



Council Minutes – Regular Meeting

March 18, 2025

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of March 18, 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, Deputy Director of Finance Morgan Joeright, Police Chief Greg Jones, Development Director Jennifer Chrysler, Public Service Director Ryan Ohly, Deputy Public Service Director Steve Mayer, Economic Development Manager Sara Zeigler, Chief Communications and 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	P
CM Michael Durik	A
CM Chip Fellows	P
CM Kasey Kist	P
CM Matt Shull	P
CM Andrea Wilttrout	A

Clerk Mason reported Council Member Durik could not attend due to travel and Council Member Wilttrout could not attend due to caring for sick kids at home. Both requested to be excused. Mayor Spalding moved to excuse Council Members Durik and Wilttrout from the council meeting. Council Member Kist seconded and council voted with 5 yes votes to excuse Council Members Durik and Wilttrout from the council meeting.

ACTION ON MINUTES:

Clerk Mason reported that she corrected the original minutes in the 2 places where Council Member Shull was reported to have seconded motions, but he was not in attendance. Council Member Kist was the second both times. Council adopted the March 4, 2025 meetings by consensus.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE

HEARING OF VISITORS:

Nancy Willis, 6309 Callaway Square West, expressed concerns about the proposed bus barn and fire station traffic study. She had been unable to determine if a study had been initiated. The rezoning application stated, “a traffic study is in progress.” Superintendent Michael Sawyers had stated at the school district’s Nottingham Trace meeting that a traffic study would not be ordered without the project’s prior approval. She quoted section 1111.03 of the city’s zoning code and referred to the site’s zoning change application, pointing out that the application was conspicuously missing the statement of impact on the adjacent properties. The application also did not explain why the zoning change was necessary and beneficial to the community. It appeared the only reason the project was being discussed at that location was because the land was free to the school district. The proposed change had to promote the public welfare and not negatively impact the surrounding areas. The proposed rezoning should not pose a threat to health, safety or general welfare of the community. The bus garage proposed a threat to the health of the residents of

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Nottingham Trace as demonstrated by Dr. Sandra Solano’s whitepaper, a copy of which would be provided. Ms. Willis spoke of the adverse impacts on residents’ health and on the aesthetics of the surrounding community. She read off the purposes of Infill Planned Unit Development (I-PUD) as described in city code 1159.02. When she and her neighbors purchased their property, they relied on the environment having a stable character and the surrounding land being developed in a manner compatible and harmonious with their neighborhood. Further development for residential and non-residential uses permitted under the I-PUD would be for the mutual benefit of all. A bus garage was the antithesis of neighborhood stability, compatibility, and harmony. The proposed design for the bus and fire substation was not compatible with the brick and white board fences throughout New Albany. She cited Ohio Supreme Court case *Hudson v. Albrecht* regarding the appearance of a community relating closely to its citizens’ wellbeing. There was a governmental interest in maintaining the aesthetics of the community in enacting zoning legislation. Concern for property values was a legitimate interest of a municipality. The design did not appear to meet the New Albany’s design guidelines and requirements or section 1157.01 of the New Albany zoning code. She cited sections regarding parking areas and garages, building material qualities, and civic buildings. The proposed bus garage would hold 60-90 buses on blacktop and have a small elongated aluminum building, chain link fences, and razor wire. The location and building design were unacceptable. She hoped council would realize that when it came time to vote.

John Martin, 6333 Callaway Square West, stated he and his wife moved to New Albany 2 years ago based on what the community stood for - taking care of its people. He expressed concerns about the effect of diesel exhaust on the communities’ multiple cancer survivors and the amount of additional traffic on SR 605. His wife didn’t even try to exit the subdivision onto SR 605. The traffic study needed to include the hamlet development going in. He noted the 2 dozen people who showed up at this council meeting. There were a lot of great people in Nottingham Trace, including teachers who supported the school system. They were concerned for their quality of life. He supported the site’s development as a fire substation, but opposed the school bus lot.

