



Prepared: 4/19/2016  
Introduced: 5/17/2016  
Revised:  
Adopted: 6/22/2016  
Effective: 7/22/2016

## ORDINANCE O-13-2016

### AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 74.598+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

**WHEREAS**, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on March 3, 2016, and

**WHEREAS**, the foregoing Resolution #83-216 of the Licking County Commissioners was delivered to the City of New Albany on March 10, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

**WHEREAS**, pursuant to Resolution R-08-2016 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

**WHEREAS**, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

**WHEREAS**, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

**WHEREAS**, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

**Section 1:** That the application of property owners set forth in Licking County requesting the annexation of 74.598 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

**Section 2:** That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

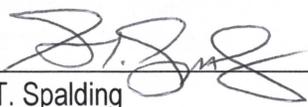
**Section 3:** That City Council of the City of New Albany hereby accepts the annexation of a 74.598 +/--acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

**Section 4:** That the Clerk is herewith directed to deliver certified copies of this Ordinance and other Proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

**Section 5:** That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this 21 day of June, 2015.

**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**

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I certify that copies of Ordinance **O-13-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on June 22, 2016.

  
\_\_\_\_\_  
Jennifer Mason, Clerk of Council

6/22/16  
\_\_\_\_\_  
Date

Exhibit  
A

<b>PRE-APPROVAL</b> LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY: <i>[Signature]</i>	<i>[Signature]</i>
DATE: <i>1-14-16</i>	

**ANNEXATION OF 74.598 ACRES**

**FROM: TOWNSHIP OF JERSEY  
TO: CITY OF NEW ALBANY**

Situated in the State of Ohio, County of Licking, Township of Jersey, in Lot 1, Quarter Township 2, and Sections 13 and 14, Quarter Township 3, Township 2, Range 15, United States Military Lands, being comprised of all of those tracts of land conveyed to MBJ Holdings, LLC by deeds of record in Instrument Numbers 201511050024177 and 201511170024864, all of those tracts of land conveyed to Lisa A. Murphy, Trustee by deed of record in Instrument Number 201601050000147, and all of that tract of land conveyed to Mink Corner Holdings LLC by deed of record in Instrument Number 201406090010252, (all references are to the records of the Recorder's Office, Licking County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at the centerline intersection of Mink Street (County Road 41) with Beaver Road;

Thence South 29° 32' 02" West, with the centerline of said Mink Street, a distance of 200.50 feet to the southeasterly corner of that 2.231 acre tract conveyed to Ronald Lee and Pamela Sue Howell by deed of record in Official Record 532, Page 258, the TRUE POINT OF BEGINNING for this description;

Thence South 29° 32' 02" West, with said centerline, a distance of 193.01 feet to a point;

Thence South 27° 47' 42" West, with said centerline, a distance of 1024.74 feet to the northeasterly corner of that 0.576 acre tract conveyed as Parcel 84-WDV to Licking County by deed of record in Instrument Number 200503230008436;

Thence North 62° 17' 59" West, with the northerly line of said 0.576 acre tract, a distance of 72.90 feet to a point in the westerly right of way line of said Mink Street;

Thence South 31° 13' 30" West, with said westerly right of way line, a distance of 326.32 feet to the northwesterly corner of that 1.349 acre tract conveyed as Parcel 83-WDV to Licking County by deed of record in Instrument Number 200805160011422, the northeasterly corner of that 6.297 acre tract conveyed to Jerry Lynn Hill and Dorothy Jean Seton Hill by deed of record in Deed Book 810, Page 891;

Thence North 76° 34' 23" West, with the northerly line of said 6.297 acre tract, a distance of 719.47 feet to the northeasterly corner of that 4.882 acre tract conveyed to Wilsons Lawncare & Landscaping, LLC by deed of record in Instrument Number 201206060012508;

Thence North 83° 36' 23" West, with the northerly line of said 4.882 acre tract, a distance of 425.95 feet to the northwesterly corner thereof;

Thence South 03° 28' 44" West, with the westerly line of said 4.882 acre tract, a distance of 508.33 feet to the northeasterly corner of that 0.585 acre tract conveyed as Parcel 73-WDV to Licking County by deed of record in Instrument Number 200805160011426;

