



Council Minutes – Organizational Meeting

Tuesday, January 7, 2025

Call to order.

Mayor Spalding called to order the New Albany City Council Organizational Meeting of January 7, 2025 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, Planning Manager Steve Mayer, Economic Development Manager Sara Zeigler, Public Service Director Mike Barker, Deputy Public Service Director Ryan Ohly, Public Information Officer Josh Poland, and Clerk of Council Jennifer Mason.

Mayor Spalding led the assemblage in the Pledge of Allegiance.

Roll call

The following mayor/council members answered roll call:

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

Clerk Mason reported that Council Member Durik could not attend due to travel, Council Member Fellows could not attend due to work travel, and Council Member Wiltout could not attend due to illness. All requested to be excused. Mayor Spalding moved to excuse Council Members Durik, Fellows, and Wiltout from the council meeting. Council Member Kist seconded and council voted with 4 yes votes to excuse Council Members Durik, Fellows, and Wiltout from the council meeting.

Additions or corrections to agenda

Clerk Mason noted agenda item 6. should read “Subcommittee” not “Committee” after the 2024 council rules changes.

Discuss and adopt rules of procedure for council

Clerk Mason pointed out 2 redlined items in the attached Rules of Council on pages 3 and 5. Under Rule 4 – Subcommittees of Council and Appointments – she noted that council still referred to Council Member Kist as the Administration Chair, even though the Administration standing committee had been abolished in 2024. The old Administration standing committee oversaw the clerk of council, board and commission appointments - which the clerk managed, but also city manager-related responsibilities including performance evaluations, which council seemed to be performing as a whole. She wanted to make sure the liaison title captured council’s intention.

Mayor Spalding observed that the language was broad and he supported the Administration Department/Clerk of Council’s Office title. To the extent that council would conduct the search for a new city manager, he expected a subcommittee of council would be doing that work, not 1 council liaison.

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Clerk Mason stated she added to the motion to table language on page 5 for additional clarity.

Mayor Spalding moved to adopt the council rules with the changes as submitted by the clerk of council, including the effective date. Council Member Kist seconded and council voted with 4 yes votes to approve the Rules of Procedure with the changes submitted by the clerk.

Appoint or re-appoint subcommittee chairpersons

Clerk Mason stated that the Community Grants subcommittee consisted of Council Members Shull, Fellows, and Brisk. Council Member Kist asked and council members agreed they were willing to keep that committee as assigned.

Council Member Kist moved to reappoint Council Members Shull, Fellows, and Brisk to the Community Grants subcommittee. Mayor Spalding seconded and council voted with 4 yes votes to reappoint Council Members Shull, Fellows, and Brisk to the Community Grants subcommittee

Appoint or re-appoint liaisons to boards and commissions

Clerk Mason stated the council liaison appointments for 2024 were as set forth below. Council Members and Clerk Mason noted they hadn't received any request for changes.

PLANNING COMMISSION: Andrea Wiltrout
PARKS AND TRAILS ADVISORY BOARD: Chip Fellows
ARCHITECTURAL REVIEW BOARD: Marlene Brisk
BOARD OF ZONING APPEALS: Matt Shull
SUSTAINABILITY ADVISORY BOARD: Kasey Kist
IDEA IMPLEMENTATION PANEL: Andrea Wiltrout, Marlene Brisk
CEMETERY RESTORATION ADVISORY BOARD: Clerk Jennifer Mason
PUBLIC RECORDS COMMISSION: Sloan Spalding

Mayor Spalding moved to reappoint the same board and commission council liaisons for 2025. Council Member Shull seconded and council voted with 4 yes votes to reappoint the same board and commission council liaisons for 2025.

Appoint or re-appoint council representatives

Clerk Mason stated the council representatives in 2024 were as follows. Council members indicated they were not requesting any changes.

