



Prepared: 05/24/2019
Introduced: 06/04/2019
Revised:
Adopted:
Effective:

ORDINANCE O-16-2019

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO THE 2010 NEW ALBANY REVISED CHARTER ON NOVEMBER 5, 2019

WHEREAS, pursuant to Section 13.01 of the 2010 New Albany Revised Charter ("Charter"), council appointed the Charter Review Commission to review and recommend revisions to the Charter;

WHEREAS, the Charter Review Commission has completed its review of the Charter and the Law Director has submitted their findings, conclusions, and proposed amendments to council in a memorandum; and

WHEREAS, council has considered the revisions recommended by the Charter Review Commission and hereby finds that it would be in the interest of the city and its citizens to submit proposed Charter amendments to the New Albany electorate as a single ballot question; and

WHEREAS, by way of summary, these revisions:

- replace references to "Village" with "City";
- replace references to "Village Administrator" with "City Manager";
- clarify language relating to form of government;
- clarify ability of a council member to preside in Mayor's Court;
- revise when unexcused absences can result in forfeiture of office;
- revise distribution of legislation;
- update city manager residency requirements;
- update council notification of manager's temporary absence;
- eliminates duplicate references;
- provide for employment status of future police command staff;
- modify budget legislation;
- provide council with authority to reduce the need for purchase orders;
- modify provisions for board and commission rules of procedure; and
- update the charter history and effective date.

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

Section 1. The question of amending the 2010 New Albany Revised Charter, as set forth in Exhibit A attached hereto, shall be submitted as a single ballot question to the qualified electors of the city at the general election, to be held on Tuesday, November 3, 2019.

Section 2. The law director is hereby authorized and directed to make necessary arrangements with the Board of Elections of Franklin and Licking Counties as is necessary for giving notice of said election date, for placing the question on the ballot, and for printing the text of the proposed amendments for posting at polling places.

Section 3. In the ballot question set forth below, deleted materials from the existing charter will appear in red and struck out ~~like this~~, and new materials will appear in red and be underlined like this.

Section 4. The question to be submitted on the ballot will be, "Shall the proposed revisions to the 2010 New Albany Revised Charter as recommended by the Charter Review Commission and approved by New Albany City Council be adopted?"

Section 5. 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 6. Pursuant to Article VI, Section 6.07(A)(4) of the charter of the City of New Albany, this ordinance shall be in effective immediately 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

EXHIBIT A – O-16-2019

PREAMBLE

We, the people of the CityVillage of New Albany, Ohio, for the purpose of continuing the established plan for fair, efficient, and effective municipal government, ~~preparing for city status,~~ securing the benefits of home rule, and exercising the powers of local self-government conferred by the Constitution and laws of the State of Ohio, adopted this Revised Charter, which became effective January 1, 2012~~0~~⁵, hereinafter referred to as "Charter" or "Revised Charter." ~~as a complete replacement to the original Charter approved by the electorate on November 3, 1992, and which was became effective on January 1, 1993.~~

ARTICLE I

NAME, BOUNDARIES, AND FORM OF GOVERNMENT

1.01 NAME

The municipal corporation formerly known as the Village of New Albany, which advanced to city status on April 29, 2011, Village of New Albany shall continue to be a municipal corporation known as the City of New Albany ~~known as the "Village of New Albany" under this Revised Charter, until such time as it becomes a City in the manner provided by the Constitution and laws of the State of Ohio. At such time it shall then be known as the "City of New Albany", unless otherwise provided by Council.~~

1.02 BOUNDARIES

The CityVillage shall have the same boundaries that exist on the adoption date of the current Charter, with power and authority to change its boundaries and annex territory. Territory annexed to the CityVillage shall immediately be subject to the provisions of this Charter.

1.03 FORM OF GOVERNMENT

The form of government provided for by this Charter shall be known as the "~~Mayor-~~ Council-Manager" plan.

ARTICLE II

POWERS OF THE ~~VILLAGE~~ CITY

2.01 GENERAL POWERS GRANTED

The CityVillage shall have all powers possible for a municipality to have under the Constitution and laws of the State of Ohio as fully and completely as though they were specifically enumerated in this Charter.

2.02 EXERCISE OF POWERS

All powers shall be exercised in a manner prescribed in this Charter, or if not so prescribed, in a manner provided by legislation of the CityVillage. When not prescribed in this Charter or by legislation of the CityVillage, the powers shall be exercised in the manner provided by the laws of the State of Ohio, until Council provides by legislation a different manner of exercising the powers.

2.03 CONSTRUCTION OF POWERS

The powers of the CityVillage under this Charter shall be construed liberally in favor of the CityVillage, and the specific mention of particular powers in the Charter shall not be construed as limiting the general powers granted in this Charter.

2.04 COOPERATIVE AUTHORITY

The CityVillage may exercise any of its powers, perform any of its functions, and provide related financing, jointly or in cooperation, by contract or otherwise, with any one or more states, including but not limited to the State of Ohio, and any of their political subdivisions, special districts, instrumentalities, divisions, or agencies; the United States or any of its divisions or agencies; or any individual, partnership, corporation, or other type of entity, whether for profit or not-for-profit, unless prohibited by the Constitution of the State of Ohio.

ARTICLE III

MAYOR

3.01 TERM

The Mayor shall be elected, at large, by separate ballot for a four (4) year term.

3.02 POWERS AND DUITES

(A) General Grant of Power and Duties

The Mayor shall have all the powers, rights, and duties as a Council member, as described in Section 4.02.

(B) Specific Grant of Powers and Duties

In addition to the powers, rights, and duties as a Council member, the Mayor shall:

- (1) serve as president and preside over all Council meetings;
- (2) act as a Council member and have the right to vote on all matters before the Council, but shall have no veto power;
- (3) perform all ceremonial duties and functions as necessary for non-administrative purposes;
- (4) exercise all judicial powers and functions granted to mayors of municipal corporations by the laws of the State of Ohio and applicable court rules;
- (5) have authority and discretion to appoint a magistrate and/or other eligible Council member, with approval of Council, to hear and determine prosecutions of traffic and criminal cases subject to the laws of the State of Ohio;
- (6) act as chief spokesperson for the CityVillage in dealing with other governments;
- (7) exercise military powers and functions granted to mayors of municipal corporations by the laws of the State of Ohio or the United States; and
- (8) perform or exercise such other powers, duties, and functions as provided by this Charter and Council Rules, to the extent such Council Rules are consistent with this Charter.

3.03 PRESIDENT PRO-TEMPORE AND ACTING MAYOR

(A) *President Pro Tempore*

During its organizational meeting held pursuant to Section 4.03(A), ~~in each even numbered year~~, Council shall choose, by a vote of four Council members, one of its members as President *pro tempore* who shall serve as the Mayor during the temporary absence or disability of the Mayor.

(B) *Acting Mayor*

In the event of the temporary absence of both the Mayor and President *pro tempore*, the senior Council member, based on length of continuous elected service with the CityVillage, shall serve as the Acting Mayor. If two or more Council members have held the same length of continuous elected service with the CityVillage, then an Acting Mayor shall be chosen from among those two or more Council members by a vote of four

Council members at the organizational meeting of Council in each even-numbered year held pursuant to Section 4.03(A).

ARTICLE IV

COUNCIL

4.01 COMPOSITION, TERM, AND QUORUM

(A) *Composition*

Council shall be composed of seven (7) members, including the Mayor.

(B) *Terms*

Council Members, other than the Mayor, shall be elected at large for four (4) year overlapping terms beginning on January 1 after their election.

(C) *Quorum*

Four Council members shall constitute a quorum at all meetings.

4.02 POWERS AND DUTIES

(A) *General Grant of Powers and Duties*

All powers of the City Village permitted by this Charter and the Constitution and laws of the State of Ohio shall be vested in Council. Council shall provide for the exercise of all powers and for the performance of all duties and obligations imposed on the City Village by law, through the adoption of legislation.

(B) *Specific Grant of Powers and Duties*

Without limitation of the powers stated in Section 4.02(A), Council shall have the power and duty to:

- (1) establish or authorize the number of positions in the various departments, divisions, offices, bureaus, boards, commissions, and committees of the City Village and to adopt a wage, salary, and benefit structure for all positions within the classified and unclassified service;

- (2) create, combine, change, and abolish departments, divisions, offices, bureaus, boards, commissions, and committees not specifically created by this Charter;
- (3) provide for an independent audit of the accounts and records of the City Village, which may be in addition to audits by State offices and agencies as may be required under the laws of the State of Ohio;
- (4) conduct inquiries and investigations regarding the affairs of the City Village and the conduct of any City Village department, office, or agency and for this purpose subpoena witnesses, administer oaths, take testimony, and require the production of evidence;
- (5) —levy taxes and assessments and incur debt subject to limitations imposed thereon by this Charter and the Constitution and laws of the State of Ohio;
- (6) adopt and to provide for the enforcement of local police, sanitary, and other similar regulations as are not in conflict with general laws;
- (7) appropriate funds based on the annual operating and capital budgets and to delegate execution of such annual budgets to the Manager Administrator;
- (8) regulate by Ordinance the use of private real estate in the City Village; and
- (9) appoint and remove the Manager Administrator, to establish the Manager's Administrator's compensation, and to appoint an acting Manager Administrator when necessary.

4.03 MEETINGS

(A) *Organizational Meeting*

Council shall be a continuing body and shall meet annually before the first regularly scheduled meeting of the year for the purpose of organizing. At such meeting, the newly elected Council members, if any, may take the oath of office; the Council may transact such other business as may come before it; and in even number years Council shall nominate a President *pro tempore* and acting Mayor as required by Section 3.03.

(B) *Regular Meetings*

Council shall hold at least one regular meeting each month and shall determine the frequency, dates, and times of additional regular meetings in order to properly conduct its business.

