NEW ALBANY
COMMUNITY CONNECTS US

Council Minutes – Regular Meeting

November 3, 2026

Mayor Spalding called to order the New Albany City Council Meeting of November 3, 2026, 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, Deputy City Manager Adrienne Joly, Law Director Benjamin Albrecht, Director of Finance Bethany Staats, Finance Department Deputy Director Morgan Joeright, Police Sergeant Oren Nauman, Director of Development Jennifer Chrysler, Deputy Public Service Director Steven Mayer, City Engineer Justin Wilkinson, Director of Strategic Initiatives Abbey Brooks, Economic Development Manager Sara Zeigler, Communications & Marketing Manager Adrienne Mayfield, Communications & Marketing Specialist Alexandra Fox, 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	P
CM Kasey Kist	P
CM John McClelland	P
CM Matt Shull	P
CM Andrea Wiltrout	P

ACTION ON MINUTES:
Council approved the October 20, 2026, regular meeting minutes by consensus.

ADDITIONS OR CORRECTIONS TO THE AGENDA:
NONE

HEARING OF VISITORS:
Proclamation Celebrating Police Chief Gregory Jones on His Distinguished Service with the New Albany Police Department and Congratulating Him on His Retirement and Ohio Auditor of State Keith Faber's Commendation for Chief Gregory Jones
Mayor Spalding stated that the proclamation and commendation for Chief Jones had been postponed to allow his family to be in attendance.
Clerk's note: these items were moved to the November 17 council agenda.

Ohio Power Siting Board Presentation
Mayor Spalding stated the city had spent roughly 30 years broadening its industry base and employment opportunities through strategic sectors, including life sciences, which contributed to the recent attraction of Bayer. The city first learned in the spring of 2025 of interest in development of an energy generation facility in New Albany, and the city had learned a lot about the process since then. This evening was intended for council to hear directly from the Ohio Power Siting Board about its role, the city's role, the public's role, what the process looked like, and the legal authority. The presentation would not include questions from the public to the board, and members of the public could attend board meetings to engage the board directly. Mayor Spalding encouraged residents with questions about this council meeting to contact the city's communications team by email and referred residents to the city's website for the energy generation FAQ page.

Michael Williams, executive director, Ohio Power Siting Board, introduced board staff public information officers Matt Butler and Julie Graham-Price, who attended public information meetings and local public hearings and would handle follow-up questions. He explained that the Ohio Power Siting Board (OPSB) was created by the Ohio legislature under Chapter 4906 of the Ohio Revised Code (ORC), they had accompanying rules that had been adopted pursuant to legislative authority, and ORC section 4906.13 gave the state primacy over the siting of a number of utility projects, most notably, generation projects of 50 megawatts or more. The board had 7 members: the director of the Public Utilities Commission, who chaired the OPSB, the directors of the Environmental Protection Agency (EPA), Health, Natural Resources, Agriculture, and Development, and a public member who was an engineer. The board's primary purpose was to adjudicate applications for certificates of authority to construct and operate utility facilities under the criteria, pursuant to Legislative Directive 6.10 which listed 8 criteria for the board to consider. Mr. Williams highlighted the requirements that a facility represent the minimum adverse environmental impact, considering the state of available technology and the nature and economics of various alternatives; that it comply with EPA air, water, and solid waste requirements; serve the public interest, convenience, and necessity, and incorporate maximum feasible water conservation practices. He described the role of board staff, which reviewed applications of 1,000-2,000 pages including technical reports in a full application case. OPSB staff also made recommendations in accelerated applications. Pursuant to the Legislative Directive, those staff reports became the orders of the board unless timely appealed. Board staff did fieldwork, and oversaw post-certification compliance - including landscaping plans, engineering reviews, decommissioning plans, and emergency response plans. Accelerated cases were appropriate where an applicant wanted to build in an area that was already industrial in nature.

Director Williams reported that Licking County had seven applications for behind-the-meter gas-fired generation, three of them accelerated and four full applications. In accelerated cases, staff issued its report within 83 days, the seven-day objection period ran, then the report became the board's order on day 90 unless objected to within the seven days. PowerConnex 3, Socrates South, and Socrates the Younger were already industrial in nature and were auto-approved in the 90-day accelerated rate. Two of the full applications had been decided, and two, Neo Power Generation Facility (Neo) and PCX 3PowerConnex 3 were pending. Both case types required published public notice by newspaper, notice to local authorities, and mail notice to any impacted residents in the proposed project area. Full application cases also included two public information meetings before filing. Pursuant to an administrative law judge entry there was a local public hearing where the public could present testimony, and an evidentiary hearing at which any party could present their own technical evidence, present their own witnesses, and cross-examine witnesses on behalf of the applicant or staff.