Martin Combs, 6288 Callaway Square West, thanked the school district for meeting with residents of Nottingham Trace on March 10. They recognized the school district’s proposed changes, but remained adamant that the location would bring traffic congestion, air, noise, and light pollution, and a negative impact on property values and community aesthetics. He noted state of Ohio population projections which predicted Franklin County would grow 12%. Union, Delaware, and Licking were 3 of the fastest growing counties. The population growth taking place in eastern Delaware County would funnel more traffic down SR 605. A bus barn and a half-mile of chain link fence at the north gateway to New Albany would not be consistent with other entries into city. A fire house would be an asset, especially if it were brick, similar to the new Columbus fire station on Central College Road. He noted 2.5-acre plots nearby, listed for \$750,00 each. This was the kind of development that needed to be encouraged, not a bus barn. The bus barn was not designed for efficiency, it was on a piece of land with a pipeline running through it. He encouraged council to visit the bus barn on Morse Road by Easton and visualize it in New Albany. It was impossible to camouflage. He hoped council would maintain the standards that enticed people to move to New Albany in the first place.

Troy Johnson, 6357 Callaway Square East, thanked council and the mayor for listening to the residents of Nottingham Trace. He understood there were 3 players in this: the Plain Township Fire Department, the school district, and the city, all looking at the facility for the greater good. He asked council to consider the points that there was a greater good that could be placing the bus barn on a functional property that may not have optimal development use. That property had been given to 2 school districts, first, Cornerstone

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Academy, now New Albany schools. That site had development challenges due to the gas line. There was a server farm going in next door. Residents had been told they might not like the next proposed site use either, but they were only fighting the current fight. He inquired about the breaks in the leisure trails and asked for a completed trail. Mayor Spalding asked and Council Member Fellows, the council liaison for the Parks & Trails Advisory Board, answered that he took notes about the unconnected trail.

Pam Estelle, 7616 Parkside Drive, recalled a reference to cancer survivors living in Nottingham Trace. She knew of 2 people in the subdivision currently undergoing cancer treatment. She had alpha-1 antitrypsin deficiency and lacked a strong defense against air pollution, especially particulates. She was concerned for her own health as well as for others in the community with health challenges.

Mayor Spalding appreciated the concerns and emails. Council valued their input and wanted them to feel heard. Plain Township and the school district were working hard to make the project the best it could be. They would have to decide if the project was moving forward or not, and the outcome would likely not satisfy everyone. They needed to find a location for the bus garage somewhere in the community. He invited those present to come back as the process moved forward and thanked them for their time. Council Member Fellows thanked them for coming and stated they would take their concerns under advisement.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION (PC): No meeting.

PARKS AND TRAILS ADVISORY BOARD: No meeting.

ARCHITECTURAL REVIEW BOARD (ARB): No meeting.

BOARD OF ZONING APPEALS (BZA): Council Member Shull reminded council there was a vacancy on the Board of Zoning Appeals and invited anyone interested to apply.

SUSTAINABILITY ADVISORY BOARD (SAB): Council Member Kist reported staff gave a presentation about the ECOS program, promoting environmentally sustainable practices within the business park. The Mad Scientists presented on the pocket prairies. There were three test sites, in James River, Planter’s Grove, and Taylor Farm. The SAB awarded Alexa Briggs a grant to build bird boxes around the E3 building and campus. They were issuing a Request for Proposals (RFPs) for a pilot compost program in Windsor and would obtain quotes from 4 companies. The program could begin in July, depending on the results of the RFPs. Their new member, Jeffrey Kocian, was sworn in.

IDEA IMPLEMENTATION PANEL: Mayor Spalding heard good feedback about the recent listening session with people and families from the City of New Albany affected by disabilities, who provided ideas to make the city and city events more accessible. Council Member Brisk stated 30-40 people attended and they received excellent information from those attending. She would have more to report at the next council meeting.

CEMETERY RESTORATION ADVISORY BOARD: No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

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CORRESPONDENCE AND COMMUNICATIONS:

NONE.