(C) *Special Meetings*

Special meetings of Council may be called, for any purpose, by the Mayor or any three (3) Council members upon at least twenty-four hours' notice to each Council member, which notice may be served personally or left at the usual place of residence. Council members who attend special meetings of Council or who are present at another regular or special meeting where a special meeting is announced by the presiding Mayor, President *pro tempore*, or acting Mayor need not receive notice of the special meeting. Council members may waive receipt of notice of a special meeting either prior or subsequent to the meeting. Attendance at a special meeting constitutes a waiver of receipt of notice of special meeting.

(D) *Adjournment or Recess of Meetings*

Any meeting of Council may be adjourned or recessed to another time, date, or place without giving the notice required in Section 4.03(C).

(E) *Open Meetings*

All meetings of Council shall be open to the public, except as allowed by the laws of the State of Ohio, and for economic development purposes.

4.04 COMPENSATION

Once in any calendar year and only as a non-emergency ordinance, Council may determine the annual compensation and benefits of its current members, including the Mayor. In the event Council shall fail to establish salaries and benefits as required in this Section, the salaries and benefits in effect shall remain until changed in accordance with this Section.

4.05 RULES AND JOURNALS

Council shall adopt its own rules of procedure which shall not conflict with this Charter and which shall remain in effect until amended or repealed by Council. The Council Rules shall not be subject to initiative or referendum. The Council Rules shall provide for such matters as Council shall determine to be necessary for the proper functioning and governance of Council. Council shall maintain a journal of its proceedings.

4.06 CLERK OF COUNCIL

Council shall appoint a person to serve as Clerk of Council. The Clerk of Council shall be an employee of the ~~City~~ Village and shall give notice of Council meetings to its members and the public, keep the minutes of Council's proceedings, and perform such other duties as are provided by this Charter or by Council. The Clerk of Council shall be Council's employee subject to Council's direction and under the general supervision of the ~~Manager~~ Administrator. The Clerk of Council shall serve at the pleasure of Council and may be removed without cause by Council.

ARTICLE V

ELECTED OFFICIALS

5.01 ELIGIBILITY AND NOMINATIONS

(A) *Eligibility*

Any elector of the City Village who has been domiciled in the City Village, or any area annexed to the City Village, for one (1) year immediately prior to filing a nominating petition, shall be eligible to hold an elected office. All elected officials shall be domiciled in and electors of the City Village during their entire term of office.

(B) *Nominations*

No primary election shall be held for the nomination of candidates for elected office. Nominations for the elected offices of the City Village shall be made by petition signed by not less than twenty-five (25) nor more than seventy-five (75) electors of the City Village. Petitions shall be in the form determined by the election officials of the State of Ohio for the nomination of non-partisan candidates. Group petitions shall not be permitted. Petitions shall be filed with the election officials of the State of Ohio as provided by the law of the State of Ohio.

5.02 PROHIBITIONS

(A) *Holding Other Office*

Except where authorized by the laws of the State of Ohio or legislation of the City Village, no elected official of the City Village shall hold any other elected public office during the term for which the elected official is elected. Except as set forth in Section 3.02 (B)(5), no elected official shall hold any other City Village office or employment with the City Village during the term for which the elected official is elected. Except for boards, commissions, and committees, no former elected official of the City Village shall hold any compensated appointed office or employment with the City Village until one year after the expiration of the term for which the elected official was elected. Nothing in this Section shall be construed to prohibit Council from selecting any current or former elected official to represent the City Village on the governing board of any intergovernmental agency or organization.

(B) *City Village Employees*

Except for the purpose of inquiries and investigations under Section 4.02(B)(4), elected officials of the City Village shall deal with City Village employees who are subject to the direction and supervision of the Manager Administrator solely through the

~~Manager Administrator~~. No elected official of the ~~City Village~~ shall in any manner direct or demand the hiring or termination of any ~~City Village~~ employee whom the ~~Manager Administrator~~ is empowered to hire, but Council may express its views and fully and freely discuss with the ~~Manager Administrator~~ anything pertaining to the hiring and termination of such employees.

5.03 FORFEITURE OF OFFICE

(A) *Grounds Constituting Forfeiture*

The office of an elected official shall be forfeited upon a determination that the elected official:

- (1) has pled to or has been convicted of a felony while in office;
- (2) has pled to or has been convicted of any crime involving dereliction of duties or breach of public trust while in office;
- (3) lacks, or is found to have lacked, at any time prescribed by this Charter, any eligibility requirements of Section 5.01(A);
- (4) has violated any prohibition of Section 5.02(A); or
- (5) has failed to attend three ~~consecutive~~-regular Council meetings in a twelve month period without being excused by Council.

(B) *Judge of Grounds Constituting Forfeiture*

Council shall be the sole judge of the grounds constituting forfeiture of office. Council shall initiate the process to establish grounds for forfeiture of office by motion and shall have the power to subpoena witnesses, administer oaths, take testimony, and require the production of evidence.

(C) *Notice and Public Hearing*

Upon finding that grounds exist which subject the elected official to forfeiture of office, Council shall instruct the Clerk of Council to notify the elected official. The Clerk of Council shall notify the elected official by any method which includes written evidence of receipt. The elected official so notified shall receive a public hearing before Council to be held no earlier than ten (10) days nor later than thirty (30) days after notification of forfeiture is received by the elected official.

(D) *Final Determination*

Council shall make a final determination by a motion to regard the office of the Mayor or Council member as forfeited. The elected official subject to forfeiture of office shall be entitled to vote. Upon passage of the motion, the office shall be deemed vacant and Council shall fill the vacancy as provided in Section 5.04.

5.04 VACANCIES AND FILLING OF VACANCIES

(A) *Vacancies*

An elected official's office shall become vacant upon the death, resignation or forfeiture of office as provided in Section 5.03.

(B) *Filling of Vacancies*

(1) *Mayor*

Any vacancy in the Office of Mayor shall be filled by the President *pro tempore*. If the vacancy occurs on or after July 1 of the second year of the Mayor's term, the President *pro tempore* shall serve for the remainder of the Mayor's unexpired term. If the vacancy occurs on or before June 30 of the second year of the Mayor's term, the President *pro tempore* shall serve until a successor is elected at the next regular municipal election. The person so elected shall take office on January 1 following such election for the remainder of the Mayor's term. Upon the election of a new Mayor, other than the President *pro tempore* then serving as Mayor, the President *pro tempore* shall serve the remaining original elected term as Council member.

In the event of a vacancy in the office of Mayor, whereby the President *pro tempore* is required to serve as Mayor, the Council shall select a person to fill the vacancy on Council, as provided in Section 5.04(B)(2). However, nothing herein shall prevent the President *pro tempore* from serving the original full elected term as Council member. The person chosen to fill the vacancy on Council shall serve a term as Council member equal to the term the President *pro tempore* serves as Mayor. In the event the President *pro tempore*'s original elected term expires while filling the Mayor's unexpired term, the new President *pro tempore* shall assume the remainder of the Mayor's unexpired term.

(2) *Council Member*

Any vacancy in the office of a Council member shall be filled by the appointment of an elector, qualified under 5.01(A), by a majority of the remaining Council members. If the vacancy occurs on or after July 1 of the second year of the vacated Council member's term, the person nominated by Council shall serve for the unexpired term, except as provided in Section 5.04(B)(1). If the vacancy occurs on or before June 30 of the second year of the vacated Council member's term, the qualified person nominated by Council shall serve until a successor is

elected at the next regular municipal election. The person so elected shall take office on January 1 following such election for the remainder of the vacated Council member's term. If Council fails to fill a vacancy in Council within sixty days after the occurrence of the vacancy, the Mayor shall appoint a person to serve for the time as provided in this Section.

ARTICLE VI

LEGISLATIVE AND OTHER PROCEDURES

6.01 FORM OF ACTION

Non-legislative action of Council shall be by motion and legislative action shall be by resolution or ordinance. No action of Council shall be invalidated merely because the form of the action taken fails to comply with the provisions of this Charter.

(A) *Motions*

Council shall use a motion to determine policy and procedural matters; to conduct elections among and make appointments by Council; and as otherwise provided in this Charter or by Council.

(B) *Resolutions*

Council shall use a resolution, where practicable, for any legislation of a temporary, informal, or ceremonial nature and as otherwise provided in this Charter or by Council.

(C) *Ordinances*

Council shall use an ordinance, where practicable, for any legislation of a general or permanent nature and as otherwise provided in this Charter or by Council.

6.02 FORM OF LEGISLATION

The form of legislation shall be established by the Council Rules. Legislation shall contain only one subject, which shall be clearly expressed in its title; provided that appropriation ordinances may contain the various accounts for which monies are appropriated, and that ordinances which are codified or recodified are not subject to the limitation of containing one subject.

6.03 GENERAL PROCEDURE FOR CONSIDERATION OF LEGISLATION

(A) Introduction

Legislation may be introduced by any Council member at any regular or special meeting of Council. Prior to the introduction of any legislation, the Clerk of Council shall distribute a copy of the legislation to each Council member and to the Manager, file a reasonable number of copies in the office of the Clerk of Council and such other public places as Council may designate, and publish the title of the legislation together with a notice setting forth the time and place for its public hearing before Council.

(B) Public Hearing

The procedure for public hearings shall be determined by the Council Rules. The public hearing of any legislation shall follow its publication by no less than seven days; may be held separately or in conjunction with a regular or special Council meeting; may be adjourned or recessed from time to time; and may be dispensed with for an emergency ordinance. The public hearing of a resolution shall be conducted at the time of its introduction. The public hearing of an ordinance shall be conducted at the next designated meeting subsequent to its introduction, unless otherwise specified by Council. Unless dispensed with by Council, the public hearing of an emergency ordinance shall be conducted at the time of its introduction. Upon closing the public hearing and after discussion by Council, Council may adopt the legislation, with or without amendment, reject it, or table it.

(C) Vote Recordation and Publication

The vote on legislation shall be entered in the minutes or other record of Council proceedings. As soon as possible after adoption, the Clerk of Council shall have the legislation and a notice of its adoption published and available to the public at a reasonable fee.