Director Williams stated typical certificate conditions included adherence to commitments made in the application and in OPSB data responses, consideration of more efficient technology as equipment was replaced, adopting aesthetic and landscaping harmonization practices, and a noise condition capping project noise. Other typical conditions required compliance with EPA permits to install and operate, and, in the most recent case, working with the city on funding capital and public projects based on a good-faith negotiated agreement. He thanked the city, the county, the engineer, the planning commission, county soil and water, and the township for intervening, and stated that those interventions had helped shape conditions on noise, aesthetics, road use, stormwater, grading basins, and construction BMPs. In addition, OPSB staff met with every developer every 2 months in a virtual meeting which involved local regulators to discuss concerns, problems, and ensured everyone was communicating effectively. While the board had primacy, they always had a "passenger seat" open for other inspectors and inspection findings.

Mayor Spalding asked Director Williams to confirm that the board held the legal authority under Ohio law to approve these facilities, much as federal law governed cell towers and transmission lines, not the city or the county. Director Williams confirmed that the board had sole authority over projects of 50 megawatts or more, including whether they were sited and under what conditions. He said the legislature had affirmed this since the mid-1970s, and again with Senate Bill 315 in 2012 which created the accelerated process, and again with House Bill 15 in 2025, and that the Ohio Supreme Court had upheld it.

Mayor Spalding asked how many generation facilities were proposed in the area. Director Williams answered that there were seven in Licking County, six of them in the New Albany business park, totaling approximately 1.9 gigawatts, out of roughly 20 gigawatts of applications statewide since March 2025. They were located in areas designated for industrial and business park use and he did not consider this an undue burden.

Council Member McClelland asked Director Williams to repeat the board's membership and whether each member focused on particular criteria. Director Williams listed the members and explained that each state agency reviewed applications for its area of expertise. The EPA addressed air and water emissions, Department of Natural Resources addressed species and streams, Department of Agriculture addressed farmland preservation, Department of Health provided general oversight, and Department of Development brought an economic perspective. He said staff consulted these agencies and Department of Fish and Wildlife from the outset, including on completeness, and that each agency voted. Votes were not always unanimous, though many were close to it.

Council Member Wiltrout asked whether the board could impose conditions exceeding what the law required. Director Williams said it could not, because the board acted only under legislative authority and conditions had to be objectively measurable. He noted that Ohio Supreme Court decisions limited the board's discretion and that, once applicants received their certificate, they had legal property rights that they relied upon for investment purposes.

Mayor Spalding responded that the OPSB process was a legal one involving parties and interveners, and that the parties could settle on standards higher than the legal minimum, using landscaping as an example. Director Williams agreed and gave solar setbacks as an example. He said he could not think of an equivalent for gas generation, though EPA thresholds might be one.

Council Member Wiltrout asked what factors the board assessed. Director Williams said factors included protected streams and creeks, historic preservation, fish and wildlife, agricultural, and similar environmental considerations. Council Member Wiltrout asked whether the board alone determined that a site was environmentally sound. Mr. Williams answered that the authority rested with the board as a whole, so a project could be approved 6 to 1 even if the Department of Agriculture voted no. The EPA was the sole arbiter of air, water, and solid waste discharges and emissions, that ORC Section 4906.10(A)(5) deferred to it, and that every certificate required the applicant to hold EPA permits to install and operate. He noted that the EPA ran its own notice, hearing, and appeal processes.

Council Member Durik asked whether the board had ever denied something staff endorsed. Director Williams replied that the board had modified staff recommendations, citing the Emerson wind project, but that, in the last five years, it had generally voted with staff. Council Member Durik asked how pervasive such projects were beyond Licking County. Director Williams stated that there were 17 applications statewide and that Licking County accounted for roughly 10% of generation capacity, and that the growth in applications appeared to be nearing an end.

Council Member Brisk asked for clarification of the apparent mismatch between 7 of 17 applications and 10%. Director Williams explained that the 10% figure referred to capacity, 1.9 out of about 20 gigawatts.