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-08-2025

Mayor Spalding read by title AN ORDINANCE TO REPEAL AND REPLACE THE CITY FLOODPLAIN CHAPTER 1155 ENTITLED “FLOOD DAMAGE REDUCTION” AND AMEND CHAPTER 1171 ENTITLED “PRESERVATION OF NATURAL FEATURES” OF THE PLANNING AND ZONING CODE OF THE CITY OF NEW ALBANY CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY.

Public Service Director Ryan Ohly stated staff recommended updates to chapters 1155 and 1171.03 of city code to clarify ambiguous text and to ensure the city’s regulations aligned with federal requirements and best management practices. The city contracted with EMH&T for assistance.

Sean Arden, EHMT Water Resource Program Director, presented the attached slides. He stated there was cross-talk between Chapters 1155 and 1171.03. The goal was to provide clarity and tie the flood regulations to the FEMA maps and the state model code. The city’s code was written in 2016. The state of Ohio adopted a new state model code for the regulations in 2019.

Chapter 1155 had 2 purposes, to meet the requirement as a participating community in the national flood insurance program and to allow communities to add higher standards. Mr. Arden reviewed the slide listing the key items that would remain unchanged. Changes would redefine special flood hazard areas and allow flexibility in developing property in floodplains and flood hazard areas. The current code prohibited development in these areas.

Council Member Fellows asked and Mr. Arden confirmed the property owner had the ability to change the course of a stream or creek with appropriate permitting.

Council Member Fellows asked if there were many existing residences and buildings in the flood plain. Mr. Arden stated there were a handful of buildings along Rocky Fork and Sugar Run streams. The newly mapped areas were expanded, so the numbers had increased.

Council Member Fellows asked if owners were able to insure buildings within the floodplain. Mr. Arden explained city code established how floodplain development was regulated. Flood insurance was determined by the building elevation and FEMA’s flood hazard mapping. Due to the city being a participant in the national flood insurance program, residents were able to obtain subsidized flood insurance premiums. Residents had to seek the insurance, unless they had a federally subsidized mortgage.

Council Member Shull asked if the “best practices” were based upon FEMA’s recommendations or gathered from another source. Mr. Arden stated FEMA held the minimum standards every community had to follow to participate in the national flood insurance program. The Ohio Department of Natural Resources was the community’s liaison to FEMA and they prepared the state model code. The proposed code change would bring city code in sync with the state model code, plus provide some additional standards for New Albany.

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Chapter 1171 covered the riparian protection area and landscaping code. Mr. Arden stated they wanted to add clarity for applicants regarding two specific areas. The first would designate where the riparian protection area began. Current city code stated the area started with a stream once it hit a 50-acre draining threshold. That had no scientific basis or recognition of the individuality of streams. EMH&T suggested the regulation come into effect once a stream was designated as either a perennial or intermittent stream by the United States Geological Survey (USGS). The USGS had readily available publications, such as the national map, which could be found on the internet. The data behind those streams could be downloaded and used by property owners, applicants, engineers, and scientists, as needed. They also added in a list of permissible actions within the riparian protection area. Current code stated the riparian area must be preserved, which could be interpreted that any encroachment into the riparian protection zone would require a variance. Mr. Arden indicated the recommended list of permissible actions on the presentation slide.

Council Member Fellows asked and Mr. Arden stated Rose Run was considered a perennial stream, so it would be regulated under the proposed revision.

Council Member Fellows asked how Sugar Run stream, located at the hamlet site, would be impacted. Mr. Arden stated it would still be within the regulated area. The only change for that portion of Sugar Run would be the proposed list of permissible activities that would be in effect. The width of the protection area would remain the same. Council Member Fellows recalled the developer's goal to make a park area around Sugar Run stream.

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 ordinance. Council Member Brisk seconded and council voted with 5 yes votes to approve Ordinance O-08-2025.

INTRODUCTION AND FIRST READING OF ORDINANCES:

NONE

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-07-2025

Mayor Spalding read by title A RESOLUTION APPROVING AN AMENDED AND RESTATED COMPENSATION AGREEMENT BY AND BETWEEN THE CITY AND NEW ALBANY/PLAIN LOCAL SCHOOL DISTRICT.

