



Prepared: 02/22/2019
Introduced: 03/05/2019
Revised:
Adopted:
Effective:

ORDINANCE O-08-2019

APPROPRIATION AMENDMENT ORDINANCE

AN ORDINANCE TO TRANSFER FUNDS FROM THE GENERAL FUND AND TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019

WHEREAS, in December 2018, upon the recommendation of the finance director and city manager, council opted to postpone end-of-year transfers from the General Fund in order to more accurately assess the availability of general fund revenue for transfer;

WHEREAS, upon the close of the 2018 fiscal year, the General Fund had an end-of-year balance that exceeded the city's 60%-65% General Fund reserve goal; and

WHEREAS, council desires to transfer a portion of the General Fund revenue that exceeds the amount of the city's reserve goal to the Capital Improvement Fund in order to provide funding for capital projects that will be undertaken in 2019; and

WHEREAS, it is necessary to make adjustments to appropriations to accommodate transfers and resulting projects where applicable;

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 appropriation of the unappropriated balance of the General Fund in the amount of \$2,500,000 to the Transfers category and also authorizes the transfer of that balance to the Capital Improvement Fund (Fund 401).

Section 2. City Council hereby authorizes an appropriation of the unappropriated balance of the Capital Improvement Fund (Fund 401) in the Capital category in the amount of \$2,500,000.

Section 3. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this ordinance were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the 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 _____ day of _____, 2019.

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-08-2019** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2019.

Jennifer Mason, Clerk of Council

Date



Prepared: 02/13/2019
Introduced: 03/05/2019
Revised:
Adopted:
Effective:

RESOLUTION R-13-2019

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO APPLY FOR AND ACCEPT ASSISTANCE FROM THE CLEAN OHIO CONSERVATION PROGRAM FUND (ROUND 13) ADMINISTERED THROUGH THE OHIO PUBLIC WORKS COMMISSION

WHEREAS, the Ohio Public Works Commission (OPWC) administers financial assistance for land acquisition, through The Clean Ohio Conservation Program Fund; and

WHEREAS, the City of New Albany desires financial assistance under The Clean Ohio Conservation Program Fund; and

WHEREAS, the Natural Resources Assistance Council (NRAC) has determined the proposed land acquisition of 98.5 acres known as "The Taylor Farm" located at the intersection of East Dublin-Granville Road and Harlem Road on the northwest corner would be an appropriate project under The Clean Ohio Conservation Program Fund; and

WHEREAS, the City of New Albany project has been selected to advance the preliminary application to the next phase of final application; and

WHEREAS, as part of The Clean Ohio Conservation Program Fund, OPWC requires a resolution of local support be adopted demonstrating its commitment to the project.

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 apply to the OPWC for Clean Ohio Conservation Program funds to acquire 98.5 acres of land for the project known as "The Taylor Farm".

Section 2. The city manager is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance in conjunction with the recommendations of the city engineer, and approved as to form by the city law director in accordance with all authority granted to and limitations upon by the city's director of finance.

Section 3. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

Section 4. Pursuant to the Article VI, Section 6.07(A) of the Charter of the City of New Albany, this resolution shall take effect upon passage.

CERTIFIED AS ADOPTED this _____ day of _____, 2019.

Attest:

Sloan T. Spalding,
Mayor

Jennifer H. Mason,
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director



Prepared: 02/22/2019
Introduced: 03/05/2019
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RESOLUTION R-14-2019

A RESOLUTION APPROVING AN APPLICATION TO PLACE FARMLAND LOCATED IN THE CITY OF NEW ALBANY, JERSEY TOWNSHIP, AND LICKING COUNTY IN AN AGRICULTURAL DISTRICT FOR REAL ESTATE TAXATION PURPOSES PURSUANT TO OHIO REVISED CODE 929

WHEREAS, the city has received an application from MBJ Holdings LLC to place 461.20 acres of farmland property in located in the City of New Albany, Licking County, Jersey Township, Ohio, into an Agricultural District; and

WHEREAS, this property consists of five (5) real estate parcels, 095-112074-00.000 (49.01 acres), 094-108192-00.000 (62.16 acres), 94-106404-00.000 (242.64 acres), 93-106422-00.001 (18.07 acres), and 093-106422-00.000 (89.32 acres) totaling approximately 461.20 acres, which land is presently being taxed at an the agricultural use valuation pursuant to Ohio Revised Code 5713.31, and

WHEREAS, due to the fact that these parcels are located in the city, legislation is required to approve, modify, or reject such an application.

