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
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
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           Jennifer H. Mason
Mayor                        Clerk of Council

Approved as to form:

__________________________
Mitchell H. Banchefsky
Law Director
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
MILLER AVENUE & HIGH STREET
DEDICATION

Approved this day of , 20.

Appraiser, 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.

Chairman, Planning Commission, New Albany, Ohio

Approved this day of , 20.

Finance Director, New Albany, Ohio

SURVEY DATA

DATE OF RECORDED The monument shown on this plat was transferred from a field
survey and is based upon the labelling of Surveyor S. E. F. Inns and used for a
portion of the curvatures of North Street.

SOURCE OF DATA: The source of recorded survey data are the maps of the

MISCH PROB where indicated herein, topographical survey, and are used subject

remaining unshown herein, and such other information as the surveyor may use for the

purposes of surveying and establishing monuments and points of reference for the

surveyor's use.

PREPARED BY
E. P. FERNER AND ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS & SURVEYS
500 N. 18TH AVE., COLUMBUS, OHIO 43212

We hereby certify that we have examined the above plat and report the

materials on this plat on the basis of our observation and test performed by the

surveyor, and that the materials shown herein are in good and sound parts.

+ = Former County Mark
a = Use Filer Code Survey Data
b = X Mark Not to be Set
Metric conversion 1 ft. = 0.30480m

RESOLUTION 6-18-2015
A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE ENGINEERING FIRM OF E. P. FERNER & ASSOCIATES TO PROVIDE ENGINEERING SERVICES FOR THE CITY.

[Signature]
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            Jennifer H. Mason
Mayor                        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.