik was that he'd like to get sponsors, to have people get involved – which Council Member Shull said he was doing - to start generating some revenue out there to pay for some of the expenses of the new nets and windscreens. This tournament was a vehicle to do that. If the city didn't do it, that revenue stream wasn't there.

Mayor Spalding would be disappointed if JPD would say – Council Member Shull was putting on a tournament not only for the benefit of the community that got to participate and enjoy the facilities, but was using this to generate some level of revenue – Mayor Spalding would hope that the JPD would look at that as the same opportunity as they would in a facility they were using. Council Member Shull thought the JPD would be excited for it. Mayor Spalding stated, if the city and the JPD could agree to dedicate the revenue to a city fund to offset cost for future enhancements – which council had discussed at length - maybe there could be several tournaments over time. This could start – he hesitated to say self-fund because it was a substantial investment. However, unlike other things the city had tried, this did have an opportunity for a revenue stream.



April 16, 2024

Council Member Shull didn't know of another place in the city that could generate more revenue than the pickleball courts potentially could, especially if the city covered 8 of them.

Mayor Spalding asked if Council Member Shull could talk to the JPD between now and the next council meeting to see about the art of the possible - for them leading the charge.

Council Member Shull answered that he could, but he would talk to City Manager Stefanov who should perhaps take the lead on that.

Council Member Wilttrout thought, if the JPD could take the tournament over, it would be a win for the JPD, the city, and the pickleball community.

Mayor Spalding asked - given the opportunity for a revenue stream and great tournament with a lot of participation – was there a “tournament director” position, and was that an appropriate role for Council Member Shull to fill? There was no one more passionate about pickleball than him. Having Council Member Shull's expertise and passion at the table, make this thing to happen – he appreciated Council Member Shull's effort on this – was that a thing?

Council Member Shull responded that it was a thing and he was going to be tournament director for the city, but he would let the JPD decide what they wanted to do with that. It would be their thing. He would definitely help.

Mayor Spalding stated, as long as Council Member Shull was not being compensated, he didn't see any conflict. Council Member Wilttrout stated she would like Council Member Shull in that role. Council Member Shull stated he had not planned on playing in the tournament, but now, he probably would, if the JPD could pull it off.

Council Member Kist felt confident, for this specific tournament, it could go live with registration - it could happen one way or the other.

Council Member Shull responded that it couldn't go live, not through city. It would have to go through the JPD. The JPD had an account with Strike. But the way the software worked, the JPD would have to start from scratch and build it up. By the time they got everything set, it might be 45-60 days out. It took a while to build that.

Mayor Spalding noted that the city was member of the JPD. If city secured the asset, there had to be an ability to transfer that for the JPD's use.

Council Member Shull stated one would think that. It was aligned to the “club.” The City of New Albany was the “club” the tournament was aligned to. The JPD set up the New Albany Pickleball Club as their club. For them to use that software - they would have to initiate the whole thing with their “club.”

April 16, 2024

Council Member Durik asked if there were 2 clubs. Council Member Shull answered there were 2 clubs in name only, not in members. It was for the Pickleball Brackets software. The entities had to register as “clubs” in order to run a tournament.

Mayor Spalding wanted have this tournament go live – that was his goal. So, if the city could talk to the JPD - there seemed to be council support for that – we just spread the partnership a little bit.

Council Member Kist stated, ideally, the funds could be designated - any funds raised from tournaments, events, leagues, whatever - to be raised for bathrooms and the once-proposed public gathering area with the fire pit. Everything could go into a bucket and move forward on that.

Council Member Wiltrout expressed support for that idea. She thought it could generate revenue.

Mayor Spalding agreed and thought there would be public support for playing at courts knowing the funds generated would be going back into the facility.

Council Member Shull stated that would have to be negotiated into the contract. That was not currently the contract language. The contract language was about the reimbursing the JPD, not the JPD reimbursing city. The contract, as written, stated that the city would reimburse them, make them whole.

Mayor Spalding asked and Council Member Shull confirmed that language didn’t contemplate tournaments.

Council Member Shull apologized to staff for their time and work put in thus far. He appreciated it. The logo was awesome. The electric, the WiFi, the lights, that was good. He guessed the city would continue with those. They would just put down everything else.

**EXECUTIVE SESSION:**

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22(G)(1) for discussion regarding appointment, employment, dismissal, discipline, promotion, demotion, or compensation of public employees and/or officials and pursuant to New Albany Charter Section 4.03 (E) for economic development purposes. Council Member Kist seconded and council voted with 6 yes votes to go into executive session at 8:17. Council wasn’t sure if action would be take after the session.