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

Section 1. Council hereby finds that, since the subject property is currently devoted exclusively to agriculture use or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government, that this application is well taken and hereby approved.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this resolution were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

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

CERTIFIED AS ADOPTED this _____ day of _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director



Prepared: 02/22/2019
Introduced: 03/05/2019
Revised:
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RESOLUTION R-15-2019

A RESOLUTION TO APPROVE THE FINAL PLAT FOR THE MILLER AVENUE ROADWAY IMPROVEMENT PROJECT, AS REQUESTED BY THE CITY OF NEW ALBANY

WHEREAS, an application to approve the Final Plat for Miller Avenue has been submitted by the City of New Albany; and

WHEREAS, the New Albany Planning Commission, after review in a public meeting on February 20, 2018, recommended approval of the Final Plat; and

WHEREAS, the city engineer certifies that the extension of Miller Avenue meets all the requirements of Chapter 1187 of the Codified Ordinances, storm water management, design requirements and will meet all other requirements of the city.

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 said Final Plat to create the Miller Avenue extension is attached to this resolution as Exhibit A and made a part herein is approved.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this resolution were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

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

CERTIFIED AS ADOPTED this _____ day of _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

PROPOSED

Situated in the State of Ohio, County of Franklin, City of New Albany, and being located in Lot 39, Section 4, Township 2 North, Range 16 West, United States Military Lands containing 0.443 acre of land, more or less, and being part of a 0.503 acre tract as conveyed to Benham Investments, Ltd. in Instrument Number 201104180050626, and being part of a 1.122 acre tract as conveyed to The Khaleel Amr Dynasty Revocable Living Trust in Instrument Number 201708140111684, Recorder's Office, Franklin County, Ohio.

The undersigned, _____, owners of the lands plotted herein, duly authorized in the premises, does hereby certify that this plot correctly represents its "MILLER AVENUE & HIGH STREET DEDICATION," and does hereby accept this plot of same and dedicates to public use, as such, all of MILLER AVENUE and portions HIGH STREET shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over, and under areas designated on this plot as "Easement," or "Utility Easement." Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi public utilities, above beneath and on the surface of the ground, and where necessary, for the construction, operation, and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plot, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage outlets and or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plot. Areas shown hereon outside of the plotted areas are within land owned by the undersigned and easements are hereby granted therefor for the uses and purposes expressed herein.

In Witness Whereof, _____,
has hereunto set his hand this _____ day of _____, 20____.

Signed and acknowledged
in the presence of: _____

By: _____

STATE OF OHIO
COUNTY OF FRANKLIN

Before me, a Notary Public, in and for said State, personally appeared _____ who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said _____ for the uses and purposes expressed therein.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20____.

My commission expires _____ Notary Public, State of Ohio

In Witness Whereof, _____,
has hereunto set his hand this _____ day of _____, 20____.

Signed and acknowledged
in the presence of: _____
By: _____

STATE OF OHIO
COUNTY OF FRANKLIN

Before me, a Notary Public, in and for said State, personally appeared _____ who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said _____ for the uses and purposes expressed therein.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20____.

My commission expires _____ Notary Public, State of Ohio

MILLER AVENUE & HIGH STREET DEDICATION

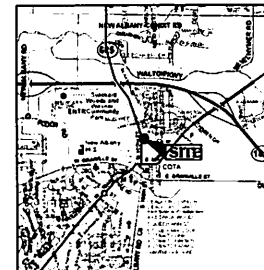
Approved this _____ day of _____, 20____, _____ Mayor, New Albany, Ohio

Approved this _____ day of _____, 20____, _____ City Engineer, New Albany, Ohio

Approved this _____ day of _____, 20____, _____ Council Representative to Planning Commission, New Albany, Ohio

Approved this _____ day of _____, 20____, _____ Chairperson, Planning Commission, New Albany, Ohio

Approved this _____ day of _____, 20____, _____ Finance Director, New Albany, Ohio



LOCATION MAP
NTS

SURVEY DATA:

BASE OF BEARINGS: The bearings shown on this plot were transferred from a field traverse originating and is based on the Ohio State Plane Coordinate System, South Zone as per MAG 83, 1588 adjustment. A bearing of North 02°14'39" East was held for a portion of the centerline of North High Street (S.R. 605).