Council Member Brisk asked city staff to explain what the city had done to date. Community Development Director Jennifer Chrysler described the city's response. She said staff first contacted the OPSB and then, in May 2025, met with the Ohio EPA for several hours to understand the air quality modeling. A measuring monitor in Licking County informed a cumulative model that included both power facilities and industrial buildings. Because the area was small, the model was more conservative. The standards for permits in New Albany were higher than elsewhere in Ohio. She said staff had also asked whether the standard could be modified, but the EPA followed federal guidelines. Staff verified the EPA's information with local environmental engineers.

Director Chrysler explained that the city's special counsel had presented 2 options - appeal in court or intervention in the OPSB process. She said the case law showed little chance of success on appeal, and that other communities which opposed or appealed had lost and obtained no conditions. The city therefore intervened in cases inside and outside New Albany, including one on a sound wall. Interventions began with aesthetics and zoning-code standards and expanded as staff reviewed public hearing records and communicated with the New Albany Sustainability Advisory Board and Planning Commission Chair Neil Kirby, an energy expert. Director Chrysler said the city had been told on a few occasions that it was outside its lane, including on inspections, but its inspectors and the fire department now participated in the regular inspection process. City staff proposed creating a sustainability plan in the 2027 budget, with short, medium, and long-term strategies, subject to council approval.

Director Chrysler also clarified that the seven OPSB applications were on four physical sites in New Albany. The board required a separate application for each power facility on a site. Director Williams stated that there were seven applications, that two were pending board decisions within a month or two, and that he knew of no others.

Council Member Kist asked whether the OPSB and EPA considered the facilities in aggregate with other business park uses and future development. Director Williams replied it was his understanding that the EPA reviewed projects on an amalgamated basis and that the board considered how projects fit into development plans and the character of the area. He credited New Albany's participation with tightening the approval condition for noise and for prompting inquiries about surface water, basins, sound walls, and vegetation management.

Council Member Shull asked, given the monitoring station in the business park, what would happen if air quality later fell out of range with the four sites operating. Director Williams answered that the facilities were required to renew their permits to operate annually with the EPA, and that board staff enforced conditions continuously - including responding to noise complaints at least monthly using certified equipment and requiring applicants to run ambient testing.

Council Member Brisk asked whether the city had standing to bring a noise complaint within its boundaries. Director Williams responded that the public would have standing to complain about matters in which they had a material fact interest, and that the board would likely refer such a complaint to an administrative law judge. Law Director Ben Albrecht agreed, adding that the city would have to establish harm, otherwise, an affected property owner would have standing.

Council Member Wiltrout asked whether the same applied to air pollution. Director Williams replied that it concerned the EPA's annual permit to operate. Law Director Albrecht stated that the same standing analysis applied. Director Williams added that a facility without a valid EPA permit could not operate.

Council Member McClelland asked what would happen if the EPA director voted against a project and it moved forward anyway. Director Williams answered that would be unusual because the EPA's role was to enforce objective criteria, but that one vote did not control. Dissents had typically come from the Department of Agriculture over farmland or from the Department of Development over community tension, not on environmental grounds.

Council Member Shull asked whether a project could proceed on a 6 to 1 vote if the EPA withheld a permit. Director Williams said the certificate condition barred operation without the EPA permit, so that condition operated as a kill switch, and that the EPA permit decisions for PCX 3 and Neo would likely follow the board vote.

Council Member Wiltrout asked what recourse existed if emissions increased and exceeded permitted levels and the EPA pulled their permit. Would they be shut down then? Director Williams said that, under ORC, the board could impose penalties of up to $10,000 per day, to a maximum of $1 million, and pull or suspend the certificate, which he said would be a significant economic consequence.

Council Member Kist asked whether the city could engage an independent testing agency for more frequent testing, and Director Chrysler observed that multiple sources had confirmed that the Ohio EPA process was among the most rigorous in the country. She further proposed that the city's sustainability plan could include that the city do independent monitoring. That would be useful for looking at mitigation factors within the community and finding experts to help determine what objective measures the city should meet. The city could take those standards and experts to be a part of a steering committee, modeled on prior city strategic plans steering committees, to guide the work.