COUNCIL REPRESENTATIVE TO MORPC: Joe Stefanov, Sloan Spalding
COUNCIL REPRESENTATIVE TO JOINT PARKS AND RECREATION: Matt Shull
COUNCIL REP. TO NEW ALBANY PLAIN LOCAL SCHOOLS: Kasey Kist, Andrea Wiltrout
COUNCIL REPRESENTATIVE TO PLAIN TOWNSHIP: Mike Durik
COUNCIL LIAISON TO THE FINANCE DEPARTMENT: Andrea Wiltrout
COUNCIL LIAISON TO ADMINISTRATION DEPARTMENT/CLERK OF COUNCIL'S OFFICE:
Kasey Kist

Mayor Spalding moved to reappoint the same representatives/liaisons for 2025. Council Member Shull seconded and council voted with 4 yes votes to reappoint the same representatives/liaisons for 2025.

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Council members agreed that they were good to continue attending outside organizations' meetings and reporting back to council as needed.

Determine date and time of regular meetings for 2025

Mayor Spalding moved to maintain the regular council meeting schedule of meeting on the first and third Tuesday of each month at 6:30 pm in council chambers. Council Member Shull seconded and council voted with 4 yes votes to maintain the same regular meeting schedule in 2025.

Other business

Confirm/designate Sunshine Law training designee

Clerk Mason stated Deputy Clerk of Council Christina was willing to be the designee in 2025. Mayor Spalding moved to designate Deputy Clerk Madriguera as council's Sunshine Law training designee. Council Member Kist seconded and council voted with 4 yes votes to name Deputy Clerk Madriguera as council's Sunshine Law training designee for 2025.

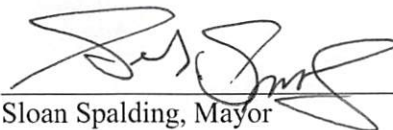
Adjournment

With all scheduled matters attended to Mayor Spalding moved to adjourn the organizational meeting. Council Member Shull seconded and, without objection, the January 7, 2025 organizational meeting was adjourned at 6:46 pm.

ATTEST:



Jennifer H. Mason, Clerk of Council



Sloan Spalding, Mayor

21 JAN 25

Date

RULE 1 - ESTABLISHMENT OF RULES BY COUNCIL

- A. In accordance with the provisions of its Revised Charter, the New Albany City Council hereby adopts the foregoing Rules of Procedure by motion.
1. Such rules may be amended from time to time by motion with a majority of members concurring. The rules, or portions thereof, may be waived or suspended when necessary from time to time by a 2/3rds vote of the council.
 2. No provision or section of the rules adopted which restricts or conflicts with those rights provided by the Constitution of the United States, the Constitution of the State of Ohio, the New Albany Charter, city ordinances, or general law shall have any force or effect.
 3. Robert's Rules of Order shall control where no provisions are made in these rules.

RULE 2 - MEETINGS OF COUNCIL

- A. Pursuant to Charter Section 4.03(A), council shall meet annually before the first regularly scheduled meeting of the year for the purpose of organizing. At such meeting, the newly-elected council members, if any, may take the oath of office; the council may transact such other business as may come before it; and in even number years shall appoint a new president pro tempore pursuant to Charter Section 3.03 and 4.03(A) and, if needed, an acting mayor as required by Charter Section 3.03.
- B. No later than February 29 of each year, council shall appoint members to boards and commissions except as otherwise set forth in the ordinances pertaining to a specific board or commission. The terms of members shall begin and end upon appointment or replacement. Current terms of members of boards and commissions shall be extended until appointments are made.
- C. Pursuant to Charter Section 4.03(B), council shall hold at least one regular meeting each month and shall determine the frequency, dates and times of additional regular meetings in order to properly conduct its business. While the normal meeting time and day is 6:30 p.m. on the first or third Tuesdays of each month, council may, by a majority of vote of its members, reschedule meetings when necessary.
- D. Meetings shall be held in the Village Hall Council Chambers or such other public place within the city, provided that a public notice of the changed meeting place shall be posted by the clerk of council or designee in the following 3 places: on the city website, the New Albany Public Service Complex, and the Village Hall.
- E. Pursuant to Charter Section 4.03(C) special council meetings may be called, for any purpose, by the mayor or any 3 council members upon at least 24 hours notice to each council member, which notice may be served electronically via the council member's designated email address,

personally, or left at the usual place of residence. Council members who attend special Council meetings or who are present at another regular or special meeting where a special meeting is announced by the presiding mayor, president pro tempore, or acting mayor need not receive notice of the special meeting. Council members may waive receipt of notice of a special meeting either prior or subsequent to the meeting. Attendance at a special meeting constitutes a waiver of receipt of notice of special meeting.