SOURCE OF DATA: The sources of recorded survey data are the records of the Franklin County, Ohio, Recorder, referenced in the plan and text of this plot.

IRON PINS: Where indicated hereon, unless otherwise noted, are solid steel reinforcing bar five-eighths inch (5/8") diameter, thirty inches long with a plastic cap placed in the top and bearing the name "E.P. FERRIS SURVEYOR 8342".

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top and flush with the surface of the ground and then capped with an aluminum cap stamped "E.P. Ferris". Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the Village of New Albany, Ohio's acceptance of these improvements. The New Albany, Ohio, Municipal Engineer shall be notified when the markers are in place.

PREPARED BY
E. P. FERRIS AND ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS & SURVEYORS
880 KING AVE., COLUMBUS, OHIO 43212

We do hereby certify that we have surveyed the above premises, prepared the attached plot, and that said plot is correct to the best of my knowledge. All dimensions are in feet and decimal parts thereof.

SS = FRANKLIN COUNTY MONUMENT
o = Iron Pin (See Survey Data)
e = MAG Nail to be set
Metric conversion 1 ft. = 0.30480m

By: _____
Matthew Ling B.S., P.E., F.S.
Registered Surveyor No. 674



RESOLUTION R-67-2017

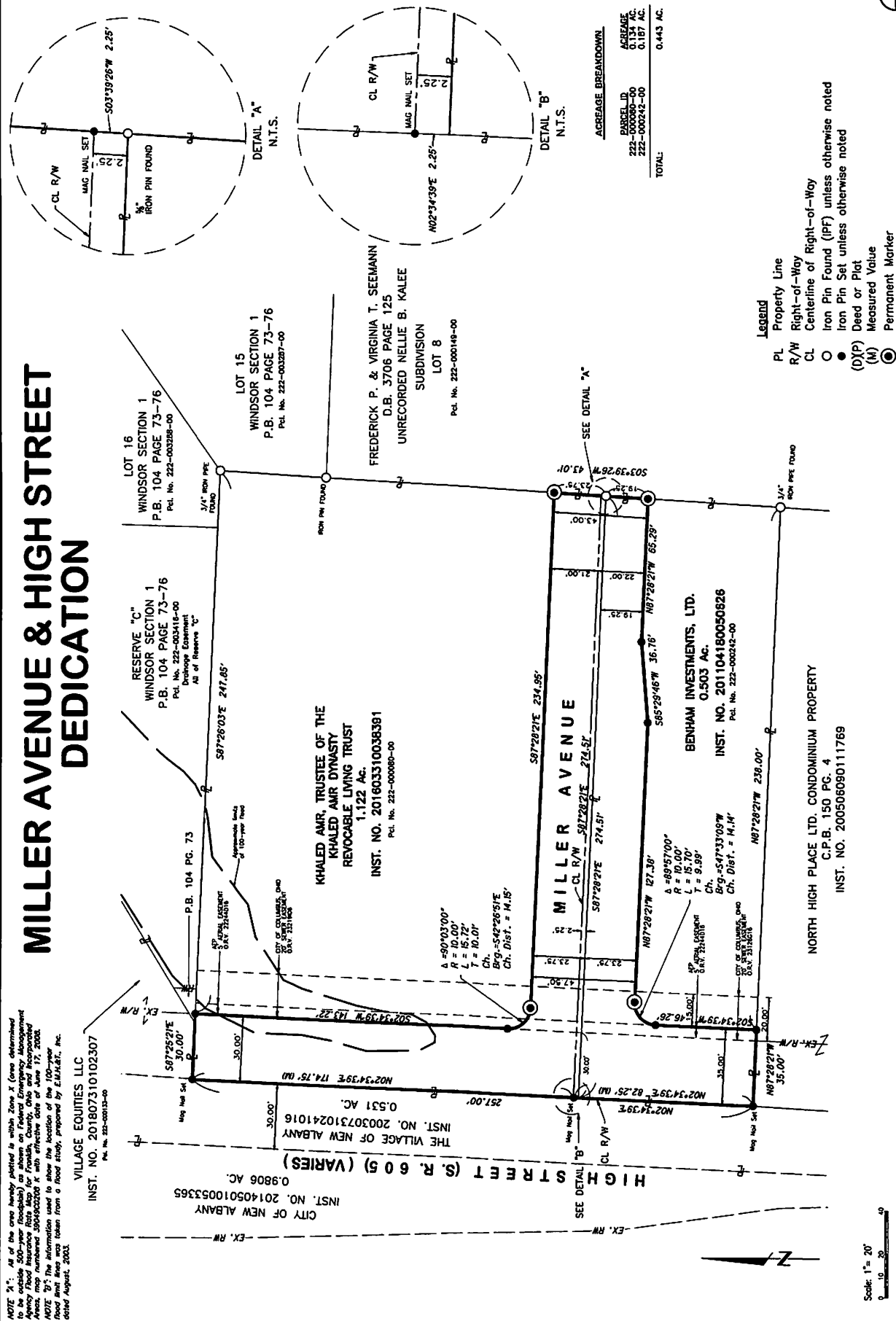
A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT ON BEHALF OF THE CITY OF NEW ALBANY, OHIO WITH THE ENGINEERING FIRM OF E.P. FERRIS & ASSOCIATES TO PROVIDE ENGINEERING SERVICES TO THE CITY

