



Prepared: 3/23/2016
Introduced: 4/05/2016
Amended:
Adopted:
Effective:

Resolution Number R-15-2016
PID Number 97879
Lic-SR 161-01.83

RESOLUTION R-15-2016

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN ODOT CONSENT LEGISLATION FOR THE CONSTRUCTION OF AN INTERCHANGE FACILITY ALONG STATE ROUTE 161 AT THE MINK STREET OVERPASS

WHEREAS, the City of New Albany has identified the need for the stated described project:

Construction of interchange facility along SR 161 at the Mink Street overpass. The project will include the installation of three signalized intersections. This work will be performed as part of PID 97879, Lic-SR 161-01.83; and

WHEREAS, said portion of the described project is within the City of New Albany area of responsibility.

NOW THEREFORE, BE IT RESOLVED by the City of New Albany of Franklin and Licking Counties, Ohio:

Section 1. Consent Statement

Being in the public interest, the City of New Albany gives consent to the Director of Transportation to complete the above described project.

Section 2. Cooperation Statement

The City of New Albany shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of the costs of the improvement including right-of-way acquisition.

Section 3. Utilities and Right-of-Way Statement

The State agrees that all right-of-way required for the described project will be acquired and/or

made available in accordance with current State and Federal regulations. The State also understands that right-of-way costs include eligible utility costs.

The State agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

The State will acquire right-of-way in the name of the City of New Albany where improvements are necessary on or adjacent to roadways under the jurisdiction of the City of New Albany.

Section 4. Maintenance

Upon completion of the project, and unless otherwise agreed, the City of New Albany shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions, and (4) hold said right-of-way inviolate for public highway purposes.

Section 5. Authority to Sign

The City Manager of the City of New Albany is hereby empowered on behalf of the City of New Albany to enter into contracts with the Director of Transportation necessary to complete the above described project.

Section 6. Effective Date

Pursuant to Article 6.07 of the New Albany Charter, this resolution shall take effect and be in force upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

ATTEST:

Sloan T. Spalding, Mayor

Jennifer H. Mason, Clerk of Council

APPROVED AS TO FORM:

Mitchell Banchefsky, Law Director

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Resolution R-15-2016 were posted for 30 days starting on _____, 2016.

Jennifer H. Mason, Clerk of Council

Date

PROPOSED



Prepared: 3/16/2016
Introduced: 4/05/2016
Revised:
Adopted:
Effective:

RESOLUTION R-16-2016

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO REQUEST AND ACCEPT THE SUM OF EIGHT MILLION SEVEN HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$8,725,000.00) FROM THE NEW ALBANY COMMUNITY AUTHORITY ECONOMIC DEVELOPMENT FUND FOR ECONOMIC DEVELOPMENT PROJECTS AND INCENTIVES

WHEREAS, the Council of the City of New Albany ("the City") was empowered by virtue of the laws of the State, including Article VIII, Section 13 of the Ohio Constitution, and Chapters 165 and 349 of the Ohio Revised Code to establish an Economic Development Fund by Resolution 52-2004; and

WHEREAS, the Economic Development Fund was established to promote the continued construction, improvement, furnishing and equipping of economic development activities; and

WHEREAS, the New Albany Community Authority is permitted to disburse funds from the Economic Development Fund solely for the purpose of paying expenditures directly related to economic development initiatives that are approved by both the City and the Authority; and

WHEREAS, the Council of the City of New Albany has determined that economic incentives have been earned by various companies located in the Business Park; and

WHEREAS, the Council of the City of New Albany has determined that various infrastructure improvements are necessary in order to expand the business park, augment existing infrastructure and facilitate ongoing economic development; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of New Albany, Counties of Franklin and Licking, State of Ohio that:

Section 1. The City Manager is authorized and hereby directed to request that the New Albany Community Authority ("the Authority") disburse the sum of Eight Million Seven Hundred Twenty Five Thousand Dollars (\$8,725,000.00) from the Authority's Economic Development Fund to the City for payment of expenditures listed in the recitals above.

Section 2. The appropriated funds shall be disbursed by the Authority in accordance with a schedule established by the City and the Authority.

Section 3. The City Manager and Director of Finance are further authorized to enter into any agreements as may be necessary and appropriate for facilitating the request and acceptance.

Section 4. This Resolution is passed and shall take effect and be in force at the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding,
Mayor

Jennifer H. Mason,
Clerk of Council

Approved as to form:

Mitchell H. Banchevsky
City Attorney

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Resolution R-16-2016 were posted for 30 days starting on _____, 2016.