1. Such meeting notice shall indicate the date, time, place and purpose of the meeting. Only matters relating directly to the stated purpose (s) of the special meeting may be considered during that meeting.
 2. Notice of such special meeting shall be posted by the clerk of the council or designee in the following 3 places: on the city website, the New Albany Public Service Complex, and the Village Hall.
 3. In case of an emergency requiring the immediate gathering of council for decisions affecting the public health, safety and welfare, council may meet after following the notification provisions outlined in Ohio Revised Code Section 121.22.
- F. Executive sessions may be held only during a regular or special meeting, after council approves by a majority vote a motion to enter into executive session and stating the purpose for the executive session, pursuant to Ohio Revised Code Section 121.22 and or pursuant to New Albany Charter Section 4.03(E).
- G. No meeting may take place without a quorum of council members present. Pursuant to New Albany Charter Section 4.01(C), 4 council members shall constitute a quorum for all meetings.
- H. Numbers required for passage of legislation: The required readings of legislation shall not be waived unless 5 council members vote in favor of the waiver. 5 council members must vote in the affirmative to pass legislation as an emergency pursuant to New Albany Charter Section 6.04(B).
- I. Upon written request, any person may obtain reasonable advance notification of all meetings, pursuant to Ohio Revised Code Section 121.22.

RULE 3 - PRESIDING OFFICER OF COUNCIL

- A. Pursuant to Charter Section 3.02(B)(1) and (2), the mayor shall preside at all council meetings and have the right to vote on all matters, but shall have no veto power.
- B. Pursuant to Charter Section 3.03(A), president pro tempore shall act as mayor during the temporary absence or disability of the mayor. Pursuant to Charter Section 3.03(B), in the event of a temporary absence of both the mayor and president pro tempore, the senior council member, based on length of continuous elected service with the city, shall serve as the acting mayor. If 2 or more council members have held the same length of continuous elected service with the city, then an acting mayor shall be chosen from among those 2 or more council members by a vote of 4 council members at the organizational meeting of council.
- C. Pursuant to Charter Section 5.04(B), any vacancy in the office of mayor shall be filled by the president pro tempore. If the vacancy occurs on or after July 1 of the second year of the mayor's term, the president pro tempore shall serve for the remainder of the mayor's un-

expired term. If the vacancy occurs on or before June 30 of the second year of the mayor's term, the president pro tempore shall serve until a successor is elected at the next regular municipal election. The person so elected shall take office on January 1, following such election for the remainder of the mayor's term. Upon the election of a new mayor, other than the president pro tempore then serving as mayor, the president pro tempore shall serve the remaining elected term as council member.

In the event of a vacancy in the office of mayor, whereby the president pro tempore is required to serve as mayor, the council shall select a person to fill the vacancy on council, as provided in Charter Section 5.04(B)(2). However, nothing in the charter or herein shall prevent the president pro tempore from serving the original full elected term as council member. The person chosen to fill the vacancy on council shall serve a term as council member equal to the term the president pro tempore serves as mayor. In the event the president pro tempore's original elected term expires while filling the mayor's un-expired term, the new president pro tempore shall assume the remainder of the mayor's un-expired term.

RULE 4 - SUBCOMMITTEES OF COUNCIL AND APPOINTMENTS

A. Subcommittees: By motion, council may appoint up to 3 council members to a subcommittee charged with examining a specific issue or piece of legislation as directed by council. The subcommittee shall periodically report to council on its progress during a public meeting and may recommend to the full council a course of action.