Council Member Wiltrout asked and Director Chrysler answered, regarding the timeline for the sustainability plan, if approved in the city's 2027 budget, a Request for Proposals (RFP) could be issued by the end of January and a consultant selected by the end of the first quarter of 2027. A steering committee could then be formed. She noted the last strategic plan steering committee had 45 people, the US 62 corridor plan had around 20 residents, some of whom were in the audience. The city had been working since 2025 to understand the siting board process and navigate the city's legal constraints, while trying to get feedback from siting board members, residents, and do better at this. The sustainability plan process would enable the city to get a lot of public input.

Council Member Wiltrout stated she would be a lot more comfortable about the air quality in the community if the city had monitoring going when the plants because active.

Mayor Spalding asked who had the legal right to intervene. Director Williams stated that a party needed a factual nexus to the case and had to meet strict deadlines. In accelerated cases, the deadline was set by statute at roughly 45 to 60 days after the application, and, in full cases, the administrative law judge set the deadline.

Council Member Brisk emphasized that the city's interventions were limited to matters within its authority, such as sound, aesthetics, and stormwater, and that the city could not stop a facility from being approved. Director Williams agreed and said an intervener could not displace the board's primacy.

Law Director Albrecht advised that, because the city was an intervener with matters pending before the board, council should refrain from asking staff questions during public comment so as not to put staff in the position of giving statements that might affect those matters. Mayor Spalding agreed, stated that the matter was effectively litigation, and said council would listen to the public and respond as opportunities

arose. He stated that there were 12 speaker cards, asked that remarks be limited to 3 minutes, and directed additional questions to the city's communications team.

Cathy Becker, 5693 Aristocrat Drive, stated her organization had helped Ohioans file about 10,000 comments opposing fracking in state parks and public lands, which ran 98% to 100% in opposition. She tied increased fracking approvals to gas plants for data centers and cited a gas fuel cell approved without a public hearing through the accelerated process to power an Amazon data center in Hilliard. Twelve behind-the-meter gas plants had been approved since House Bill 15, seven of them in New Albany, and none used the best available technology, which she identified as solar, wind, and batteries, or at a minimum fuel cells or combined-cycle turbines. She said the application figures for the New Albany plants added up to 11.9 million tons of greenhouse gas potential and 730 tons of fine particulate matter. She recommended that the city install numerous air monitors with a public dashboard; push the big technology companies toward combined-cycle gas turbines and recycle waste heat, or to us fuel cell technology that could be powered with renewable gas or hydrogen, to adopt best practices for efficiency, lower flexibility and demand response, and use battery storage instead of diesel generators for emergency backup. She encouraged New Albany to work with other cities to seek changes to state siting law and give local communities more control over siting. Currently counties and townships could ban solar and wind, but not gas. Consider virtual metering that allowed a data center to get energy from an off-site solar or wind project and virtual power plants where a data center would pay to put solar panels and battery storage, heat pumps and smart meters in all the homes and businesses around them, with batteries acting as back-up. As an example, she cited a Google announcement of a 1 gigawatt virtual power plant project in the PJM region.

Tamara Davies, 8200 Central College Road, lived within a couple of miles of the plants. She asked who had signed nondisclosure agreements related to the business park and asserted that they concealed the true state of matters. She stated that strategic planning had failed because the power demand and the limits of AEP's supply should have been foreseen and said no one had asked the board about the cumulative effect of seven plants with individual EPA certificates. She stated that anyone involved should not be reelected.

Mark Malik, 7591 Lambton Park, a 27-year resident, spoke in opposition to the gas plants. He noted that House Bill 15 had passed with nearly unanimous bipartisan support. He expected more from local government and had heard efforts to distance city council and local leadership from decision making. He asked the city to listen to residents, citing the Healthy New Albany brand. He acknowledged that the data centers were already here but should be powered by clean energy. He argued that the plants did not use the latest technology and produced smog and volatile air toxins. He raised radon as an added significant lung cancer risk, stating that Franklin and Licking Counties were EPA Zone 1 areas and that 45% to 51% of homes tested above the action level. He also referenced the record-setting hazardous air quality on July 17 caused by wildfire smoke. The combination of radon and gas power plant emissions was harmful to everyone, not just the most vulnerable. He asked that we slow down and pursue renewable energy.