Thence North 88° 33' 16" West, with the northerly line of said 0.585 acre tract, a distance of 219.87 feet to a point in the easterly line of that 0.160 acre tract conveyed as Parcel 70-WDV to Licking County by deed of record in Instrument Number 200703150006591;

Thence North 03° 26' 31" East, with the easterly lines of said 0.160 acre tract and that 14.510 acre tract conveyed to Edward L. Bright and Debbi S. Bright by deed of record in Official Record 318, Page 627, a distance of 527.33 feet to a point;

Thence North 83° 36' 23" West, with a northerly line of said 14.510 acre tract, a distance of 31.69 feet to a point;

Thence North 02° 58' 27" East, with an easterly line of said 14.510 acre tract, a distance of 1400.53 feet to a point in the southerly line of that 162.114 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201508210017779;

Thence South 86° 45' 13" East, with said southerly line, a distance of 399.23 feet to the southeasterly corner thereof;

Thence North 02° 58' 27" East, with the easterly line of said 162.114 acre tract, a distance of 231.29 feet to a point;

ANNEXATION OF 74.598 ACRES

-2-

Thence North 03° 47' 55" East, with said easterly line, a distance of 373.00 feet to the southwesterly corner of that tract conveyed to Ray E. and Vicki D. Rusmisl by deed of record in Official Record 155, Page 296;

Thence South 86° 19' 43" East, with the southerly line of said Rusmisl tract, a distance of 691.34 feet to a point in the westerly line of that 46.81 acre tract conveyed to Mark J. Smith and Nancy J. Smith by deed of record in Instrument Number 199810210040058;

Thence South 03° 42' 26" West, with said westerly line, a distance of 373.00 feet to the southwesterly corner thereof;

Thence South 86° 19' 43" East, with the southerly line of said 46.81 acre tract, a distance of 616.51 feet to the northwesterly corner of that 1.944 acre tract conveyed to Thomas Stetzik and Pavana Stetzik by deed of record in Instrument Number 201302040003023;

Thence South 32° 40' 17" West, with the westerly lines of said 1.944 acre tract, that 1.973 acre tract conveyed to Pamela S. Howell, and said 2.231 acre tract, a distance of 480.47 feet to the southwesterly corner of said 2.231 acre tract;

Thence South 86° 19' 43" East, with the southerly line of said 2.231 acre tract, a distance of 651.97 feet to the TRUE POINT OF BEGINNING, containing 74.598 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

*Matthew A. Kirk*

Matthew A. Kirk  
Professional Surveyor No. 7865

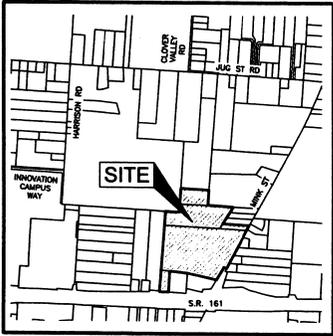
13 JAN 16

Date

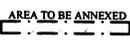
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74.598 ac 20151443-VS-EXHB-ANNX-01.doc



# ANNEXATION OF 74.598 ACRES TO THE CITY OF NEW ALBANY FROM THE TOWNSHIP OF JERSEY LOT 1, QUARTER TOWNSHIP 2, AND SECTIONS 13 & 14, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY LANDS TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



LOCATION MAP AND BACKGROUND DRAWING  
Not to Scale



PROPOSED CITY OF NEW ALBANY CORPORATION LINE  
EXISTING CITY OF NEW ALBANY CORPORATION LINE

**Contiguity Note:**  
Total perimeter of annexation area is 9266.97 feet, of which 1003.52 feet is contiguous with the City of New Albany giving 11% perimeter contiguity.