B. Subcommittee Chair Responsibilities:

1. The subcommittee shall elect a chair to preside over all subcommittee meetings.
2. The clerk of council's office or assigned council or staff member shall keep minutes of each subcommittee meeting and file them with the clerk of council's office.
3. The subcommittee chair shall report on the actions of the subcommittee at the next council meeting.

C. Appointments: The mayor and council shall appoint a council member to act as liaison to the following entities, boards, and commissions: The New Albany-Plain Local Schools, Plain Township, the New Albany-Plain Local Joint Parks District, the city's Finance Department, the Administration Department/Clerk of Council's office, the Planning Commission, the Board of Zoning Appeals, the Architectural Review Board, the Parks and Trails Advisory Board, the Cemetery Restoration Advisory Board, the Sustainability Advisory Board, and the IDEA Implementation Panel.

The mayor shall, with the review and concurrence of council, make appointments to the Rocky Fork Blacklick Accord Panel and MORPC. The mayor shall appoint 2 representatives to the Tax Incentive Review Committee with the concurrence of council. The mayor shall appoint 2 members to the Community Reinvestment Area Housing Council. The mayor, or designee, and another resident appointed by the mayor shall serve on the Public Records Commission.

Pursuant to the charter, the mayor may appoint a magistrate(s) with the approval of council.

Council shall appoint members to the various city boards and commissions, including the Architectural Review Board, the Planning Commission, the Board of Zoning Appeals, the Parks

and Trails Advisory Board, the Cemetery Restoration Advisory Board, the Sustainability Advisory Board, and the IDEA Implementation Panel, and 3 members/representatives to the Joint Economic Committee. Council shall appoint 2 additional members to the Community Reinvestment Area Housing Council. Council will also appoint 2 representatives to the Joint Parks District and 3 representatives to the Jeanne B. McCoy Community Center for the Arts board.

RULE 5 – LEGISLATION

- A. The procedures for enacting legislation are outlined in Charter Article 6. Legislation may be proposed by any elected official, the mayor, clerk, city manager, any city board or commission acting as a body, or any council subcommittee.
- B. Pursuant to Charter Section 6.03, all proposed or recommended legislation may be introduced by any elected official at a regular or special meeting prior to consideration by council.
- C. Pursuant to Charter Section 6.02, all legislation shall be in proper written form and approved as to form by the city attorney. Pursuant to Charter Section 6.07(A), all resolutions and the following ordinances shall take effect upon adoption, unless council specifies a later time: (1) appropriations of money; (2) annual tax levies for current expenses; (3) improvements petitioned for by owners of the requisite majority of the front footage or of the area of the property benefited and to be assessed; (4) submissions of any questions to the electorate or a determination to proceed with an election; (5) approvals of a revision, codification, re-codification, rearrangement, or publication of ordinances; and (6) emergency ordinances. Pursuant to Charter Section 6.07(B), unless otherwise provided in the charter, all other ordinances shall become effective thirty days after their adoption or at any later date specified by council.
- D. Proposed or recommended legislation which has been introduced may be assigned to a council subcommittee for additional study and evaluation if such action is deemed necessary or in the best public interest by the mayor. The mayor or presiding member of council may defer public comment until the proposed legislation is considered in subcommittee, or until the public hearing on said legislation. The mayor or council by majority vote, at a regular or special meeting, may assign pending legislation to a council subcommittee.
- E. When recommended legislation has been referred to subcommittee, that subcommittee shall report its findings and conclusions to council.
- F. Waiver of required readings and emergency legislation shall take place as outlined by Charter Section 6.04(B).
- G. Legislation need not be read in full, but may be read by title only. Pursuant to Charter Section 6.03(B) the public hearing on all legislation shall follow its publication by no less than 7 days; may be held separately or in conjunction with a regular or special council meeting; may be adjourned or recessed from time to time; and may be dispensed with for an emergency ordinance. The public hearing of an ordinance shall be conducted at the next designated meeting subsequent to its introduction, unless otherwise specified by council. Unless dispensed with by council, the public hearing of an emergency ordinance shall be conducted at the time of its introduction.