Development Director Jennifer Chrysler stated the school agreement had been in place since 2006. The proposed resolution did not change any of the agreement's substance, but updated the language from "village" to "city," updated references to Ohio Revised Code, and memorialized the city's reporting practices. The school board approved the agreement the night prior.

Council Member Fellows asked and Director Chrysler responded the compensation agreement was the formula for revenue sharing, allowing the city to provide incentives in accordance with the Ohio Revised Code. There were not many incentive agreements left in the New Albany-Plain Local School District and that particular agreement had been very successful.

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

Mayor Spalding moved to adopt the resolution. Council Member Brisk seconded and council voted with 5 yes votes to approve Resolution R-07-2025.

Mayor Spalding thanked the school for the compensation agreement which helped the city recruit business partners within the school district. There was not much land left in the New Albany-Plain Local School District and the agreement gave the city more flexibility to negotiate with potential businesses.

COUNCIL SUBCOMMITTEE REPORTS:

NONE

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: Mayor Spalding reported there was a focus at the statehouse on the funding of local governments. MORPC was leading efforts to bring rail to Ohio. There were 2 routes proposed, one from Pittsburgh to Chicago and the other from Cincinnati to Cleveland. Council discussed what qualified as “high speed” rail and the history of past rail proposals. MORPC’s State of the Region was the following week. Mayor Spalding would be unable to attend.
- B. Council Representative to Joint Parks and Recreation: Council Member Shull reported the fieldhouse construction would begin early April. The city-sponsored pickleball tournament would be the weekend of July 26. They were looking to increase tournament registrations this year. Leagues would likely start in May. Pickleball clinics were filling up and interested individuals could register on the Joint Park District’s website. Council members discussed the news that the courts had been vandalized. City Manager Stefanov stated city employees were able to remove the chalk markings. Council Member Kist asked if signage would be needed. Public Service Director Ryan Ohly responded the chalk was extensive enough to require multiple employees over several hours. Council Member Shull described video cameras that would be installed for match live streaming and security.
- C. Council Representative to New Albany-Plain Local Schools (NAPLS): Council Member Kist stated he provide an update at the next council meeting.
- D. Council Representative to Plain Township: Mayor Spalding reported residents in attendance at the last township meeting, voicing concerns regarding the fire department’s plans for the substation.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding thanked the team who put on the Brick House Blue Innovate New Albany grand opening. It was a great event and well attended. He encouraged the public to visit and utilize their services.
- B. Clerk of Council: No report.

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- C. Finance Director: Finance Directory Bethany Staats stated the 2025 budget books had been distributed and council was given the February report. Revenues were coming in as anticipated and expenses were at 11% of the amount budgeted. Withholding was growing, largely due to construction. Withholding for net profits were about the same as last year, but individual withholding was down. She reviewed the city funds. Everyone was busy with capital and infrastructure projects. Mayor Spalding inquired if there was an update from the city’s financial advisors on market volatility. Director Staats stated the finance quarterly meeting would be held in April. The city’s investment manager would also present an update to council at an upcoming meeting.

Council Member Fellows asked about Intel’s delay announcement and if the city would be able to maintain the revenue stream as projected. Director Staats stated most of her projections did not rely on Intel opening. The city’s projects were being funded from other sources and were not reliant on Intel revenue. Mayor Spalding reiterated city policy that ensured projects were up and running before relying on them as revenue sources. Council Member Fellows asked and City Manager Stefanov confirmed that there were still around 3,000 construction workers daily on the Intel site. Council Member Brisk asked if much of the income tax revenue was from Intel construction. Director Staats replied that while Intel contributed to the city’s revenue increase, there was a large amount of other construction in the business park.