6.04 PROCEDURE FOR CONSIDERATION OF AN EMERGENCY ORDINANCE

(A) Public Hearing Notice

An emergency ordinance shall be introduced in the form and manner prescribed for legislation generally, except that each emergency ordinance shall declare that it is necessary for the immediate preservation of the public peace, health, safety, or welfare, and shall clearly specify the nature of the emergency.

(B) Voting Requirements

Upon a successful motion to treat an ordinance as an emergency, and to dispense with the public hearing when appropriate, an ordinance may be adopted as an emergency ordinance by an affirmative vote of no less than five Council members after its first reading. If an emergency ordinance fails to receive an affirmative vote of at least five

Council members, but receives a majority vote of Council, the ordinance shall become effective as non-emergency legislation.

6.05 PROCEDURE FOR CONSIDERATION OF A ZONING ORDINANCE

(A) *Public Hearing Notice*

In addition to the requirements provided in Section 6.03, as to any zoning ordinance, initiated by an applicant or by Council, the Clerk of Council or designee shall mail written notice of the public hearing to the owners of the property within, 200 feet of the affected parcel or parcels. The failure of delivery of the notice shall not invalidate any zoning ordinance.

(B) *Disposition Procedures*

Council, by ordinance, shall establish procedures for the disposition of ordinances establishing, amending, revising, changing, or repealing zoning classifications, districts, uses, or regulations.

6.06 ADOPTION OF TECHNICAL CODES

(A) *By Reference*

In conjunction with the procedures provided in Sections 6.03, 6.04, and 6.05 of this Charter, Council may, by ordinance, adopt codes relating to technical matters, construction standards, fire prevention, electric wiring, plumbing, heating, air conditioning, housing, health, safety, and such other matters as Council may determine to be appropriate for adoption by reference.

(B) *Publication Not Required*

An ordinance adopting any code shall make reference to the date and source of the code without reproducing it at length in the ordinance. In such cases, publication of the code shall not be required. A copy of each code and a copy of the adopting ordinance shall be authenticated and recorded by the Clerk of Council as provided in Sections 6.08 and 6.09 of this Charter. If the code is amended after its adoption by reference, Council may adopt the amendment or change by incorporation by reference under the same procedure established for the adoption of the original code.

6.07 EFFECTIVE DATE OF LEGISLATION

(A) *Effective Immediately*

All resolutions and the following ordinances shall take effect upon adoption, unless a later time is specified by Council:

- (1) appropriations of money;
- (2) annual tax levies for current expenses;
- (3) improvements petitioned for by owners of the requisite majority of the front footage or of the area of the property benefited and to be assessed;
- (4) submissions of any questions to the electorate or a determination to proceed with an election;
- (5) approvals of a revision, codification, recodification, rearrangement, or publication of ordinances; and
- (6) emergency ordinances.

(B) *Effective After Thirty Days*

Unless otherwise provided in this Charter, all other ordinances shall become effective thirty days after their adoption or at any later date specified by Council.

6.08 AUTHENTICATION OF LEGISLATION

Legislation shall be authenticated by the signature of the presiding Mayor, President *pro tempore*, or Acting Mayor and the Clerk of Council. The failure or refusal to sign shall not invalidate otherwise properly enacted legislation.

6.09 RECORDING AND CERTIFICATION OF LEGISLATION

Legislation shall be recorded in a book or other record prescribed by Council. The Clerk of Council or designee, upon request of any person and upon the payment of a fee if established by Council, shall certify true copies of any legislation.

6.10 AMENDMENT OF LEGISLATION

(A) *Pending Legislation*

Pending legislation may be amended at any time prior to its adoption by Council, and such amendment shall not require an additional public hearing of the legislation.

(B) *Existing Legislation.*

Any legislation may be amended by the adoption of subsequent legislation that revises existing section or parts; enacts new or supplemental sections or parts; or repeals existing sections or parts. This Section does not prevent, prohibit, nor preclude repeals by implication.

6.11 CODIFICATION

Council shall provide for the preparation of a general codification, a recodification, a revision, or a rearrangement of all ~~City Village~~ ordinances, which shall be adopted by Council by ordinance and shall be published in printed form, together with this Charter. A current service supplementing the ~~City's Village's~~ codified ordinances shall be maintained in the manner prescribed by Council.

6.12 PUBLICATION OF LEGISLATION

(A) *Publish Defined*

Unless otherwise provided by this Charter, legislation shall be published after its adoption. As used in this Section, the term "publish" shall mean to post the legislation or a summary of the legislation in at least three public places as designated by Council for a period of at least fifteen days after its adoption, and to take such other actions as provided by Council. Failure to publish legislation as required by this Section shall not invalidate the legislation, and in such event, the Clerk of Council may authorize the legislation to be published at a later date.

(B) *Certification*

The Clerk of Council shall make and retain a certificate as to the times and places by which the legislation is published. The certificate shall be prima facie evidence that the legislation was published as required by Section 6.12(A). Failure to make or retain the certificate required by this Section shall not invalidate any legislation.

ARTICLE VII

~~THE MANAGER~~THE ADMINISTRATOR

7.01 APPOINTMENT, QUALIFICATIONS, AND COMPENSATION

(A) *Appointment*

Council shall appoint ~~an Administrator~~ a Manager.

(B) *Qualifications*

The ~~Administrator-Manager~~ shall be appointed on the basis of executive and administrative qualifications. The ~~Administrator-Manager~~ need not be a resident of ~~the city~~ Franklin or Licking County at the time of appointment, but shall become a resident of

said Counties within six months after appointment, unless Council approves a longer period of time or residence outside ~~the Village of~~ said Counties.

(C) Compensation

Council shall determine the compensation of the ~~Administrator~~ Manager.

7.02 POWERS AND DUTIES

(A) General Powers and Duties

The ~~Administrator~~ Manager shall be the chief administrative and law enforcement officer of the ~~Village~~ City. The ~~Administrator~~ Manager shall be responsible to Council for the administration of all ~~Village~~ City affairs placed in the ~~Administrator~~ Manager's charge by or under this Charter, the legislation of the ~~Village~~ City, and the laws of the State of Ohio.

(B) Specific Powers and Duties

Without limitation of the powers and duties stated in Section 7.02(A), the ~~Administrator~~ Manager or designee shall:

- (1) appoint, promote, suspend, remove, or otherwise discipline any ~~Village~~ City employee, except as otherwise provided by or under this Charter, subject to the provisions of Section 8.07 pertaining to Personnel Systems;
- (2) direct and supervise the administration of all departments, offices, and agencies of the ~~Village~~ City, except as otherwise provided by this Charter;
- (3) attend all regular and special Council meetings with the right to participate in discussions but not to vote;
- (4) enforce within the ~~Village~~ City all laws, provisions of this Charter, and legislation of the ~~Village~~ City;
- (5) prepare and submit budgets and capital programs to Council;
- (6) keep Council fully advised as to the financial condition and future needs of the ~~Village~~ City;
- (7) submit to Council and make available to the public complete records of the financial and administrative activities of the ~~Village~~ City;

- (8) make such other reports as Council may require concerning the operation of VillageCity departments, divisions, offices, boards, commissions, bureaus, and agencies;
- (9) provide staff support services for Council and the VillageCity's boards, commissions, and committees;
- (10) execute on behalf of the VillageCity all contracts, leases, deeds, easements, conveyances, and agreements; and
- (11) perform such other powers, duties, and functions as are conferred or required by this Charter or by Council.

7.03 ACTING ADMINISTRATORMANAGER

The AdministratorManager shall designate in written correspondence to Council, by letter, filed with the Clerk of Council, a VillageCity employee to exercise the powers and perform the duties of the AdministratorManager during a temporary absence or disability. If such designation has not been made and the AdministratorManager is unable to perform his or her duties or to make such designation, Council may appoint a VillageCity employee to serve as Acting AdministratorManager until the AdministratorManager resumes his or her duties. Council may revoke any designation at any time and appoint another VillageCity employee to serve as Acting AdministratorManager.

7.04 PROCEDURE FOR REMOVAL OF THE ADMINISTRATORMANAGER

The AdministratorManager may be suspended by resolution of Council, which shall set forth the reasons for suspension and proposed removal. A copy of such resolution shall be served immediately upon the AdministratorManager. The AdministratorManager shall have five days from the date of receipt of service in which to reply in writing and request a public hearing. Upon request, the AdministratorManager shall be afforded a public hearing, which shall occur not earlier than ten days nor later than fifteen days after the public hearing is requested. After the public hearing, if requested, and after full consideration, Council may adopt a final resolution of removal. The decision of Council to suspend or remove the AdministratorManager shall be in the sole discretion of Council. If the AdministratorManager is suspended from duty as provided under this Section, Council shall appoint an Acting AdministratorManager.

ARTICLE VIII

ADMINISTRATIVE DEPARTMENTS AND PERSONNEL SYSTEMS

8.01 CREATION AND ALTERATION

(A) *Creation*

The ~~VillageCity~~ shall have a Department of Law, a Department of Finance, and such other departments as Council may create.

(B) *Alteration*

Except for the Department of Law and the Department of Finance, Council may abolish, combine, merge, change, or alter any department of the ~~VillageCity~~. ~~The Village shall have a Department of Law, a Department of Finance, and such other departments as Council may create.~~

8.02 DUTIES AND FUNCTIONS

Departments shall have those powers, duties, and functions as provided in this Charter or by Council.

8.03 DEPARTMENT DIRECTORS

(A) *Directors*

Departments shall be under the supervision of directors.

(B) *Appointment of Directors*

The Director of Law and the Director of Finance shall be appointed and removed by the ~~Administrator~~Manager, subject to the consent and approval of Council. The Director of Law and the Director of Finance shall serve at the pleasure of the ~~Administrator~~Manager and Council. All other Directors shall be appointed by the ~~Administrator~~Manager and shall serve at the pleasure of the ~~Administrator~~Manager. With the consent of Council, the ~~Administrator~~Manager may serve as the director of one or more departments or may appoint one person as the director of two or more departments.