NOTE 9": All of the area hereby platted is within Zone X (area determined to be outside 500-year floodplain) as shown on Federal Emergency Management Agency Flood Insurance Rate Map for Franklin, Ohio and Incorporated Areas, map numbered 39049C0200 K with effective date of June 17, 2008.

NOTE 10": The information used to show the location of the 100-year flood limit lines was taken from a flood study, prepared by E.M.A.T., Inc. dated August, 2003.

NOTE 9": All of the area hereby platted is within Zone X (area determined to be outside 500-year floodplain) as shown on Federal Emergency Management Agency Flood Insurance Rate Map for Franklin, Ohio and Incorporated Areas, map numbered 39049C0200 K with effective date of June 17, 2008.

NOTE 10": The information used to show the location of the 100-year flood limit lines was taken from a flood study, prepared by E.M.A.T., Inc. dated August, 2003.





Prepared: 02/22/2019
Introduced: 03/05/2019
Revised:
Adopted:
Effective:

RESOLUTION R-16-2019

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO REQUEST AND ACCEPT THE SUM OF TWO MILLION FIVE HUNDRED AND FIFTEEN THOUSAND DOLLARS (\$2,515,000.00) FROM THE NEW ALBANY COMMUNITY AUTHORITY ECONOMIC DEVELOPMENT FUND FOR ECONOMIC DEVELOPMENT PROJECTS AND INCENTIVES

WHEREAS, 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 New Albany International Business Park; and

WHEREAS, the Council of the City of New Albany has determined that various economic development initiatives are necessary in support of, and within, the New Albany International Business Park; 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 two million five hundred and fifteen thousand dollars (\$2,515,000.00) from the Authority's Economic Development Fund to the City for payment of expenditures listed in the recitals above and as listed in "Exhibit A".

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. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this ordinance were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

Section 5: 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 _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

EXHIBIT A – R-16-2019

List of Projects/Services to be funded through Community Authority Resolution 2019-01 and authority to allocate remaining resources to other approved projects.

1. to pay costs of incentives for previously approved projects in an amount not to exceed \$2,000,000, in support of economic development;
2. to pay costs of construction of a bus shelter in the New Albany Business Park in an amount not to exceed \$25,000, in support of economic development;
3. to pay CIC operating costs in an amount not to exceed \$75,000, in support of economic development;
4. to pay for Rev1 Ventures support incentives in an amount not to exceed \$25,000, in support of economic development;
5. to pay for shuttle service in 2019 for business park employees between the COTA Park and Ride and their places of employment, in an amount not to exceed \$130,000, in support of economic development;
6. to pay costs of professional services including, but not limited to, engineering, plan design and legal counsel, for economic development projects, in an amount not to exceed \$260,000.