Jennifer H. Mason, Clerk of Council

Date



Prepared: 03/24/2016
Introduced: 04/05/2016
Revised:
Adopted:
Effective:

ORDINANCE O-07-2016

AN ORDINANCE TO AMEND CHAPTERS 909 "CONSTRUCTION POLICY", 1178 "RIGHTS-OF-WAY", AND 1305 "BUILDING ADMINISTRATION" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES.

WHEREAS, it has been found that the Codified Ordinances of the City of New Albany Chapters 909, 1178, and 1305, need to be amended; and

WHEREAS, the City adopted O-19-2009 to amend the Codified Ordinance Chapter 909.02 to require the construction of fiber optic laterals from commercial building; and

WHEREAS, the City of New Albany has invested significantly in optic fiber infrastructure resulting in the construction of a municipal owned and leased institutional network; and

WHEREAS, the fiber optic infrastructure provides greater connectivity, redundancy, and stronger internet capabilities for the betterment of the employees and citizens of the City.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

SECTION 1. The Codified Ordinance Chapters 909 "Construction Policy," 1178 "Rights-of-Way," and 1305 "Building Administration" be amended with the attached portions of Chapters 909 (labeled **Exhibit A**), 1178 (labeled **Exhibit B**), and 1305 (labeled **Exhibit C**), as requested by the City of New Albany.

SECTION 2. This Ordinance is passed and shall take effect and be in force on the earliest date allowed by law.

SECTION 3. Pursuant to Article 6.07(b) of the New Albany Charter, this Ordinance shall become effective thirty (30) days after adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchevsky
Law Director

EXHIBIT A

909.02 CONFORMANCE WITH OTHER POLICIES.

All construction shall conform to the following:

(a) City of Columbus, current Construction and Material Specifications.

(b) Standard drawings and policies as developed by the City of Columbus Division of Engineering and Construction, Division of Water and the Division of Sewerage and Drainage. Any conflict between the above standard and the New Albany Subdivision Regulations, the New Albany Subdivision Regulations shall prevail.

(c) Fiber laterals from/to a commercial building ~~to Blue Albany Networks~~ the New Albany Fiber Optic Network shall be constructed in accordance with the ~~Village City~~ City of New Albany standards.

(1) One 4" schedule 40 rigid non-metallic conduit shall be installed from a point 5' outside of the commercial building to a point 10' away from the nearest city approved handhole in the public right of way. This conduit will be exclusively dedicated to the New Albany Fiber Optic Network, and no other utilities shall occupy this conduit.

(2) The conduit shall be installed between 18" and 24" in depth, and tracer wire shall be placed 6" above the top of the conduit along its length.

(3) The site contractor is not permitted to make the actual connection to or disturb the existing handhole. All connection and splice requests shall be submitted to and coordinated with the City.

Such connection(s) shall be subject to ~~Village City~~ or its consultants' plan review, inspection and approval.

EXHIBIT B

1178.05 CRITERIA FOR GRANTING PERMITS.

- (a) Cable television franchises shall be granted pursuant to agreements with franchisees.
- (b) Telecommunications and utility and special permits shall be granted to persons based upon a determination that the following criteria are met:
- (1) The granting of the permit will contribute to the public health, safety or welfare in the Municipality;
 - (2) The granting of the permit will be consistent with the policy as set forth in Section 1178.01; (3) The Permittee has and will continue to have liability insurance, which names the Municipality as an additional insured, in effect in such amounts and for such liability as the Municipality may require or be self-insured pursuant to the terms of this chapter; and
 - (3) That the applicant is a proper person to hold a permit and will fulfill all the obligations hereunder.
- (c) Residential permits shall be granted if not inconsistent with the public health, safety and welfare.
- (d) Applicants providing a connection to the New Albany Fiber Optic Network ~~Blue Albany Networks~~ shall obtain any and all regulatory approvals, permits, authorizations or licenses necessary from the ~~Village City~~ as set forth in Section 1305.05(g)(1).
- (1) Applicants shall provide the ~~Municipal~~City Engineer with a detailed plan of the fiber connection and conduit alignment from a point 5' outside of the commercial building to a point 10' away from the nearest city approved handhole in the public right of way. This will be exclusively dedicated to the New Albany Fiber Optic Network, and no other utilities shall occupy this conduit. ~~to the Right of Way/connection to Blue Albany Networks.~~

EXHIBIT C

1305.04 INSPECTIONS.

(a) All construction or work for which a permit is required shall be subject to inspection by the Building Official and/or Zoning Officer (whomever is applicable), who may enter premises where such work is in progress at all reasonable times for the purpose of making such inspections.