8.04 DIRECTOR OF LAW

(A) *Qualifications*

The Director of Law shall be an attorney-at-law duly authorized and licensed to practice law in the State of Ohio.

(B) *Duties*

The Director of Law shall be the prosecuting attorney and legal counsel for the ~~VillageCity~~, and subject to the direction of Council, shall represent the ~~VillageCity~~ in all proceedings in Court or before any administrative board or body. The Director of Law shall perform other duties as required by this Charter, by legislation of the ~~VillageCity~~, by Council, or by the ~~Administrator~~Manager. The Director of Law shall not be required

to represent any school district or any other unit of government, other than the ~~VillageCity~~.

8.05 DIRECTOR OF FINANCE

The Director of Finance shall be the chief financial officer of the ~~VillageCity~~; shall exercise the powers, duties, and functions as required by the laws of the State of Ohio, this Charter, legislation of the ~~VillageCity~~, Council, and the ~~AdministratorManager~~; and shall provide full and complete information concerning the financial affairs and financial status of the ~~VillageCity~~ as required by the ~~AdministratorManager~~ or Council.

8.06 ADMINISTRATIVE CODE

Subject to the provisions of this Charter, Council shall adopt and may amend an administrative code which shall provide, in detail, the organization of the Municipal Government; define the powers and duties of each organizational unit; and set forth administrative procedures. Amendments to and revisions of the Administrative Code shall be made by Council. Where the Administrative Code is silent as to a matter, or function, the officers and employees of the ~~VillageCity~~ shall have and may exercise all the powers and duties provided for similar officers and employees under the laws of the State of Ohio. However, provisions of the Administrative Code shall supersede those of the general laws of the State of Ohio in case of conflict to the fullest extent permitted by law.

8.07 PERSONNEL SYSTEMS

(A) *Merit Principle*

All appointments and promotions of municipal employees shall be made on the basis of merit and fitness demonstrated through a competitive selection process to the extent practicable and except as otherwise provided by Council.

(B) *Classified and Unclassified Service*

Council shall establish a classified and unclassified service for employees of the ~~VillageCity~~. Council shall include as part of the Administrative Code, adopted pursuant to Section 8.06, a Section or Sections to define and govern the classified and unclassified service of the ~~VillageCity~~. All original appointments and promotions to full time positions at or below the level of ~~Chief-Sergeant~~ within the Division of Police and fire shall be within the classified service.

(C) *Elected and Appointed Offices*

Appointments to and removal from all elected and appointed offices, including the municipal boards, commissions, and committees, shall be made in accordance with

the specific applicable provisions of this Charter or the specific applicable legislation of the ~~Village~~City, and shall not be subject to Sections 8.07(A) and 8.07(B).

(D) Retirement System

The laws of the State of Ohio governing the retirement of employees of municipalities shall be applicable to ~~Village~~City employees under this Charter.

ARTICLE IX

TAXATION, BORROWING, BUDGETING, AND CONTRACTING PROCEDURES

9.01 TAXATION, BORROWING, BUDGETING, AND CONTRACTING PROCEDURES

The laws of the State of Ohio relating generally to budgets, appropriations, taxation, debt, bonds, assessments, deposits and investment of funds and other fiscal matters of the ~~Village~~City shall be applicable, except as otherwise provided in this Charter or by Council.

9.02 FISCAL YEAR

The fiscal year for the ~~Village~~City for budgeting, accounting, and all other similar purposes shall be the calendar year.

9.03 OPERATING BUDGET AND APPROPRIATION ORDINANCE

In addition to the annual tax budget required by the Ohio Revised Code, the ~~Administrator~~Manager, in consultation with the Director of Finance, shall by the first scheduled Council meeting in November submit to Council a proposed operating budget for the ensuing fiscal year. The ~~Administrator~~Manager shall prepare, revise, and adjust the budget estimates for submission to Council. Council shall adopt a balanced budget.

The proposed operating budget shall contain, or be accompanied by, a recommended appropriation ordinance. Council shall, by December 21st of every year, adopt both the operating budget and appropriation ordinance as submitted or amended. Should Council fail to enact the proposed or amended operating budget and appropriation ordinance by December 21st, both shall be deemed to have been adopted finally by Council as submitted by the ~~Administrator~~Manager.

9.04 CONTRACTING PROCEDURES

(A) Award and Execution of Contracts

Consistent with Section 7.02(B)(10) and except as otherwise provided in this Section, the ~~Administrator~~Manager or designee shall award and execute all contracts on behalf of the ~~Village~~City.

(B) *Competitive Bidding*

Council, by ordinance, shall establish a threshold amount, notice provisions, and other procedures for competitive bidding. When any contract for the construction of a public improvement or the purchase of equipment, supplies, or materials is estimated to exceed the threshold established by Council, the contract shall be competitively bid. Council shall award a contract to the lowest and best bidder, provided that Council may reject any and all bids in whole or by items. No contract shall be divided to avoid the requirements of competitive bidding.

(C) *Waiver of Competitive Bidding*

By a vote of no less than five members, Council may waive the competitive bidding requirement if the statutory or common law of the State of Ohio does not require competitive bidding; if Council determines that an item is available and can be acquired only from a single source; or if Council determines that a waiver of the competitive bidding requirement is in the best interest of the ~~Village~~City.

(D) *Professional Services*

Contracts for professional services shall not be subject to the competitive bidding requirements of this Section and shall not require authorization by Council if the current operating budget provides sufficient funding for the scope of services in any such contract.

(E) *Alteration or Modification of Contracts*

Council shall establish procedures for alterations or modification of contracts. Alterations or modifications of contracts shall not require competitive bidding.

(F) *Certification of Funds*

Except as otherwise provided by Council, no contract involving the expenditure of money shall be entered into or authorized by the ~~Administrator~~Manager unless the Director of Finance or designee shall first certify that:

- (1) Funds required for the contract are in the ~~Village's~~City's treasury or in the process of collection; and
- (2) Funds have been appropriated by Council for the specified purpose and remain unencumbered.

The Director of Finance shall file and record the certification of availability and appropriation of funds in the accounting records of the ~~Village~~City and shall furnish a copy to the vendor or contractor. Without the certification, a contractual obligation shall be void and unenforceable against the ~~Village~~City unless recognized by Council as a moral obligation.

ARTICLE X

BOARDS AND COMMISSIONS

10.01 CREATION AND GENERAL RULES

(A) Creation of Boards and Commissions

The ~~Village~~City shall have a Planning Commission, a Board of Zoning Appeals, a Personnel Appeals Board, and such other boards and commissions as may be created by Council.

(B) General Rules for Boards and Commissions

The following general rules shall govern Boards and Commissions:

- (1) Each board or commission created by Council shall consist of at least three (3) members;
- (2) ~~Compensation~~; Terms, appointments, and removals shall be determined by Council unless otherwise provided in this Charter;
- (3) Each member of a board or commission shall be and shall remain an elector of the ~~Village~~City during the term of appointment, unless otherwise provided by Council;
- (4) A vacancy occurring during the term of any member of a board or commission shall be filled for the unexpired term in the same manner as the original appointment;
- (5) Each vacancy shall be filled with sixty (60) days;
- (6) Each board and commission shall establish its own rules of order to be approved by Council. If no unique Rules are established, the board or commission shall operate according to the Standard Rules of Procedure for New Albany Boards and Commissions;

(7) Members of boards and commissions shall serve without compensation unless otherwise provided by Council; and

(8) All meetings of boards and commissions shall be open to the public, except as allowed by the laws of the State of Ohio and/or this Charter.

10.02 PLANNING COMMISSION

(A) *Composition and Terms*

The Planning Commission shall consist of six (6) members. Five (5) of these members shall be voting members and shall serve overlapping three (3) year terms. The sixth shall be a Council member appointed by the Council. This Council member shall be a non-voting member of the Planning Commission. Three voting members shall constitute a quorum.

(B) *Powers and Duties*

The Planning Commission shall have the power and duty to hear applications for land use, zoning classifications, or districts and, as merited, to submit written recommendations for legislative action or to render final determinations for administrative action; to initiate, review, and recommend legislation, rules, and regulations on all matters of VillageCity planning, land use, and zoning classification; and to exercise such other powers, duties, and functions as provided by Council.

10.03 BOARD OF ZONING APPEALS

(A) *Composition and Terms*

The Board of Zoning Appeals shall consist of five (5) voting members. Four (4) of these members shall serve overlapping three (3) year terms and the fifth member shall be a Planning Commission member designated annually by the Planning Commission.

(B) *Powers and Duties*

The Board of Zoning Appeals shall have the power and duty to hear and decide appeals regarding legislative measures and administrative determinations relating to zoning and land use. The Board of Zoning Appeals may make advisory recommendations to Council and the Planning Commission concerning zoning matters; and shall exercise such other powers, duties, and functions as provided by Council. The Board of Zoning Appeals shall also have the power and duty to hear variances from zoning area regulations and general development standards.

10.04 PERSONNEL APPEALS BOARD

(A) *Composition and Terms.*

The Personnel Board of Appeals shall consist of three (3) members who shall serve overlapping three (3) year terms.

(B) *Powers and Duties*

The Personnel Board of Appeals shall have the power and duty to hear appeals from administrative determinations made pursuant to the Administrative Code, and such other powers, duties, and functions as provided by Council.

ARTICLE XI

ELECTIONS, RECALL, INITIATIVE, AND REFERENDUM

11.01 ELECTIONS

(A) *Regular Elections*

Regular municipal elections shall be held on the dates and times fixed by the election laws of the State of Ohio.

(B) *Special Elections*

Council may, at any time, order a special election by legislation which shall set forth the date and purpose of the election, including but not limited to the referral of pending legislation to the electors for their approval or rejection. Special elections may be held on any date.

(C) *Conduct of Election*

All regular and special elections shall be conducted by the election officials of the State of Ohio. Elections shall be held in conformity with the provisions of this Charter or as otherwise provided by Council. Where not addressed by this Charter or by Council, the provisions of the election laws of the State of Ohio shall be followed.