- H. Copies of all legislation, along with supporting documentation and exhibits if any, shall be made available to each council member, the mayor, the city manager, department heads and support staff when required, at least 7 days prior to the regular or special council meeting at which such matters are to be considered, except in the case of an emergency. Generally, council should not consider for introduction any legislation which has not first been circulated to city officials at least 24 hours before the meeting at which introduction is scheduled.
- I. Pursuant to Charter Section 6.03(B), prior to passage, proposed legislation shall be posted in the following 3 places: on the city's website, New Albany Public Service Complex, and Village Hall.
- J. Pursuant to Charter Section 6.12(A), upon passage, legislation shall be posted in the following 3 places: on the City's website, New Albany Public Service Complex, and Village Hall for a period of 30 days after its adoption.

RULE 6 - PUBLIC HEARING FOR THE PASSAGE OF LEGISLATION

When legislation is introduced, the following procedures shall be followed.

- A. The mayor, council member, city manager, or staff member shall give a brief explanation of the subject matter of the hearing.
- B. Members of the public who wish to speak on the issue will complete a speaker slip furnished by the clerk of council prior to commencement of the hearing of visitors. The speaker slips will be forwarded to the mayor or council member presiding over the meeting who will determine the order in which individuals may speak and may designate a time limitation for each speaker when appropriate. While all parties in interest shall have equal opportunity to speak, the mayor or presiding council member may limit debate which is extensive, not germane to the subject of the hearing, or repetitive. The mayor or presiding council member may limit each individual speaker to not less than 2 minutes, taking into consideration whether or not the issue or subject matter is on the agenda and the speaker(s)' prior opportunity to speak on the issue. If a matter is not on the agenda, the mayor or presiding member of council may limit the overall time for the debate and defer any additional debate to a subsequent meeting.

RULE 7 - MOTIONS

- A. When an issue is under discussion before council and a motion has been made, no motion shall be proper except the following:
 - 1. Motion to adjourn
 - 2. Motion to recess
 - 3. Motion to end discussion and call the question
 - 4. Motion to refer to a subcommittee
 - 5. Motion to table to a later time at that same meeting
 - 6. Motion to postpone to a stated date certain
 - 7. Motion to table for an indefinite time
 - 8. Motion to amend a motion under discussion

- B. Except for Item 8, motions listed in Section A. above will go immediately to a vote with limited discussion. All motions shall require a second. In the absence of a second, the motion shall die.
- C. A motion to amend may itself be amended only once. An amendment, once rejected, may not be moved again in the same form, or moved for reconsideration.
- D. If a motion to table for an indefinite time is carried, the principle question shall be declared lost.
- E. A motion to reconsider may be made by any member during the meeting at which the vote on the original issue was taken, or at the next council meeting, regardless of that member's vote on the original motion.
- F. A motion to bring any matter from subcommittee or to bring any matter from the table shall be in order at any regular meeting following earlier motions to refer the matter to a subcommittee or to table.
- G. A motion to table indefinitely shall be debatable only as to the motion itself.
- H. A motion to end discussion and call the question shall not be considered until all members of the council have had an opportunity to debate the original motion.

RULE 8 - VOTING

- A. Voting on all matters shall be oral and open. When the clerk of council calls the roll, each council member shall respond verbally with his or her vote on the question, except as set forth in Rule 8-B
- B. Unanimous consent: in matters of routine business, including minutes and adjournment, the presiding officer may call for unanimous consent by asking council if there is any objection. If no objection is heard, the presiding officer may declare the matter adopted and the clerk of council shall record the unanimous consent in the minutes. If an objection is raised, the clerk of council shall call the roll pursuant to Rule 8-A.
- C. Council members shall vote in the affirmative or negative on all matters coming to a vote at a regular or special meeting.
- D. The order of roll call voting by council members shall rotate with each vote, except the member who moved the question shall be called to vote first, followed by the member who seconded the motion.
- E. A majority vote of council consisting of 4 affirmative votes shall carry, adopt or approve any motion before council unless otherwise provided for by law and outlined elsewhere in these rules.
- F. An abstention is a non-vote. A council member may abstain from voting on any issue only because of a conflict of interest, which must be stated at the time of abstention. A council member who has a conflict of interest on a pending issue must abstain from participating in discussion of such issue as well as voting. A council member may abstain from voting to adopt

the minutes which were taken at a meeting at which that council member was not present in said minutes.