Joseph Crum, 7876 Peter Hoover Road, had attended both public hearings and had seen no city representative or board member present. He had heard no official EPA report submitted to the board. He described the scale of the Meta project, three gas plants approved and a fourth adding 500 megawatts for a total of 1.1 gigawatts, and said the seven plants totaled about 1.9 gigawatts, which he compared to power for roughly 800,000 to 950,000 households. He said there were 40 data centers operating and 28 under construction in New Albany, and he asked about projected power consumption. He criticized the Ohio legislature's restrictions on large solar and wind projects. He asked residents to hold local officials accountable and said the matter should at least be postponed until a formal EPA report addressed environmental and health effects. Mr. Crum stated he lived with respiratory problems.

Emma Wang, 4046 Chelsea Green East, a cyclist who had lived in the community 4 to 5 years, said she had observed significant destruction in the area. She said she understood the plants would use 30 gas engines and diesel turbines rather than the best available technology and that speed was being prioritized over doing things right. She voiced concern for the health of her community and the nearby school.

Sheila Phillips, 3683 Farley Court, moved here for parks and walking paths. She and her husband had lived in Planters Grove for over 25 years. She said she had learned only about a week and a half earlier that the data centers would be powered by gas, expressed concern about ammonia, benzene, and particulate matter, and said no amount of tax abatement could offset harm to children. She asked that solar be considered and urged the city to work with Cathy Becker.

Ryan Sevey, 7548 Ogden Woods Blvd, stated that he had watched many council meetings and that this was the first he had seen at which council did not engage with the public. He said speakers were normally given 5 minutes. On April 21, this council talked about how involved it was with the EPA when citizens came in to talk about data centers. On June 23, the city filed its intervention on PowerConnex 3 because it was a matter of public interest and public importance to the residents. He thought this meeting was a farce. On November 2, the docket for this matter with the OPSB had a filed stipulation that the city had already agreed to, basically saying the city supported the OPSB moving forward. The city didn't give its citizens an opportunity to address it. He asked who had authorized the city to sign the stipulation, when, and under what authority. Residents spoke at the October 22 state hearing, but that was not the same as addressing elected council members about the city's proposed endorsement. We cannot vote an outside attorney out of office, but we can vote you all out. He stated that he had sent council a proposed motion, requested a roll call vote on it, and said no one had responded. He also asserted that the OPSB had lied about the aggregate analysis in the EPA report in that the buildings had 24 to 30 individual engines and each one would fall within the limit, but in aggregate, it was way more. He suggested that the city seek a stipulation binding the developer to the Clean Air Act or to follow the best available technology which the statute said. Those were things the city could have asked for but didn't because it didn't allow the opportunity for the public to address it before the stipulation.

Andrew Reaver, 5340 Snider Loop, had spoken with many neighbors who had received no notice of the projects despite Mr. Williams' statement about public notification. He expressed frustration at repeatedly being told the matter was out of local hands, noted that council members had not been present at the October 22 hearing, and described the risks to children with asthma and reactive airway disease, including from his professional experience. He said he did not know that he would feel safe living in the community if the plants were built.

Don Deshetler, 5071 Turner Close Court, a 27-year resident and family medicine physician, thanked council and described the health effects of fine particulate matter, "PM 2.5," including respiratory, cardiovascular, and cancer risks, with children, the elderly, and pregnant women being the most vulnerable. He cited a February study of a similar gas plant for a data center in northern Virginia, which projected health damages and premature deaths based on permitted emissions of 57 tons per year. The PowerConnex application listed 178 tons per year, Neo listed 197 tons, and all seven New Albany plants combined listed 766 tons, about 14 times the study figure. He stated that the greatest impact occurred within 3 to 5 miles of the plant and that a number of local schools, parks, and the new community recreation center fell within that radius. He understood that, as an intervener, legal avenues were limited. He noted that an evidentiary hearing before the board was scheduled for the following day and suggested the city send a representative to offer testimony on behalf of residents.

Laurie Deshetler, 5071 Turner Close Court, a physical therapist at the Heit Center for Healthy New Albany, spoke about social determinants of health and clean air as part of the built environment. She said the seven plants posed a public health crisis, urged council to be proactive rather than reactive, and asked council to fight hard on the community's behalf. She said she trusted council members, some of whom she knew through Pelotonia where everyone worked together to end cancer and save lives. Her mom was currently hospitalized with colon cancer. She didn't want to leave New Albany, but she and her husband had had conversations about where they would move. She wanted council to fight hard. Most lived within the three-to-five-mile radius of these plants. Five plants were already approved and that there was an opportunity to maybe stop two. She wanted to help if the city needed a board. Social determinants of health affected us. It was overwhelming, stressful, and anxiety-provoking. We were supposed to be the healthiest community of the nation. It was going to affect property values.