(D) *Public Information Expenditure*

Council shall have the power to appropriate and expend public funds to pay the cost of providing information to the public in connection with tax, bond, and other non-partisan public issues, but not in connection with the election of any candidate for public office.

11.02 RECALL

(A) *Power to Recall*

The electors shall have the power to remove from office by a recall election any elected official of the ~~Village~~City in the manner provided in this Section.

(B) Recall Petition Prerequisites

As to any elected official who has served at least six (6) months of a term of office, an elector or electors of the ~~Village~~City may serve written notice upon the Clerk of Council of their intent to circulate petitions for the recall of the elected official. Petitions for the recall of the elected official may not be circulated until the written notice of intent is served upon the Clerk of Council.

(C) Recall Petition Form

The petition shall contain a verified statement of not more than one hundred words setting forth specific grounds upon which the removal of the elected official is sought. The petition may be circulated in separate parts, but the separate parts shall be bound together and filed as one instrument. Each part shall contain the name of the elected official whose removal is sought. Separate petitions are necessary for each elected official whose removal is sought. The petition shall be signed by at least that number of electors equal to twenty-five percent (25%) of the electors voting at the last preceding regular municipal election.

(D) Filing, Examination, and Amendment of Petition

No later than thirty (30) days after service of the notice of intent on the Clerk of Council, the petition demanding the removal of an elected official shall be filed with the Clerk of Council. Within twenty (20) days after the day on which the petition is filed, the Clerk of Council shall determine, subject to verification from the Board of Elections, whether or not it meets the requirements of this Section. If the Clerk finds the petition insufficient, the Clerk shall promptly certify the particulars in which the petition is insufficient, deliver a copy of the certificate to the person who filed the petition, and make a record of delivery. The petition may be amended within ten (10) days after the date of the delivery. The Clerk shall, within five (5) days after such an amendment has been filed, reexamine the petition, and if still insufficient, the petition shall be rejected and no further action taken thereon.

(E) Recall Election

Unless the elected official whose removal is sought resigns within five days after delivery of the Clerk's certificate, Council shall fix a day for holding a recall election, to be placed on the ballot at the succeeding general or primary election occurring not less than ninety (90) days after the date of the Clerk's certification of sufficiency to Council, and shall cause notice of the recall election to be published on the same day of each week for two consecutive weeks in a newspaper of general circulation in the ~~Village~~City. At the recall election, this question shall be placed upon the ballot: "Shall (name of elected official whose removal is sought) be allowed to continue as (elected official's position)?" with the provisions on the ballot for voting affirmatively or negatively. If a majority of the vote is negative, the elected official shall be removed, the office shall be vacant, and the vacancy shall be filled as provided in Section 5.04. If the elected official is not removed at such recall election, no further recall petitions shall be filed against the elected official for a period of one year following the recall election.

11.03 INITIATIVE AND REFERENDUM

Legislation, issues, and other measures may be proposed by initiative petition and adopted by election as provided by the Constitution and laws of the State of Ohio. Legislation adopted by Council shall be subject to referendum, as provided by the Constitution and laws of the State of Ohio, except that legislation calling for elections under this Charter shall not be subject to referendum and as otherwise provided in Section 4.05.

ARTICLE XII

GENERAL PROVISIONS

12.01 CONFLICTS OF INTEREST, ETHICS, AND CAMPAIGN FINANCING

Unless otherwise provided in this Charter or by Council, the laws of the State of Ohio pertaining to conflict of interest, criminal misbehavior, ethics, and financial disclosure by municipal officials and employees, campaign financing and other election practices of candidates for municipal office shall apply under this Charter.

12.02 EFFECT OF PARTIAL INVALIDITY

A determination that any provision of this Charter is invalid shall not invalidate or impair the force and effect of any other provision, except to the extent that the other provision is wholly dependent for its operation upon the provision declared invalid.

12.03 AMENDMENTS OF CHARTER

This Charter may be amended or revised by the electors as provided by this Charter or the Constitution and laws of the State of Ohio.

ARTICLE XIII

CHARTER REVIEW COMMISSION

13.01 COMPOSITION AND TERM

During the month of July 2008 and each ten (10) years thereafter, the Council shall appoint seven (7) electors of the ~~Village~~City, holding no other office or employment with the ~~Village~~City, as members of a Charter Review Commission to serve until their duties as provided herein are completed. The members shall serve without compensation.

13.02 DUTIES

The Charter Review Commission shall review this Charter and no later than twelve (12) months after appointment report the Commission's findings and conclusions to Council. This report shall transmit recommended amendments, if any.

ARTICLE XIV

TRANSITIONAL PROVISIONS

14.01 EFFECTIVE DATE OF REVISED CHARTER

This Updated ~~Revised~~ Charter was approved by the voters in November adopted on July 12, 1999~~2019~~, ~~became effective on March 1, 2000, and was subsequently amended and became effective 4/1/10~~January 1, 2020.

14.02 SUCCESSION

~~The municipal corporation existing as the Village of New Albany under the laws of the State of Ohio and the Charter approved by the electorate on November 3, 1992 and effective on January 1, 1993, shall continue to be a body politic and corporate under the same name under this Charter or until such time as it becomes a City in the manner provided by the Constitution and laws of the State of Ohio. At such time, it shall then be known as the "City of New Albany", unless otherwise provided by Council.~~

~~Upon becoming a City, the position name of "Village Administrator" shall become "City Manager". The City Manager shall have all the powers conferred upon the Village Administrator contained within this Charter, by the Constitution and laws of the State of Ohio, and as provided by Council.~~

~~Upon advancing to City status, the provisions of this Charter shall apply.~~

The municipal corporation existing as the Village of New Albany under the laws of the State of Ohio and the Charter and subsequent updates, approved by the electorate effective on January 1, 1993, March 1, 2000, January 1, 2010, and January 1, 2020 respectively, and which advanced to city status on April 29, 2011, shall continue to be a body politic and corporate now known as the City of New Albany.



Prepared: 06/07/2019
Introduced: 06/18/2019
Revised:
Adopted:
Effective:

ORDINANCE O-17-2019

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 484.8 +/- ACRES OF LAND GENERALLY LOCATED NORTH OF AND ADJACENT TO JUG STREET, EAST OF AND ADJACENT TO BEECH ROAD, AND WEST OF CLOVER VALLEY ROAD FOR AN AREA TO BE KNOWN AS THE "JUG STREET NORTH ZONING DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL DISTRICT TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS LLC C/O AARON UNDERHILL, ESQ.

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain property located in the city of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission, and City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

WHEREAS, pursuant to the application by MBJ Holdings LLC c/o Aaron Underhill, the Planning Commission of the City of New Albany has reviewed the proposed ordinance amendment and recommended its approval.

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 Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described site:

- A. A 484.8 ± acre area of land generally located north of Jug Street, east of Beech Road, south of Miller Avenue and west of Clover Valley Road for an area to be known as the "Jug Street North Zoning District" from its current zoning of "Ag" Agricultural District to "L-GE" Limited General Employment;
- B. The zoning district's zoning text and site plan is hereby attached and marked Exhibit A.

Section 2. 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 any decision making bodies of the City of New Albany which resulted in such formal action were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

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 _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

JUG STREET NORTH ZONING DISTRICT

LIMITATION (L-GE) TEXT

May 14, 2019

The property that is the subject of this zoning text consists of 484.8+/- acres generally located to the northeast of and adjacent to the intersection of Beech Road and Jug Street. The Jug Street North Zoning District (hereinafter, the "Zoning District") serves to extend the same or similar zoning and development standards to the property as currently apply to a majority of the land which is generally located between this site and the State Route 161 Expressway. To the extent that a standard in this text conflicts with a standard that is provided in the City of New Albany's Codified Ordinances, the standard contained in this text shall govern. This Zoning District shall be governed by the relevant provisions of the City's Codified Ordinances to the extent that this text is silent on any particular matter.

A. Zoning Designation: L-GE, Limited General Employment District

B. Permitted Uses: The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE, General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

1. Industrial product sales (See Section 1153.03(a)(1));
2. Industrial service (See Section 1153.03(a)(2));
3. Mini-warehouses (See Section 1153.03(a)(4)(c)). For purposes of clarification, this prohibition applies only to such facilities that are made available for rental to the general public.
4. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this Zoning District;
5. Vehicle services (See Section 1153.03(b)(4));
6. Radio/television broadcast facilities (See Section 1153.03(c)(1)); and
7. Sexually-oriented businesses (See Section 1153.03(c)(3)).
8. Off-premise signs

Distribution, and manufacturing uses shall be prohibited within the Height Restriction Area (such term being more particularly contemplated in Section E.1 below). Warehousing and similar uses shall be permitted within the Height Restriction Area if they are ancillary or accessory to another permitted use (other than warehousing) that is located within this Zoning District but outside of the Height Restriction Area. Warehousing that does not meet the requirements of the preceding sentence shall not be permitted within the Height Restriction Area.

C. Access, Parking, Site Circulation, and Traffic Commitments:

1. Street Improvements: To the extent street improvements are required, the developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.

2. Vehicular Access Points – Generally: Subject to other provisions in this text, on public rights-of-way which exist on the date of this text, the number, locations, and spacing of curbcuts shall be determined and approved by the City Manager or his designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

3. Beech Road Access Restriction: There shall be no vehicular access points along Beech Road to serve the Zoning District that are located within 450 feet to the south or within 650 feet to the north of the existing centerline of the right-of-way of Fitzwilliam Lane. Such portion of Beech Road shall be referred to in this text as the “Access Restriction Area” and is depicted on the accompanying exhibit labeled “Restriction Areas”.