- D. City Manager: City Manager Stefanov reported the city hired a consultant to perform an organizational assessment based on the community’s current and future needs and council’s strategic priorities. The consultant had already interviewed most council members and senior staff. The next step would be a work session with council and senior staff to discuss council’s strategic priorities. Mayor Spalding asked Clerk Mason to send out an email to schedule the workshop. City Manager Stefanov reported he would take vacation time the following week and designated Chief Jones as acting city manager in his absence.

- E. City Attorney: No report.

POLL FOR PUBLIC COMMENT:

NONE

POLL FOR COUNCIL COMMENT:

NONE

EXECUTIVE SESSION:

Mayor Spalding moved that council go into executive session pursuant to Ohio Revised Code 121.22(G)(1) for discussion regarding appointment, dismissal, promotion, demotion, or compensation of a public official. Council Member Kist seconded and council voted with 5 yes votes to go into executive session at 7:38 pm.

Mayor Spalding moved that council come out of executive session and resume the regular meeting. Council Member Kist seconded and council voted with 5 yes votes to come out of executive session and resume the regular meeting. Council resumed the regular meeting at 7:51 pm.

OTHER BUSINESS:

Council Member Kist reported that, at the same time a new member was appointed, another SAB member notified them she was moving out of town, creating another opening on the SAB. Council met and reviewed



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the recent set of applications. Council Member Kist moved to appoint Rebecca Kopelman to the SAB to complete the unexpired term ending June 30, 2027. Council Member Shull seconded and council voted with 5 yes votes to appoint Rebecca Kopelman for the term specified.

ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Kist seconded to adjourn the March 18, 2025 regular council meeting at 7:52 pm.

ATTEST:


Jennifer H. Mason, Clerk of Council


Sloan T. Spalding, Mayor


Date

2025 FLOOD CODE UPDATE

Code Chapters Involved

- Chapter 1155: Flood Damage Reduction
- Chapter 1171.03: Landscaping (Riparian Area Protection)

Goals for this Update

- Eliminate Ambiguity and Conflicting Language
- Clarify Expectations for Applicants
- Improve Standardization of Regulations with State Model Flood Code (Current Version)
- Tie Code to New FEMA Maps for Licking County and Prepare for Upcoming Maps for Franklin County

CHAPTER 1155: FLOOD DAMAGE REDUCTION

Chapter Purpose

Implement federal minimum floodplain development standards for participation in the National Flood Insurance Program

Implement additional standards for development within a "Special Flood Hazard Area" deemed appropriate by the City

CHAPTER 1155: FLOOD DAMAGE REDUCTION

Key Items Proposed to Remain Unchanged

- Ordinance structure following the State of Ohio Model Flood Code
- Meet obligation to include federal minimum floodplain development standards for participation in the National Flood Insurance Program
- City Planning Commission will hear requests for appeals and variances
- Requirement for floodplain compensatory storage volume
- Lowest Floor Elevation for new buildings = 100 year flood + 2 feet

EMHT

CHAPTER 1171.03: RIPARIAN AREA PERMISSIBLE ENCROACHMENTS

- Passive uses including hiking, fishing, picnicking, and similar uses. Construction of paved trails to further such passive recreation uses is permitted,
- Vegetation removal on existing levees and dikes,
- Activities by City personnel that are necessary to maintain the function of any open watercourse,
- Removal of damaged or diseased trees.
- Revegetation and/or reforestation with plantings of native species,
- Public utility crossings (those utilities owned by the City or any entity contracting with the City),
- Street crossings that are perpendicular, or as perpendicular to the riparian corridor as feasible,
- Private drive crossings,
- Excavation for providing compensatory floodplain volume immediately adjacent to the channel,
- Storm sewer pipe outfalls where level spreaders located outside of the riparian protected corridor are determined to be not feasible,
- Construction activities associated with properly permitted stream restoration projects,
- Disturbances resulting from permitted stream and/or wetland mitigation projects provided the mitigation is to offset impacts to local protected wetlands,
- Activities related to enhancement of existing wetlands
- Encroachments into the riparian corridor that existed prior to XXXXX X, 2025, and
- Other activities determined to be in the interests of the City of New Albany, as determined by the City Engineer.

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