- G. The clerk of council shall declare the results of each roll call vote and record the results in the minutes.
- H. No council member shall be permitted to change his or her vote after the vote results have been declared unless the motion is reconsidered by a majority vote of the council, as set forth in Rule 7-E.

RULE 9 - CONDUCT OF COUNCIL BUSINESS

- A. Council agenda shall be prepared and made available 7 days prior to regular meetings. In the case of special meetings, notification requirements outlined in Ohio Revised Code Chapter 121.22 (Open Meetings Law) shall prevail.
- B. Generally, any council member may request that a matter of business be placed on the published agenda for a regular meeting, provided such request is received by the clerk of council's office within sufficient time to comply with Rule 9-A.
- C. Any council member may move to add a matter of business to the agenda during a regular meeting, provided that a motion to modify the agenda is approved by a majority of council.
- D. Order of Business. The presiding officer shall conduct council meetings in the order outlined by the agenda. The agenda order for regular meetings shall generally conform to the following format:
 - 1. Call the meeting to order
 - 2. Pledge of Allegiance
 - 3. Roll Call
 - 4. Action on minutes of previous meeting(s)
 - 5. Additions or Corrections to the Agenda
 - 6. Hearing of Visitors
 - 7. Board and Commission Reports
 - 8. Correspondence/Communications
 - 9. Second Reading of Ordinances and Public Hearing
 - 10. Introduction and First Reading of Ordinances
 - 11. Resolutions
 - 12. Reports of Council Subcommittees
 - 13. Reports of Representatives
 - A. Council Representative to MORPC
 - B. Council Representative to Joint Parks and Recreation
 - C. Council Representative to Plain Local Schools
 - D. Council Representative to Plain Township
 - 14. Reports of City Officials
 - A. Mayor
 - B. Clerk of Council
 - C. Finance Director
 - D. City Manager
 - E. City Attorney
 - 15. Poll for Public Comment

16. Poll for Council Comment
17. Executive Session
18. Other Business
19. Adjournment

RULE 10 - MISCELLANEOUS PROVISIONS

- A. Official City Documents and Records: All original copies of city documents are to be stored securely at the Village Hall or other location designated by the city manager, and may not be removed or retained by anyone except by written permission of the document's custodian. All documents shall be accessible to the public pursuant to the provisions of Ohio Revised Code Chapter 149 (Public Records Law).
- B. Ethics: To avoid conflict of interest, unless otherwise provided by law, elected and appointed city officials and employees shall refrain from discussing and/or voting on an issue, Ordinance, Resolution, or motion if the issue, Ordinance, Resolution or motion would directly affect his or her personal or business interests or those of his or her close family members.
- C. When necessary, the mayor, a council member, or member of city administration may request an opinion from the Ohio Ethics Commission regarding a potential, perceived or actual conflict of interest.
- D. Immediate family members or any relative living in the home of the mayor, council member, city manager or deputy city manager shall not be considered for employment by the city.
- E. It is understood that from time to time, businesses or individuals doing business with the city may present gifts to individual city officials. Recipients may not keep gifts which have a market value of \$50 or more. Such items, if they cannot be returned, shall be donated to area needy families or to the charity of the recipient's choice.

APPROVED BY THE COUNCIL OF THE CITY OF NEW ALBANY, THIS 16th-7th
DAY OF JANUARY, 2024⁵

Mayor Sloan T. Spalding

ATTEST:

Jennifer H. Mason, Clerk of Council