4. Parking and Loading: Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany.

5. Traffic Analyses: In conjunction with the filing of an application with the City for a plat or private site development, a traffic study shall be filed by the applicant unless the City waives this requirement or modifies it to require less than a full study. The traffic study or analysis shall include assumptions for the development of the Zoning District as they are known on the date that it is filed and may include either assumptions relating to the impending phase of development or relating to such impending development plus future phases of development within the Zoning District, as determined by the relevant developer. To the extent that the traffic study or analysis only applies to the impending development, then future studies or analyses shall be required with future development phases, subject to the same parameters as detailed in the immediately preceding sentence. To the extent that a future phase of development in the Zoning District provides is to provide for actual development that materially differs from the assumptions that were included in a previous traffic study or analysis concerning said phase, the City may require an update to the study or analysis to address such change. Each required traffic study or analysis shall include plans for construction vehicle access and circulation, hours of operation for such construction traffic, and commitments for maintaining the cleanliness of Beech Road and Jug Street.

6. Dedication of Rights-of-Way: The developer shall dedicate property as directed by the City for public street rights-of-way as follows:

a. Beech Road: The total right-of-way for Beech Road shall be 100 feet. Right-of-way shall be dedicated to the City within this Zoning District to a width of 50 feet as measured from the centerline of Beech Road.

b. Jug Street: The total right-of-way for Jug Street shall be 60 feet. Right-of-way shall be dedicated to the City within this Zoning District to a width of 30 feet as measured from the centerline of Jug Street.

c. New Public Streets: All other public streets constructed within this zoning district shall have a right-of-way width that is appropriate for the character and anticipated usage of such streets as guided by the City of New Albany 2014 Strategic Plan and determined by the aforementioned traffic study.

D. Lot and Setback Commitments:

1. Lot Coverage: There shall be a maximum lot coverage in this Zoning District of 75%.

2. Setbacks:

a. Beech Road: There shall be a minimum building and pavement setback of 185 feet as measured from the centerline of Beech Road.

b. Jug Street: There shall be a minimum building and pavement setback of 200 feet as measured from the centerline of Jug Street.

c. New Public Streets: There shall be a minimum building and pavement setback of 25 feet from the right-of-way for any new public street within this Zoning District.

d. Perimeter Boundaries: The following minimum setbacks shall apply from perimeter boundaries of this Zoning District which do not abut a public right-of-way, provided, however, that should a stream corridor protection zone as required by the Codified Ordinances overlap with one of these minimum setback areas, then the greater setback as between the stream corridor protection zone and the minimum required setback shall apply:

i. Northern Boundary: Minimum setbacks along the northern boundary line of this Zoning District shall be as follows:

A. Western Portion: 100 feet for pavement and buildings from the northern boundary line from the edge of the right-of-way for Beech Road on the west to the boundary line of the Preservation Zone on the east.

B. Eastern Portion: 100 feet for pavement and buildings from the northern boundary from the boundary line for the Preservation Zone on the west to the eastern perimeter boundary of the Zoning District on the east.

C. Preservation Zone: Any portion of the Preservation Zone that abuts the northern boundary line shall be a no-build area in which no pavement, buildings, or other permanent improvements other than vegetation shall

be located.

ii. Eastern Boundary: 50 feet for buildings and pavement from the eastern perimeter boundary, except that the minimum building setback shall be 100 feet from any portion of this boundary which is adjacent to property on which residential uses are permitted.

e. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located outside of this Zoning District (i) come under common ownership or control, (ii) are zoned to allow compatible non-residential uses, and (iii) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text as they apply to common property lines shall no longer apply with respect to these parcels.

E. Architectural Standards:

1. Building Height: The maximum building height in this Zoning District shall be 65 feet, subject to adjustments as contemplated in Section J below; provided, however, that the maximum building height within the "Height Restriction Area" shall be 45 feet. The Height Restriction Area is depicted on the accompanying exhibit labeled "Restriction Areas". Adjustments to building height as contemplated in Section J below shall not be permitted within the Height Restriction Area.

2. Service and Loading Areas: Service areas and loading docks shall be screened to limit visibility from off-site.

3. Building Design:

a. Building designs shall not mix architectural elements or ornamentation from different styles.

b. Buildings shall be required to employ a comparable use of materials on all elevations.

c. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances shall be made sufficiently prominent that they can be easily identified from a distance, except on buildings where pedestrian traffic is expected to be minimal such as, but not necessarily limited to, data centers or warehouses, or in the context of multi-building projects where the visibility of building entrances may be obstructed.

d. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful

attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

e. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

f. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact from off-site. Solar energy systems shall be excluded from the requirements of this section.

g. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

4. Building Form:

a. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

b. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

5. Materials:

a. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, along with contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. The use of reflective or mirrored glass shall be prohibited.

b. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited. Notwithstanding the foregoing, ancillary structures built and operated for the purpose of enclosing equipment and which are not occupied by tenants or persons on a regular basis may be constructed using pre-engineered metal.

c. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents).

d. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

e. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this zoning district.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this Zoning District that is not subject to or governed by the DGRs, and subject to Section J of this text, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1157.08(a)(1)(D) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

v. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

vi. HVAC, generators and similar equipment and associated gravel or concrete yards or pads shall be located subject to the minimum building setbacks.

4. **Roof-Mounted Equipment:** Screening of all roof-mounted equipment shall be required on all four sides of buildings using materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided not only in order to screen the equipment from off-site view but also to buffer sound generated by such equipment. Parapets (among other architectural elements) may be used to provided screening. Where a building is screened from view outside of the Zoning District by a building located within this Zoning District, City staff may waive or reduce these screening requirements provided that the developer demonstrates adequate buffering of sound from off-site.

F. **Buffering, Preservation, Landscaping, and Screening:** The following landscaping requirements shall apply to this Zoning District:

1. Buffering: Buffering of uses and improvements from adjacent rights-of-way located outside of the Zoning District and from other property that is adjacent to this Zoning District shall be provided by means of tree preservation as well as mounding and plantings as detailed in this subsection.

a. Tree Preservation: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. In addition, certain portions of the Zoning District contain environmentally sensitive elements that will be preserved and protected. This zoning text provides three categories of protecting these areas as well as certain tree stands: Perimeter Preservation Areas, Street Frontage Preservation Areas, and a Preservation Zone. A Preservation Plan is being provided along with this text to generally identify these areas and is being provided for illustrative purposes.

i. Perimeter Preservation Areas: “Perimeter Preservation Areas” shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of the Zoning District that are not adjacent to a public right-of-way. Within the Perimeter Preservation Areas, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to allow utilities to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees that are in good health and that are at least four (4) caliper inches in diameter at a height of three (3) feet above the ground shall be preserved where reasonably practical. Trees within Perimeter Preservation Areas may be removed if they present a danger to persons or property.

ii. Street Frontage Preservation Areas: “Street Frontage Preservation Areas” shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of the Zoning District that are adjacent to a public right-of-way. Within the Street Frontage Preservation Areas, the developer shall preserve existing healthy and mature trees and vegetation, provided, however, that public or private utilities may be installed within 60 feet of the centerline of Beech Road or Jug Street and/or may cross Street Frontage Preservation Areas (and trees may be removed as a result of such installations or crossings) provided, however, that the developer shall use good faith efforts to install utility crossings in a manner that minimizes the impact on healthy and mature trees. Trees within Street Frontage Preservation Areas may be removed if they present a danger to persons or property.

iii. Preservation Zone: A 51+/- acre Preservation Zone that is generally shown on the Preservation Plan illustrates land that has been or is anticipated to be preserved pursuant to applicable federal and state permits once they are approved and issued by the Ohio Environmental Protection Agency and the U.S.

Army Corps of Engineers. The Preservation Zone shall be maintained, protected, and preserved in accordance with such permits. The final boundaries of the Preservation Zone shall be the same as the boundaries of the portions of the site that will be required to be preserved under applicable federal and state permits, as may be amended from time-to-time.

Prior to commencing development in a portion of the Zoning District that contains the Preservation Zone, the developer shall provide detailed legal descriptions of the Preservation Zone to the Director of Development for record-keeping and enforcement purposes. Should the boundaries of the Preservation Zone change in the future as a result of amendments to or replacements of relevant federal and state permits, then the developer shall provide updated legal descriptions and an updated Preservation Plan to the Director of Development within a reasonable amount of time after such information is available, and the legal descriptions and Preservation Plan then shall be considered to be enforceable as amended.

2. Screening: Screening by way of mounding and plantings shall be provided in two circumstances within this Zoning District: First, along the public rights-of-way for Beech Road and Jug Street, and second, along perimeter boundaries that are adjacent to properties which are not owned by the applicant or the developer on which residential uses either exist or are permitted under current zoning regulations applicable thereto.

a. Beech Road and Jug Street: Along those perimeter boundaries of the Zoning District which are adjacent to Beech Road and Jug Street, a minimum eight (8) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of twelve (12) feet above ground level. These mounds shall be installed within the minimum pavement setback from the applicable right-of-way as required by this zoning text, except that where a detention pond is located within the minimum setback area, the required mounding and landscaping shall be installed between the detention pond and the impervious improvements which are located closest thereto. The plan for these areas must be reviewed and approved by the City's Landscape Architect. Utilities may be placed within or cross through perimeter boundaries which abut the rights-of-way for Beech Road and/or Jug Street and the screening provided for above, and vehicular access drives may cross through such areas as well.

b. Adjacent Residential: Screening shall be provided along perimeter boundary lines of this Zoning District which are not adjacent to a public right-of-way as follows:

i. Northeastern Area: Along the portion of the northern property line that is located between the eastern boundary of the Preservation Zone on the west