Michelle Malik, 7591 Lambton Park Road, a resident of close to 30 years and an ICU nurse, recalled the four pillars of the city's master planning: lifelong learning, arts and culture, health and wellness, and environmental sustainability. She asked whether the city had considered holding a local meeting to explain the projects and gather public input. She stated we were putting things into this community that were not our choice. We could be a model for other communities, but she felt everyone was pushing it off, saying it was already approved, and they didn't have a say in it. She questioned the city's signing a stipulation for the PowerConnex project the previous day without engaging residents directly. She described her experience as the first school nurse at Marburn Academy after 30 years in operation. She observed buckets of inhalers. She described the anxiety parents and children felt about this. Her family was greatly influenced by the life of Bill Resch. Her son, Noah, had been appointed to the city's Sustainability Advisory Board and was staying up late researching the effects this would have on the community. This community was a beautiful place residents wanted to be proud of and live a healthy life in, not be scared, running away, and selling their houses because they were scared they would get cancer.

Mayor Spalding asked council if there were any objections to a short break. No council members objected. The meeting went on a break at 8:15 p.m.

The meeting resumed at 8:34 p.m.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION (PC): No meeting.

PARKS AND TRAILS ADVISORY BOARD (PTAB): No meeting.

ARCHITECTURAL REVIEW BOARD (ARB): No meeting.

BOARD OF ZONING APPEALS (BZA): No meeting.

SUSTAINABILITY ADVISORY BOARD (SAB): No meeting.

INCLUSION DIVERSITY EQUITY AND ACCESSIBILITY IMPLEMENTATION PANEL (IDEA): No meeting.

CEMETERY RESTORATION ADVISORY BOARD (CRAB): No meeting.

PUBLIC RECORDS COMMISSION: No meeting.

CORRESPONDENCE AND COMMUNICATIONS:
NONE

SECOND READING AND PUBLIC HEARING OF ORDINANCES:
NONE

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-28-2026
Mayor Spalding read by title AN ORDINANCE TO AUTHORIZE THE NEW ALBANY CITY MANAGER TO CONVEY REAL PROPERTY ACQUIRED BY THE CITY FOR THE IMPROVEMENT OF RIGHT OF WAY REMAINING IN UNINCORPORATED LICKING COUNTY TO THE BOARD OF COUNTY COMMISSIONERS OF LICKING COUNTY, OHIO PURSUANT TO AN INTERGOVERNMENTAL AGREEMENT.

Deputy Public Service Director Steven Mayer stated that in 2022, the city entered into intergovernmental agreements with neighboring jurisdictions east of Mink Street. These allowed the city to acquire the right-of-way needed to widen and improve Mink Street, including areas outside the city limits. Since then, the city's real estate team had acquired right-of-way easements from more than 62 parcels along the 3.6-mile corridor from SR 161 north to Green Chapel Road. The city had also obtained right-of-way on neighboring streets, including Green Chapel, Miller Road, Jug Street, and Beaver Road, to allow side streets to taper in where they met in the Mink Street project. This was the first of 3 pieces of legislation on the agenda. The legislation would deed the right-of-way remaining outside the city limits back to the Licking County Board of Commissioners, and the townships would maintain it, as contemplated by the 2022 intergovernmental agreement. City staff had met with the Licking County Engineer, township administrators, and neighboring cities, and all parties agreed to the boundaries.

Mayor Spalding set the ordinance for second reading at the November 17, 2026, council meeting.

ORDINANCE O-29-2026
Mayor Spalding read by title AN ORDINANCE TO AUTHORIZE THE NEW ALBANY CITY MANAGER TO PETITION THE BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO, TO ANNEX 17.81 +/- ACRES OWNED BY THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP AND MONROE TOWNSHIP TO THE CITY OF NEW ALBANY.