**Note:**  
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

By Matthew A. Kirk Date \_\_\_\_\_  
Professional Surveyor No. 7865

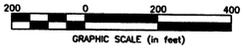
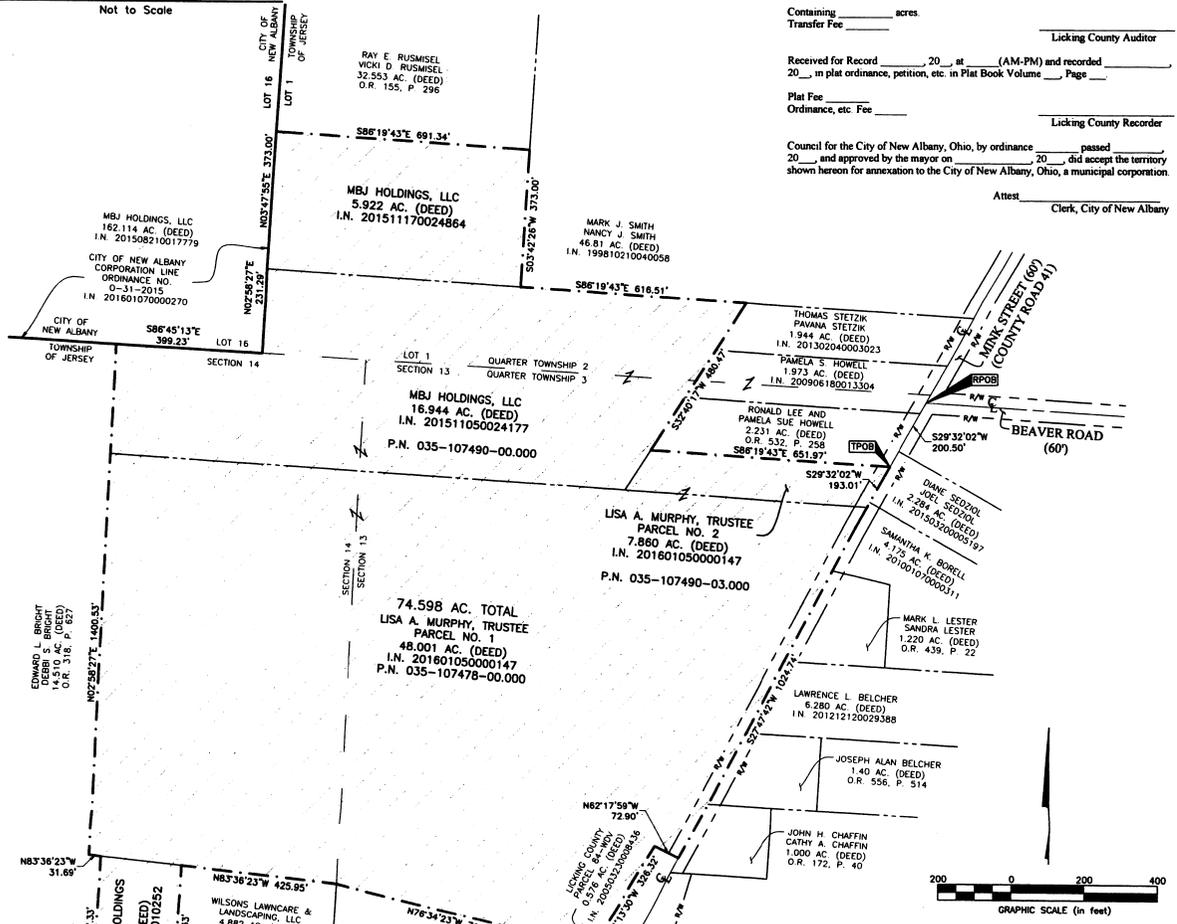
Proposed Annexation  
of 74.598 acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on \_\_\_\_\_, 20\_\_\_\_, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners \_\_\_\_\_  
The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners  
Petition Received \_\_\_\_\_, 20\_\_\_\_  
Petition Approved \_\_\_\_\_, 20\_\_\_\_

Transferred this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon the duplicates of this office  
Containing \_\_\_\_\_ acres.  
Transfer Fee \_\_\_\_\_  
Received for Record \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ (AM-PM) and recorded \_\_\_\_\_, 20\_\_\_\_, in plat ordinance, petition, etc. in Plat Book Volume \_\_\_\_\_, Page \_\_\_\_\_  
Plat Fee \_\_\_\_\_  
Ordinance, etc. Fee \_\_\_\_\_  
Council for the City of New Albany, Ohio, by ordinance \_\_\_\_\_, 20\_\_\_\_, and approved by the mayor on \_\_\_\_\_, 20\_\_\_\_, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.