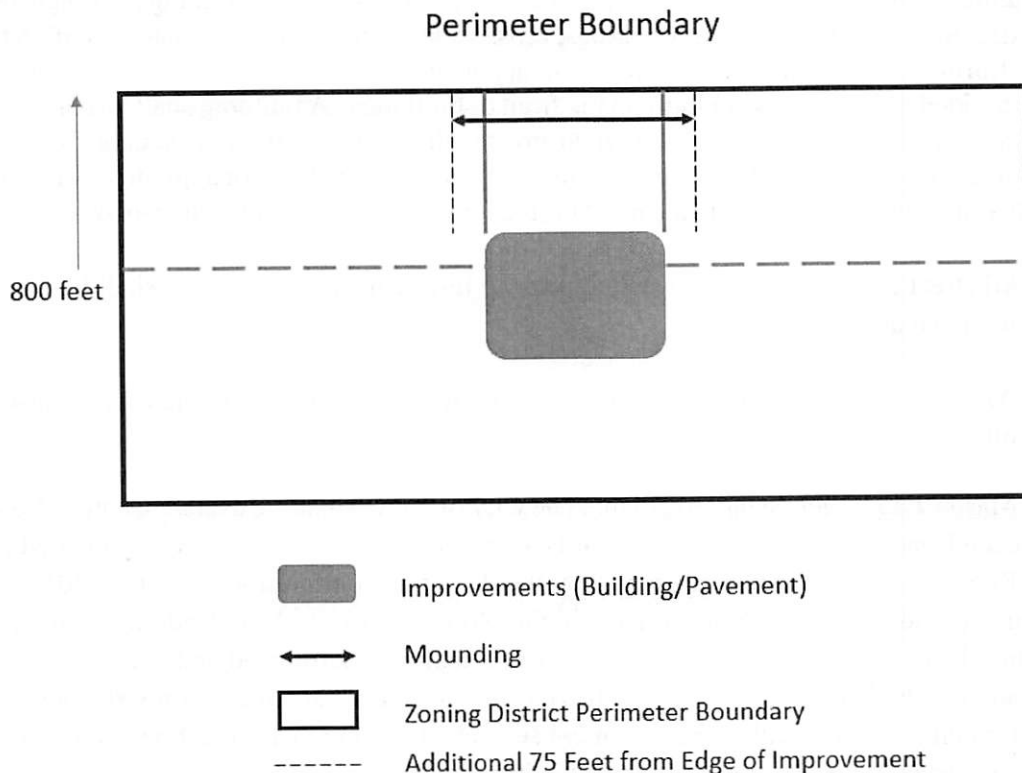
and the eastern boundary of the Zoning District on the east, mounding shall be required at a minimum height of ten (10) feet with a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of fourteen (14) feet above the top of the mound. Mounding installed pursuant to this paragraph shall be installed within the minimum pavement setback area as required by this zoning text. Utilities may cross through the area where mounding is required. The plan for this area must be reviewed and approved by the City's Landscape Architect.

ii. Other Boundaries: For all other perimeter boundaries (i.e., boundaries other than as described in the immediately preceding subsection) which abut properties containing either existing residential uses or, as determined at the time that an application is filed for a building permit ("Building Permit") in this Zoning District, have a zoning classification which permits the development and operation of residential uses thereon and are not owned by the developer (any real property meeting either of the foregoing criteria to be referred to herein as "Residential Property"), a minimum eight (8) foot high mound shall be installed along the property line which shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% on the date that is 5 years after planting to a total height of twelve (12) feet above the top of the mound. Mounding installed pursuant to this paragraph shall be installed within the minimum pavement setback area as required by this zoning text and may encroach on abutting property if the owner of the abutting property is in agreement with the mound's installation on his/her property. Utilities may cross through areas where mounding is required. The plan for these areas must be reviewed and approved by the City's Landscape Architect.

d. Additional Mounding/Landscaping Provisions: If there are existing trees within any perimeter area described in the immediately preceding subsections a. and b., the mounding may be omitted and the existing trees may be utilized as the required screening. The requirement for 75% opacity 5 years after installation is still applicable with this alternative and, therefore, if necessary, additional landscaping materials (i.e., deciduous trees, evergreens or bushes) shall be planted along those perimeter boundary areas to meet the 75% opacity requirement. The plan for these areas must be reviewed and approved by the City's Landscape Architect.

e. Phasing of Screening: Required mounding and landscaping shall be installed along the portion of the northern boundary line located between the boundary of the Preservation Zone on the west and the eastern boundary line of this Zoning District on the east along with the first building that is constructed within the Height Restriction Area. In recognition of the significant amount of land area and the lengths of the perimeter boundaries contained within this Zoning District, for all other portions of the

Zoning District the required mounding and landscaping contemplated in this Section F.2 may be installed in phases. For each phase of development in the Zoning District, such required mounding and landscaping shall be installed when it is anticipated (as provided in plans associated with relevant permits) that buildings or paved parking areas, once constructed within that phase, will be located within 800 feet of the relevant perimeter boundary line. At a minimum for each phase, this mounding and landscaping shall be installed along the portion of the relevant perimeter boundary line of the Zoning District between two points which are determined by extending two straight lines from the perimeter boundary line of the Zoning District to the furthest distance on each side where planned improvements are to be constructed in that phase, and then adjusting those lines so that they are an additional distance of 150 apart. The following illustration is being provided as an example of this requirement:



3. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this Zoning District and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees may be grouped or regularly spaced. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City Landscape Architect. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

4. Parking Areas: Within this Zoning District, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

5. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

6. Pedestrian Circulation: Unless they are part of a campus which for safety or security reasons requires access by the public to be restricted, for buildings whose primary use is office, an internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives. Pedestrian connections shall be provided between parking lots and the front of buildings. A building shall be considered to have offices as its primary use when greater than 50% of its total square footage is occupied by office uses. The requirements of this paragraph shall not apply to any building with a main entrance which is located 500 feet or more from a public right-of-way.

7. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

8. All project landscape plans are subject to review and approval by the City Landscape Architect.

9. Master Landscape Standards Plan: The City of New Albany Business Campus South – Beech Road South Landscape Standards Master Plan which was previously created for the Beech Road corridor and approved by the Planning Commission on June 5, 2017 shall apply to the Beech Road frontage in this Zoning District. New landscaping installed within the pavement setback along Beech Road shall be coordinated and consistent throughout the length of the Zoning District's frontage on that street. Similarly, new landscaping installed within the pavement setback along Jug Street shall be coordinated and consistent throughout the length of the Zoning District's frontage on that street.

G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height, except that light poles located within 300 feet of properties where residential uses exist or are permitted shall be no higher than 18 feet in height.

4. Landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All other lighting on the site shall be in accordance with City Code.

7. Street lighting must meet the City Standards and Specifications.

H. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

I. Utilities: Except as provided in this subsection I, all utility lines in this Zoning District shall be installed underground. Above-ground electric utility poles serving private improvements within the Zoning District shall be permitted within an individual parcel (or multiple contiguous parcels under common ownership) provided that they shall be located at least 300 feet from the nearest edge of public rights-of-way, shall be of a monopole design, and shall not exceed the minimum height required by applicable utility installation standards. Reasonable efforts shall be made to minimize the visibility of such above-ground electric utility poles from any public roadway.

For the purposes of this subsection I, connections by way of piping, cables, or conduits between a building and ground mounted equipment or accessory structures may be installed above-ground provided that, when such a connection is to be made between a building façade that is oriented toward a public right-of-way and ground-mounted equipment or an accessory structure located between that building façade and the public right-of-way:

1. The ground mounted equipment or structure is located at least 200 feet from the centerline of the public right-of-way or the piping, cables, and/or conduits between a building and ground mounted equipment or structures are not visible from the public right-of-way; and

2. The connection is installed for its entire length at its minimum functional design height, which shall not exceed 125% of the ground mounted equipment or structure to which the connection is made; and

3. The connection is on the rear of the ground-mounted equipment or structure (i.e., the side which faces the building where the other end of the connection is being made).

J. Height Adjustments: It is anticipated that technology-oriented companies and other large parcel users may have certain operational and design requirements necessitating the development of buildings in excess of 65 feet in height. The Planning Commission shall have the authority, upon application from a property owner or other applicant as provided in Section J.1 below, to increase the allowable height for a building to a maximum of 85 feet. This Section J shall not be read or applied to override or supersede the provisions of Section 1165.05 of the Codified Ordinances as they relate to the right for certain elements of a building to exceed the maximum height provided for in this text in the absence of a request for an increase in building height.

1. **Procedure for Approval:** A property owner or other applicant seeking an increase in building height as contemplated in this Section J shall request the Planning Commission's review by filing an application with the City on a form that is prescribed by its zoning staff. Such an application and any decisions made thereon by the Planning Commission shall not be considered to be a variance, but instead shall be considered to be administrative in nature in that the Planning Commission's function will be to apply and administer the requirements of Section J.2 below to any application made pursuant hereto. The Planning Commission shall hold a public hearing on the application at its first meeting following the date that is 30 days after the application is filed in a manner that is deemed to be complete by the City's zoning staff or on such later date as may be agreed by the applicant. The Planning Commission may vote on the application at any time following such public hearing, provided that in no circumstance shall such a vote occur later than the next meeting of the Planning Commission which immediately follows the meeting when the public hearing occurred (unless the applicant otherwise consents). The Planning Commission's decision to approve or disapprove the application shall be based upon its consideration of the matters contemplated in Section J.2 below, and a decision to approve the application may be issued with conditions that are not inconsistent with the requirements set forth in Section J.2. No such application for an increase in building height shall be permitted or granted if the building to which such increase will apply is located in whole or in part within the Height Restriction Area.