Deputy Public Service Director Steven Mayer stated the same intergovernmental agreement referenced in O-28-2026 also contemplated annexing the acquired right-of-way along Mink Street. At the time of the agreement, Mink Street was a 2-lane road in highway easements, and the city had annexed to the centerline. Today, about 70 feet of the section lay within the city, including most of the roadway improvements. This ordinance would authorize the city manager to petition the Licking County Board of Commissioners to annex the remaining 30 feet to the east. He described this as the first of a 2-step Expedited Type 1 annexation, in which the city, as property owner, petitioned the county. After the township trustees heard the matter, it would return to council for final approval, which staff anticipated in February 2027.

Mayor Spalding set the ordinance for second reading at the November 17, 2026, council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-48-2026
Mayor Spalding read by title A RESOLUTION TO APPROVE THE CONTINUED OPERATION OF A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) FOR THE NEW ALBANY VILLAGE CENTER.

Director of Strategic Initiatives Abbey Brooks stated on November 16, 2021, city council approved Resolution R-53-2021, establishing a Designated Outdoor Refreshment Area (DORA). Pursuant to ORC 4301.82(I)(1), council was required to review and reauthorize the DORA every 5 years following its initial establishment. The resolution would reauthorize the DORA for an additional five years. The DORA was used primarily during summer events and the Farmers Market. It was originally established with four permit holders, BrewDog, Rusty Bucket, Mellow Mushroom, and Hudson 29, and had since added Bendi Wok and Bar. Cup sales had fluctuated over the years. The DORA operated Thursday through Saturday from 5 p.m. to 10 p.m. unless otherwise approved by the city manager, and event-related changes, such as noon opening for Oktoberfest, went through event permitting. Council could change the days and hours at any time.

Council Member Shull asked how establishments came to be included in the DORA, and whether they applied or the city contacted them. Mayor Spalding replied that the city set the boundaries and that appropriately licensed businesses within them could participate if they contacted the city. He added that the city could also proactively contact new restaurants that came online. Director Brooks agreed and said the city had to issue the DORA cups to the establishments.

Director Brooks described the DORA boundary, which covered 41.9 acres, well below the 150 contiguous acres allowed for a city of this size, with retail, restaurant, office, parkland, and performing arts uses and no residential. Reducing the boundary could be done within the renewal period without reapplication, and expansion could require reapplication. Police and public service had no concerns with another five years, and police had reported no significant DORA-related issues.

Mayor Spalding suggested that staff develop a recommendation on boundary adjustments, noting that the former Oktoberfest site would probably not be used for alcohol sales but that the historic downtown area might be included. Director Brooks confirmed the downtown area was not currently included and that the future Rose Run 2 and Rose Run 3 could warrant adjustments, which council could make at any time. Changing boundaries would require public notice, a hearing, and notification to the Department of Commerce. Mayor Spalding asked and Director Brooks answered that expanding the existing DORA required the land to be contiguous. A city could have up to three DORAs, which need not be contiguous, but each needed its own application and at least four permitted establishments.

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 Wiltrout seconded and council voted with 7 yes votes to approve Resolution R-48-2026.

RESOLUTION R-49-2026
Mayor Spalding read by title A RESOLUTION THAT THE CITY OF NEW ALBANY WILL PICK UP A PORTION OF THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES

RETIREMENT SYSTEM IN ACCORDANCE WITH THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER AND PURSUANT TO IRC SECTION 414(h)(2).

Finance Director Bethany Staats stated the Ohio Public Employee Retirement System (OPERS) required a resolution to properly account for an employee portion of the OPERS pension that was assumed by the city. This resolution was based on a template from OPERS that provided all requirements to account for the terms negotiated in the successor city manager's employment agreement regarding pension contributions paid by the city. Specifically, the city would contribute 5% of the statutorily required 10% employee contribution of the employee's earnable salary. Such payments would be made directly to OPERS. This resolution was effective for the life of the agreement and extended to any future salary adjustments for the covered employee.

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 Kist seconded and council voted with 7 yes votes to approve Resolution R-49-2026.

RESOLUTION R-50-2026
Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MONROE TOWNSHIP AND THE CITY OF JOHNSTOWN FOR SNOW AND ICE REMOVAL AND CONTROL AT AND ADJACENT TO THE INTERSECTION OF MINK STREET AND GREEN CHAPEL ROAD.