<b>EMHT</b> Evans, Mechwart, Harrington & Titon, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43254 Phone: 614.775.4500 emht.com	Date: January 13, 2016	
	Scale: 1" = 200'	
	Job No: 2015-1443	
	Sheet: 1 of 1	
REVISIONS		
MARK	DATE	DESCRIPTION



Prepared: 5/19/2016  
Introduced: 6/21/2016  
Revised:  
Adopted: 6/21/2016  
Effective: 6/21/2016

## RESOLUTION R-23-2016

### A RESOLUTION TO REQUEST THE FRANKLIN COUNTY BUDGET COMMISSION TO GRANT THE .74 MILL IN AVAILABLE INSIDE MILLAGE TO THE CITY OF NEW ALBANY

**WHEREAS**, there is additional inside millage available for distribution by the Franklin County Budget Commission, and

**WHEREAS**, due to its need to fund expanded operations and provide infrastructure to service rapid growth in the community as demonstrated by the 2017 Tax Budget, the City of New Albany is in need of additional revenue.

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

**Section 1:** The City of New Albany hereby requests that the Franklin County Budget Commission grant the additional inside millage of .74 mills to the City of New Albany.

**Section 2:** The Clerk is directed to submit a certified copy of this resolution to the Franklin County Budget Commission.

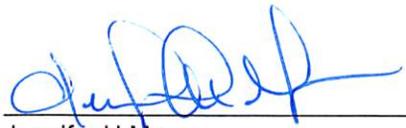
**Section 3:** It is hereby found and determined that all formal actions of this council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking County, Ohio.

**Section 4:** 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 21<sup>st</sup> day of June, 2016.

Attest:

  
Sloan T. Spalding  
Mayor

  
Jennifer H. Mason  
Clerk of Council

Approved as to form:

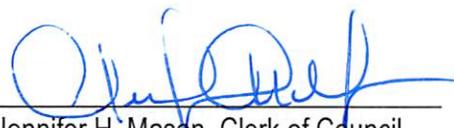
  
Mitchell H. Banchefsky  
Law Director

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

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I certify that copies of Resolution R-23-2016 were posted in accordance with New Albany City Charter starting on

June 22, 2016.

  
Jennifer H. Mason, Clerk of Council

6/22/2016  
Date



Prepared: 5/19/2016  
Introduced: 6/21/2016  
Revised:  
Adopted: 6/21/2016  
Effective: 6/21/2016

## RESOLUTION R-24-2016

### A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NEW ALBANY CHAMBER OF COMMERCE FOR THE PURPOSE OF PROMOTING VISITORS AND TOURISM IN THE CITY

**WHEREAS**, the city adopted Ordinance O-07-2010 in February 2010, enacting Chapter 184 of the Codified Ordinances of the City of New Albany, which creates a transient occupancy tax; and

**WHEREAS**, the transient tax will be used primarily for the following purposes: to market, support and retain existing businesses, encourage and otherwise facilitate new businesses to locate in the city and to offset the costs of public services provided to the hotels and their customers; and

**WHEREAS**, the city council, previously adopted Resolution No. R-59-2012 on October 16, 2012, which authorized the city manager to request funds from the Transient Occupancy Tax Fund and to enter into this Agreement with the New Albany Chamber for the promotion and publicity of the city, in order to bring the patronage and business of tourists and cultural, education, religious, professional and sports organizations into the city, for the benefit of the citizens of the city and of the business community; 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.** Agreement and Plan of Development. The form of Agreement by and between this city and the New Albany Chamber of Commerce, in the form presently on file with the clerk of council, is hereby approved and authorized with changes therein not inconsistent with this Resolution and not substantially adverse to this city and which shall be approved by the city manager. The city manager, for and in the name of this city, are hereby authorized to execute the Agreement, provided further that the approval of changes thereto by those officials, and their character as not being substantially adverse to the city, shall be evidenced conclusively by the execution thereof.

**Section 2.** Open Meetings. This council finds and determines that all formal actions of this council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this council or committees, and that all deliberations of this council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**Section 3.** Pursuant to Article 6.07 of the New Albany Charter, this resolution shall take effect upon adoption.

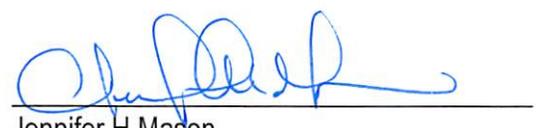
CERTIFIED AS ADOPTED this 21<sup>st</sup> day of June, 2016.