Mayor Spalding 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 10:17 pm.

**OTHER BUSINESS:**

Council Member Kist reported that council discussed Clerk Mason’s performance in executive session. Council wanted to award her stellar performance. Council Member Kist moved to award Clerk Jennifer Mason with a cash bonus equal to 3% of her salary and 32 hours of personal leave in recognition of

April 16, 2024

her exceptional work performance over the last 12 months. Council Member Durik seconded and council voted with 6 yes votes on the motion. Motion passed.

Council Member Shull stated, as part of the ongoing discussions about the operations of the McCoy Center for the Arts, the New Albany Community Foundation (NACF) decided they would like to pull out of some of their funding and redirect it to other areas. The city needed to consider what arts programming in the city should look like. He sat in on a working group with City Manager Stefanov for one of their meetings. They were approaching a point where decisions needed to be made. The township, foundation, school board, and city were all involved. Council Member Shull didn't feel comfortable being the only council member on the committee. He suggested putting to 2 to 3 council members on this committee as decisions would be made on behalf of the city. He was okay to step out.

Council Member Fellows asked and Council Member Shull answered the next meeting was the following Thursday. All stakeholders were in the meeting.

Mayor Spalding asked and City Manager Stefanov responded that the group was called the stakeholders, but it consisted of the owners and the NACF. It did not include the full McCoy Board of Trustees. Some of the McCoy Board members and the executive director of CAPA could be asked to attend for a specific discussion.

Council Member Fellows asked and City Manager Stefanov replied that, when the McCoy was built, the stakeholders entered into a stakeholder's agreement. After a specified number of years, it was stated in the agreement that the agreement would be revisited. That time frame was now. The working group meetings started late in 2023. The goal was to make recommendations for updates to the agreement by the end of 2024. There could be no changes, a few language changes, or more. There were 2 agreements which contained some inconsistencies. The NACF pulling out funding was part of the current discussion.

Council Member Kist understood that the NACF funding was a piece of the discussion, but there was a broader conversation about the future of the ownership of the McCoy.

City Manager Stefanov reminded council about the city representative appointment process. It started with the McCoy Board recommending representatives and council appointing those persons. Recently, council started advertising and selecting their own representative. That kicked off the discussion about the McCoy Center by-laws and coincided with the agreement review timing.

Council Member Fellows offered to attend the meetings, but he could have work conflicts during the day. He was not available the following Thursday afternoon.

Council Member Wiltrout expressed interest and stated she had good daytime availability. She enjoyed reading agreements. She believed Council Member Brisk may also be interested.

April 16, 2024

Council Member Shull stated he preferred not to continue attending. He supported Council Member Wilttrout’s and Council Member Brisk’s participation.

Mayor Spalding stated he, traditionally, attended the stakeholder’s meeting when the full McCoy Board met to review the finances. However, this was a new stage of the conversation regarding the McCoy Center’s vision for the future. The financial reality was that the McCoy Center and Hinson Amphitheater were likely to become the responsibility of the city before too long. The select council members would bring back the information to council. This was an important asset of the community in which the city had a large investment. It was important to be at the table for these conversations.

Council Member Shull stated he sensed the heavy responsibility, that the McCoy Center was looking to the city, both financially and for other resources. He thought they were looking for the city to have the interaction with CAPA, take over programming, marketing, and promotion, and maybe even come up with a new position as a director. The school and city had been heavily involved in the amphitheater lately. There were capital resources relating to the McCoy. He thought the NACF was intending to take a step back and focus on the lecture series and grants related to arts. The McCoy board of trustees may be reorganized. The school was probably intending to continue the day-to-day operations and maintenance, and also contribute some reserve capital and school events. As it related to moving forward, the biggest piece was going to be the city and what direction the city wanted to take.

Council Member Wilttrout stated she could attend the meeting the following Thursday.

Council Member Shull encouraged Council Member Brisk’s participation. He thought she’d be good.

Council opted not to do a motion to appoint council liaisons at this time, but wanted to ensure that no more than 3 council members attended.

**ADJOURNMENT:**

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Kist seconded to adjourn the April 16, 2024 regular council meeting at 10:17 pm.

ATTEST:

  
Jennifer H. Mason, Clerk of Council

  
Sloan Spalding, Mayor

  
Date