Deputy Public Service Director Steven Mayer stated the annexation limits along Mink Street functioned appropriately from an infrastructure maintenance and law enforcement standpoint. However, the boundary did not work well from a practical standpoint for snow plowing and ice removal at the Green Chapel Road and the Mink Street roundabout. Accordingly, New Albany staff met with the City of Johnstown and Monroe Township. This legislation authorized the New Albany to enter into a tri-party roadway maintenance agreement solely for snow and ice removal at the roundabout/intersection. New Albany would maintain the western leg of Green Chapel Road, the southern leg of Mink Street, and the roundabout itself. Johnstown would maintain the approaches entering and exiting the roundabout along the north leg of Green Chapel Road. Monroe Township would maintain the approaches entering and exiting the roundabout along the eastern leg of the roundabout on Mink Street.

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 McClelland seconded and council voted with 7 yes votes to approve Resolution R-50-2026.

COUNCIL SUBCOMMITTEE REPORTS:
NONE

REPORTS OF REPRESENTATIVES:
A. Council Representative to MORPC: No meeting.

B. Council Representative to Joint Park District (JPD): Council Member Shull reported the new recreation center was targeting temporary occupancy in mid-December, that a program guide with roughly 240 new programs starting in January had been posted online and drawn ~5,000 views, and that the Trunk or Treat event the previous Saturday had been well attended with about 50 vendors. Mayor Spalding followed with positive remarks on the event and the extraordinary size of the recreation center.

C. Council Representative to New Albany-Plain Local Schools (NAPLS): Council Member Wiltrout reported that the board had met briefly and that its main business was approval of the relocation of the baseball press box and stated the junior musical performance of The Little Mermaid was well attended.

D. Council Representative to Plain Township: No report.

OTHER BUSINESS:
NONE

REPORTS OF CITY OFFICIALS:

A. Mayor Spalding: No report.

B. Clerk of Council: Clerk Mason reported the community development department needed three council members for a Village Center place-making plan. Director Chrysler explained that the city's 2026 budget funded a place-making plan for the Village Center to serve as a guide for elements such as benches, spaces, programming, and plantings at places like Stefanov Circle. The first step in the plan was an external immersion experience that brought together residents, business owners, and stakeholders for guided conversation about how people experienced the village center, and the selected council members would also serve as liaisons to stakeholders as the process continued. Mayor Spalding asked whether the same three members had to serve throughout and how long and how often the process would meet. Director Chrysler answered that there would be a single immersion session of 2 to 3 hours, between 12:30 and 5 p.m., with dates held from December 3 to8, and that others could be asked to join later stages. Council Members Kist, Durik, and Wiltrout volunteered.

   Clerk Mason reminded council that the 2027 Annual Budget Program was scheduled for Monday, November 16 at 8:30 a.m. Clerk Mason stated she would email council minor updates to the board and commission selection process to reflect the practices now in use and that council could approve the updates at the next meeting.

C. Finance Director: Director Staats reported the 2027 Annual Budget Program had been delivered to council as required by the New Albany Charter, and that the accompanying ordinance was in council's materials. She asked that council members contact her with questions before the budget workshop.

D. City Manager: City Manager Stefanov reported his successor, Mike Stevens, would begin work on November 16, followed by a 6-week overlap before City Manager Stefanov's retirement. The city manager executed contracts on behalf of the city. Having two city managers created some confusion. He recommended that Mr. Stevens be designated the signatory on behalf of the city effective his first day.

Mayor Spalding moved to clarify the city manager's decision-making authority, pursuant to the written staff recommendation, due to the unique nature and timing of the hiring of Mr. Stevens before City Manager Stefanov's retirement, and confirm that all powers and duties of the city manager as set forth in Section 7.02 of the city charter be vested in the incoming city manager, Mike Stevens, effective November 16, 2026. Council Member Wiltrout seconded and council voted with 7 yes votes to approve the motion. Motion passed.

E. City Attorney: No report.

POLL FOR PUBLIC COMMENT:
NONE

POLL FOR COUNCIL COMMENT:
Mayor Spalding thanked council and staff for listening diligently to resident concerns, and stated that there was work to do and that council would roll up its sleeves to address the concerns as best it could.

OTHER BUSINESS:
NONE

ADJOURNMENT:
With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Kist seconded to adjourn the November 3, 2026, regular council meeting at 9:03 p.m.

ATTEST:

Jennifer H. Mason, Clerk of Council	Sloan T. Spalding, Mayor	Nov 3, 26 Date