2016



Sloan T. Spalding  
Mayor

**Attest:**



Jennifer H. Mason  
Clerk of Council

**Approved as to form:**



Mitchell H. Banchevsky  
Law Director



Prepared: 3/21/2016  
Introduced: 6/21/2016  
Revised:  
Adopted: 6/21/2016  
Effective: 6/21/2016

## RESOLUTION R-25-2016

### **A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO APPROVE AND SIGN AGREEMENTS WITH DNA MMII LLC TO PROVIDE INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE VILLAGE CENTER COMMUNITY REINVESTMENT AREA**

**WHEREAS**, the Council for the City of New Albany, Ohio (the "City") by its Resolution No. R-60-2009, adopted September 14, 2009, created the Village Center Community Reinvestment Area (the "Original Area"), and

**WHEREAS**, the City has encouraged the development of real property and the acquisition of personal property to be located in the CRA; and

**WHEREAS**, DNA MMII, LLC intends to construct or cause to be constructed in the CRA medical office/mixed use retail space for use by DNA MMII, LLC (the "Company") or affiliated entities (the "Project"); and

**WHEREAS**, the City, having the appropriate authority for the Project, is desirous of providing incentives available for the development of the Project in the CRA; and

**WHEREAS**, the Company has resubmitted with the Agreement Application the required State application fee of \$750.00 made payable to the Ohio Department of Development to be forwarded to that Department with a copy of the final Agreement; and

**WHEREAS**, the Housing Officer of the city designated under Ohio Revised Code Section 3735.65 has reviewed the Application and has recommended the same to this Council on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the CRA and to improve the economic climate of the City, and the City, having appropriate authority, desires to provide the Company with the incentives available in the CRA for the development of the project described in that Application; and

**WHEREAS**, the Board of Education of Eastland Fairfield Career & Technical Schools has been notified in accordance with the applicable law; and

**WHEREAS**, pursuant to Ohio Revised Code Section 3735.67(A) and in conformance with the format required under the Ohio Revised Code Section 3735.671(B), the parties hereto desire to set forth their agreement with respect to matters hereinafter contained.

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

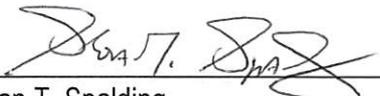
**Section 1.** The City Manager is hereby authorized to execute the Agreement and directed to take any further actions, and execute and deliver any further agreements, certificates or documents necessary to accomplish the granting of the incentives described in the Agreement, provided further that the approval of changes thereto by the City Manager and their character as not being substantially adverse to the City shall be evidenced conclusively by the execution thereof.

**Section 2.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Franklin County, Ohio.

**Section 3.** Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 21<sup>st</sup> day of June, 2016.

**Attest:**

  
\_\_\_\_\_  
Sloan T. Spalding  
Mayor

  
\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
\_\_\_\_\_  
Mitchell H. Banchefsky  
Law Director



Prepared: 05/27/2016  
Introduced: 06/21/2016  
Revised:  
Adopted: 6/21/2016  
Effective: 6/21/2016

## RESOLUTION R-26-2016

### A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT ON BEHALF OF THE CITY OF NEW ALBANY, OHIO WITH MILE HI VALET SERVICE INC TOWNE PARK AND AFFILIATE TO PROVIDE SHUTTLE SERVICES AND WAIVE THE COMPETITIVE BIDDING PROCESS

**WHEREAS**, the businesses located within the New Albany International Business Park identified the lack of public transit options within the City of New Albany as a severe detriment to workforce recruitment and retention, thereby causing an economic hardship; and

**WHEREAS**, the City of New Albany conducted two retention surveys, twenty four business retention meetings and three business open house meetings to accurately assess the need for increased public transportation in the New Albany International Business Park; and

**WHEREAS**, the City of New Albany proactively worked with COTA (the Central Ohio Transit Authority) to develop a unique partnership, New Albany Smart Ride, to provide increased bus service to the New Albany International Business Park in the morning and afternoon peak commute hours; and

**WHEREAS**, the City of New Albany solicited proposals from at least three shuttle/transportation providers in central Ohio to provide shuttle service from the new COTA Park & Ride facility in the New Albany International Business Park to each business within the park; and,