(b) Work requiring a building permit shall not commence until the permit holder or his or her agent shall have posted an inspection record card in a conspicuous place on the premises and in such position as to allow the Building Official to conveniently make the required entries thereon regarding inspection of the work. Such card shall be maintained in such position by the permit holder until the certificate of occupancy has been issued.

(c) No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the Building Official. Approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required in subsection (e) hereof.

(d) No reinforcing steel or structural framework or any other part of any building or structure or appurtenant installation therein shall be covered or concealed in any manner whatever without first obtaining the approval of the Building Official.

(e) The Building Official upon notification from the permit holder or his or her agent shall make the following inspections of buildings and shall either approve the portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with the law:

(1) Foundation and footing. To be made after trenches are excavated and forms are erected and when all materials for the foundation and footing are delivered on the job.

(2) Frame. To be made after the roof, all framing, fire-blocking and bracing is in place and all pipes, chimneys and vents are complete and all rough plumbing, electrical and heating and ventilating and related work has been completed; provided, however, that such framing shall not be commenced until an inspection has been made and approval given to the completed foundation work.

(f) There shall be a final inspection of the building and all features, installations and appurtenances therein, to be made after all work is finished and the building completed and ready for occupancy.

(g) Additional inspections may be made by the Building Official of any construction work that he or she deems necessary to ascertain compliance with the provisions of this chapter and other laws which are enforced by the Department.

(1) A minimum of two 4" electrical conduits shall be provided for each new commercial building. The first conduit shall be installed from a point 5' outside of the building to a point 10' away from the nearest city approved handhole in the public right of way. This will be exclusively dedicated to the New Albany Fiber Optic Network, and no other utilities shall occupy this conduit. A second conduit shall be extended from a point 5' outside of the building to the public right of way. This conduit will be available for private telecommunication connections to the building. Both conduits shall be inspected by the City Inspector. Fiber lateral connection(s) are required to each commercial building and in no case shall there be less than one connection provided. Multiple connections are preferred to each commercial building. Connections (conduit/fiber location and specifications from/to building to the New Albany Fiber Optic Network Blue Albany Networks) must be shown on the commercial building plans.



Prepared: 03/01/2016
 Revised: 03/30/2016
 Introduced: 04/05/2016
 Revised:
 Adopted:
 Effective:

ORDINANCE O-08-2016

APPROPRIATION AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016 AND ISSUE THEN AND NOW CERTIFICATES

WHEREAS, it is necessary to increase appropriations in the General Fund to provide additional funding for the codification of city ordinances; and

WHEREAS, the City has been awarded a grant and loan from the Ohio Public Works Commission (OPWC) for the construction of a roundabout at US 62 and Greensward Road making it necessary to create a new OPWC Fund and to add appropriations; and

WHEREAS, it is necessary to perform budget transfers within the General Fund and the that do not increase appropriations, but do require Council approval; and

WHEREAS, City Council hereby authorizes the Finance Director to issue Then and Now Certificates to Towne Park, LLC and E.P. Ferris and Associates; and

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio that:

Section 1. City Council hereby authorizes an increases in appropriations in the General Fund (101) as follows:

101.702.523006	Ordinance Codification	\$	8,000
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Section 2. City Council hereby authorizes the creation of the Greensward Roundabout OPWC Fund and authorizes an increase in appropriations to the Greensward Roundabout OPWC Fund (420) as follows:

420.705.525503	Project Expense	\$	1,437,120
420.140.414200	State Grants		\$1,437,120

Section 3. City Council hereby authorizes the following budgetary transfers:

101.705.521001	NASD Overtime	\$	(17,000)
101.702.523006	Traffic Signs	\$	17,000

101.402.521000	Salaries & Wages	\$	(20,000)
101.402.523025	Electrical Inspections	\$	20,000
401.705.525503	Project Expense	\$	(305)
401.706.527002	Refunds	\$	305
405.705.525503	Project Expense	\$	(2,572)
405.706.527002	Refunds	\$	2,572

Section 4. City Council hereby authorizes the Finance Director to issue Then and Now Certificates as follows: **Towne Park, LLC** in an amount not to exceed **\$40,000** and **E.P. Ferris and Associates** in an amount not to exceed **\$50, 000**.

Section 5: Pursuant to the Article VI, § 6.07(a) of the charter of the City of New Albany, this Ordinance shall take effect upon passage.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-08-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2016.

Jennifer Mason, Clerk of Council

Date