**WHEREAS**, PSI Parking Solutions was the only shuttle/transportation service that was equipped to and desirous of working with the City of New Albany to implement the Smart Ride program in 2014; and

**WHEREAS**, the PSI Parking Solutions was purchased in 2016 by Towne Park, an affiliate of Mile Hi Valet Service Inc.; and

**WHEREAS**, the City of New Albany desires to amend the contract with Towne Park to reflect a change in services and charges rendered per the ridership statistics; and

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

**Section 1.** That City Council hereby grants a Waiver of Competitive Bidding consistent with Article 9.04(C) of the New Albany Charter for the purpose of serving the best interest of the City by reducing the time and cost associated securing a shuttle service for the Smart Ride program.

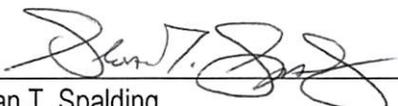
**Section 2.** The City Manager is hereby authorized to execute an agreement for services with Towne Park to provide shuttle services on behalf of the City of New Albany.

**Section 3.** It is hereby determined that all formal actions of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

**Section 4.** Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 21<sup>st</sup> day of June, 2016.

**Attest:**

  
\_\_\_\_\_  
Sloan T. Spalding  
Mayor

  
\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
\_\_\_\_\_  
Mitchell H. Banchefsky  
Law Director



Prepared: 06/09/2016  
Introduced: 06/21/2016  
Revised:  
Adopted: 6/21/2016  
Effective: 6/21/2016

## RESOLUTION R-27-2016

### A RESOLUTION TO ACKNOWLEDGE THE ACCEPTANCE OF FUNDING UNDER THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) ATTRIBUTABLE FUNDING PROGRAMS FOR THE PURPOSE OF MAKING TRAFFIC SIGNALIZATION SYSTEM UPGRADES AND STATING THE ASSURANCE TO COMPLETE THE PROJECT

**WHEREAS**, the Mid-Ohio Regional Planning Commission (MORPC) Attributable Funding Programs for the Ohio Department of Transportation (ODOT) provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

**WHEREAS**, the MORPC Attributable Funding Programs fund transportation projects or programs that will contribute to attainment or maintenance of the national air quality standards for ozone, carbon monoxide, and particulate matter, and

**WHEREAS**, central Ohio is an 8-hour ozone nonattainment area, and the entire Franklin County area is a PM2.5 nonattainment area, and

**WHEREAS**, MORPC has determined that the proposed upgrades to the city signalization system would be an appropriate project for Attributable Funding under their Congestion Mitigation and Air Quality Improvement (CMAQ) Program, and

**WHEREAS**, pursuant to FAST Act, and the regulations promulgated there under, eligible project sponsors wishing to receive federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds for a project shall submit an application with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

**WHEREAS**, the Mid-Ohio Regional Planning Commission (MORPC) is the MPO for the Central Ohio region; and

**WHEREAS**, the City of New Albany project has been selected for CMAQ funding; and

**WHEREAS**, as part of the Attributable Funding Program, MORPC requires a resolution of local support be adopted demonstrating its commitment to the project.

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

**Section 1:** That the Council of the City of New Albany hereby acknowledges the acceptance of funding under the MORPC Attributable Funding Programs for the purpose of making traffic signalization system upgrades.

**Section 2:** That the City of New Albany will commit to continue development of the project.

**Section 3.** It is hereby determined that all formal actions of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

**Section 4.** Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 21<sup>st</sup> day of June, 2016.

**Attest:**

  
\_\_\_\_\_  
Sloan T. Spalding  
Mayor

  
\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
\_\_\_\_\_  
Mitchell H. Banchefsky  
Law Director



Prepared: 06/10/2016  
Introduced: 06/21/2016  
Revised:  
Adopted: 6/21/2016  
Effective: 6/21/2016

## RESOLUTION R-28-2016

### A RESOLUTION TO APPROVE A FEE IN LIEU OF LEISURE TRAIL CONSTRUCTION AT 5215 HARLEM ROAD AS REQUESTED BY MATT MORGAN

**WHEREAS**, the City Strategic Plan cites leisure trails as a critical component to the success and livability of New Albany; and

**WHEREAS**, the City Codified Ordinance Sections 1187.02(d) and 1187.02(e) requires the developer/owner to provide and pay the entire cost of improvements to land including construction of leisure trails and/or sidewalks; and

**WHEREAS**, the City Codified Ordinance Section 1187.18 sets forth a process by which City Council may approve a fee in-lieu of a leisure trail and a calculation to determine the fee payment; and

**WHEREAS**, the property is located on the west side of Harlem Road, south of East Dublin Granville Road and north of Greensward Road. The City Strategic Plan shows the property at 5215 Harlem Road to be located on a rural roadway corridor and recommends a leisure trail should be located along the road; and

**WHEREAS**, Harlem Road currently does not have any existing leisure trails or sidewalks on either side of the road.

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

**Section 1.** That the Council of the City of New Albany hereby agrees that the developer/owner has proven that the construction of the leisure trail is not appropriate due to one of the following conditions outlined in Section 1187.18 of the City Codified Ordinance:

- a. Sidewalk and/or trail construction is impracticable due to topographical conditions or sidewalk constraints;
- b. Sidewalk and/or trails do not exist in the area, there is not a likelihood for sidewalks and/or trails to be constructed in the near future, and that a fee in-lieu would better serve the community than a sidewalk or trail installed at the required location.

**Section 2.** That the Council of the City of New Albany hereby approves a recommendation from the City Engineer regarding the calculation of the fee and requires that final occupancy is not issued for the subject development until the fee payment is received.

**Section 3.** Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 21<sup>st</sup> day of June, 2016.

**Attest:**

  
\_\_\_\_\_  
Sloan T. Spalding  
Mayor

  
\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
\_\_\_\_\_  
Mitchell H. Banchefsky  
Law Director



Prepared: 06/10/2016  
Introduced: 06/21/2016  
Revised:  
Adopted: 6/21/2016  
Effective: 6/21/2016

## RESOLUTION R-29-2016

### A RESOLUTION DIRECTING THE CITY MANAGER TO PROCEED WITH THE DESIGN AND CONSTRUCTION OF A ROUNDABOUT AT THE INTERSECTION OF JOHNSTOWN, LAMBTON PARK AND GREENSWARD ROADS IN ORDER TO IMPROVE TRAFFIC MOVEMENT AND ENHANCE PUBLIC SAFETY

**WHEREAS**, the volume of traffic at the intersection of Johnstown, Lambton and Greensward roads has risen with development in New Albany and its neighboring cities, making it increasingly difficult for motorists to access Johnstown Road from Lambton Park and Greensward roads; and

**WHEREAS**, a traffic count conducted by the city's traffic engineer determined that the intersection met the Ohio Uniform Manual for Traffic Control Devices criteria for a traffic control device; and

**WHEREAS**, the city has been awarded a grant and low interest loan to offset the construction cost of a roundabout; and

**WHEREAS**, the city's Strategic Plan, which was adopted in 2014, recommends the use of roundabouts when feasible to promote vehicle safety, maximize traffic flow, preserve narrow road corridors, reduce pollution and create aesthetic gateways into key areas of the community; and

**WHEREAS**, roundabouts are preferable to traffic signals for decreasing the number of vehicle conflict points and speeds, thereby, reducing the rate and severity of traffic accidents.

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

**Section 1.** The City Manager is hereby directed to proceed with the design and construction of a roundabout at the intersection of Johnstown, Lambton Park and Greensward roads and is authorized to advertise for bids, award contracts and execute all necessary contractual documents necessary to accomplish the design and construction of said roundabout.

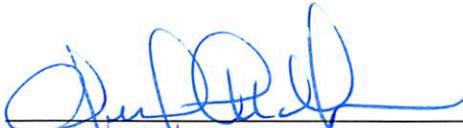
**Section 2.** That the Council of the City of New Albany hereby approves a recommendation from the City Engineer regarding the calculation of the fee and requires that final occupancy is not issued for the subject development until the fee payment is received.

**Section 3.** Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 21<sup>st</sup> day of June, 2016.

Attest:

  
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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**

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I certify that copies of **Resolution R-29-2016** were posted in accordance with the charter of the City of New Albany for 30 days starting on June 22, 2016.

  
\_\_\_\_\_  
Jennifer Mason, Clerk of Council

6/22/2016  
\_\_\_\_\_  
Date