2. **Basis for Approval:** The Planning Commission shall approve the request for an increase in permissible building height if it determines that the following requirements are met (or waived by the Planning Commission based on the facts and circumstances of the particular proposal):

- a. Buildings exceeding 65 feet in height shall:

- i. Have a minimum setback of 300 feet as measured from the centerline of Jug Street and a minimum setback of 500 feet as measured from the centerline of Beech Road; and

ii. Have a minimum setback of 300 feet from any parcel on which the current zoning permits residential uses or on which a residence exists on the date that the Planning Commission reviews the application for increased building height if the request is for a building height of up to 75 feet, and a minimum setback of 350 feet from any such parcel if the request for an increase in building height is between 76 feet and 85 feet. These setbacks shall be reduced to 50 feet if either (A) written consent to the reduced setback is obtained by the developer (a copy of which shall be provided to the City) from all property owners with property that abuts perimeter boundary lines of the Zoning District which are located outside of the Preservation Zone or the Height Restriction Area or (B) such adjacent property is zoned or used for non-residential purposes; and

b. The need for an increase in building height (a) is the result of a technological or operational need or other function that cannot be reasonably, practically, or economically addressed or accommodated in a building that complies with the height requirement contained in Section E.1 above, or (b) reflects best or favored practices in the relevant industry;

c. Roof-mounted mechanical equipment and other appurtenant building elements shall be screened to limit from view from the rights-of-way for Beech Road and Jug Street;

d. No lights or signage shall be installed on the building at a height greater than that which would be permitted without the increase in building height;

e. The design of the building with the additional height:

i. Incorporates, into the portions of the primary architectural elements of the building that exceed 65 feet, two or more of the architectural design elements contemplated in Section 5.e.ii of this text in order to reduce or eliminate the appearance of the building as being monolithic in form (or other design elements as reasonably determined by the Planning Commission to meet this objective);

ii. Does not include blank facades which are visible from a public right-of-way. For purposes of this text, a “blank facade” shall be defined to mean “the use of a single exterior façade material without any variations using other materials, patterns, textures, colors, or other means of creating visual interest extending full height in a vertical direction and 100 feet in a horizontal direction, unless otherwise approved by the Planning Commission based on sound architectural design principles”;

iii. Shall meet the architectural requirements set forth in Section E.2 through Section E.6 of this text, it being the intent that that the

requirement of this Section J are in addition to other requirements for buildings as provided in this text;

- f. The proposed building will utilize a sprinkler system; and
- g. The relevant provider of fire protection services for the proposed building has confirmed that it will be able to provide adequate fire suppression services to the building with the increased height.



Prepared: 04/19/2019
Introduced: 06/18/2019
Revised:
Adopted:
Effective:

ORDINANCE O-18-2019

AN ORDINANCE TO DECLARE THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, EXEMPT 100% OF THAT IMPROVEMENT FROM REAL PROPERTY TAXATION, REQUIRE THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, PROVIDE FOR THE DISTRIBUTION OF THE APPLICABLE PORTION OF THOSE SERVICE PAYMENTS TO THE JOHNSTOWN-MONROE LOCAL SCHOOL DISTRICT AND THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING COUNTY, ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS, SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THOSE PARCELS, AND APPROVE AND AUTHORIZE THE EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS

WHEREAS, Sections 5709.40, 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the "*TIF Statutes*") authorize this Council to declare the improvement to certain parcels of real property located within the City of New Albany, Ohio (the "*City*") to be a public purpose and exempt from taxation, require the owner of those parcels to make service payments in lieu of taxes, provide for the distribution of the applicable portion of those service payments to the Johnstown-Monroe Local School District and the Career and Technology Education Centers of Licking County, (each, a "*School District*"), establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

WHEREAS, the parcels of real property identified and depicted in Exhibit A attached hereto (each, as now or hereafter configured on the tax list and duplicate of real and public utility property, a "*Parcel*", and collectively, the "*Parcels*") are located in the City, and this Council has determined to declare the Improvement (as defined in Section 1 of this Ordinance) to each Parcel to be a public purpose; and

WHEREAS, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation one hundred percent (100%) of the Improvement to each Parcel as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for thirty (30) years and to simultaneously direct and require the current and future owner of each Parcel (each such owner individually, an "*Owner*," and collectively, the "*Owners*") to make annual Service Payments (as defined in Section 2 of this Ordinance); and

WHEREAS, the City has determined that a portion of the Service Payments shall be paid directly to each School District in an amount equal to the real property taxes that the School District would have received if the Improvement to the Parcels had not been exempted from taxation pursuant to this Ordinance; and

WHEREAS, pursuant to Section 5709.43(A) of the Ohio Revised Code, this Council has determined to establish a municipal public improvement tax increment equivalent fund in which there shall be deposited the remaining Service Payments distributed to the City; and

WHEREAS, this Council has determined to designate the public infrastructure improvements described in Exhibit B attached hereto (the "*Public Infrastructure Improvements*") as public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, the Parcels; and

WHEREAS, this Council has determined to provide for the execution and delivery of one or more Tax Increment Financing Agreements (each, a "*TIF Agreement*"), which will more fully provide for the collection of Service Payments; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Board of Education of Career and Technology Education Centers of Licking County (C-TEC) in accordance with, and within the time periods prescribed by, Section 5709.83 of the Ohio Revised Code;

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

Section 1. Authorization of Tax Exemption. Pursuant to and in accordance with the provisions of Section 5709.40(B) of the Ohio Revised Code, one hundred percent (100%) of the increase in assessed value of each Parcel that is used or to be used for non-residential purposes and that would first appear on the tax list and duplicate of real and public utility property after the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "*Improvement*", as further defined in Section 5709.40(A) of the Ohio Revised Code) is hereby declared to be a public purpose and shall be exempt from taxation for a period commencing with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a new structure on that Parcel first appears on the tax list and duplicate of real and public utility property for that Parcel and ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes. The real property tax exemption granted pursuant to this Section and the payment obligation established pursuant to Section 2 are subject and subordinate to any real property tax exemption granted pursuant to Sections 3735.65 to 3735.70 or Sections 5709.61 to 5709.69 of the Ohio Revised Code.

Section 2. Service Payments and Property Tax Rollback Payments. Pursuant to Section 5709.42 of the Ohio Revised Code, this Council hereby directs and requires the Owner of each Parcel to make annual service payments in lieu of taxes with respect to the Improvement allocable thereto to the Treasurer of Licking County, Ohio (the "*County Treasurer*") on or before the final dates for payment of real property taxes. The service payment in lieu of taxes for each Parcel, including any penalties and interest at the then current rate established under Sections 323.121(B)(1) and 5703.47 of the Ohio Revised Code, as the same may be amended or supplemented from time to time, or any other applicable provisions of the Ohio Revised Code (collectively, the "*Service Payments*"), shall be charged to each Parcel and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement to that Parcel if it were not exempt from taxation pursuant to Section 1 of this Ordinance, all in accordance with Section 5709.42 of the Ohio Revised Code. The Service Payments, and any other payments with respect to the Improvement that are received by the County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be

amended from time to time, or any successor provisions thereto as the same may be amended from time to time, or any other applicable provisions of the Ohio Revised Code (collectively, the "*Property Tax Rollback Payments*"), shall be allocated and distributed in accordance with Section 4 of this Ordinance.

Section 3. Tax Increment Equivalent Fund. This Council hereby establishes, pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the Oak Grove II Public Tax Increment Equivalent Fund (the "*Fund*"). The Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 4 of this Ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement to each Parcel and so deposited pursuant to Section 5709.42 of the Ohio Revised Code shall be used solely for the purposes authorized in the TIF Statutes and this Ordinance, as the same may be amended from time to time. The Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with Section 5709.43 of the Ohio Revised Code.

Section 4. Distribution of Funds. Pursuant to the TIF Statutes, the County Treasurer is hereby requested and directed to distribute the Service Payments and Property Tax Rollback Payments as follows:

(i) to each School District, an amount equal to the amount the School District would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance; and

(ii) to the City, all remaining amounts for further deposit into the Fund for payment of costs of the Public Infrastructure Improvements upon appropriation for that purpose by this Council. If so appropriated, such costs may but shall not be required to include, without limitation, all debt service payable on debt issued by the City or the New Albany Community Authority (the "*Authority*") to pay for Public Infrastructure Improvements, all amounts owed to any fund of the City or Authority to reimburse that fund for the costs of any Public Infrastructure Improvements previously paid from that fund, including interest payable on those amounts, and all amounts owed by the City or Authority to any third party for the construction of Public Infrastructure Improvements, including interest payable on those amounts.

Section 5. Public Infrastructure Improvements. This Council hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto, and any other public infrastructure improvements hereafter designated by ordinance, as public infrastructure improvements made, to be made or in the process of being made by the City that directly benefit, or that once made will directly benefit, the Parcels.

Section 6. Tax Increment Financing Agreement. The form of TIF Agreement presently on file with the Fiscal Officer is hereby approved and authorized with changes therein and amendments thereto not inconsistent with this Ordinance and not substantially adverse to the City and which shall be approved by the City Manager. The City Manager, for and in the name of the City, is hereby authorized to execute and deliver one or more TIF Agreements with one or more owners of a Parcel or Parcels in substantially that form along with any changes therein and amendments thereto, provided that the approval of such changes and amendments by the City Manager, and the character of those changes and amendments as not being substantially adverse to the City or inconsistent with this Ordinance, shall be evidenced conclusively by the City Manager's execution thereof.

Section 7. Further Authorizations. This Council hereby authorizes and directs the City Manager, the City Solicitor, the Fiscal Officer or other appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments from the Owners, including the preparation and filing of any necessary exemption applications. This Council further hereby authorizes and directs the City Manager, the City Solicitor, the Fiscal Officer or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

Section 8. Filings with Ohio Department of Development. Pursuant to Section 5709.40(I) of the Ohio Revised Code, the City Manager or other appropriate officer of the City is hereby directed to deliver a copy of this Ordinance to the Director of Development of the State of Ohio within fifteen (15) days after its adoption. Further, on or before March 31 of each year that the exemption set forth in Section 1 of this Ordinance remains in effect, the City Manager or other appropriate officer of the City shall prepare and submit to the Director of Development of the State of Ohio the status report required under Section 5709.40(I) of the Ohio Revised Code.

Section 9. Tax Incentive Review Council. This council hereby designates the Tax Incentive Review Council created pursuant to Resolution R-46-2009 as the tax incentive review council responsible for reviewing annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before that council, all in accordance with Section 5709.85 of the Ohio Revised Code.

Section 10. 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 Ordinance were taken in an open meeting of this Council or its 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, including Section 121.22 of the Ohio Revised Code.

Section 11. Effective Date. 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 _____, 2019

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchevsky
Law Director

EXHIBIT A – O-18-2019

PARCEL MAP

The colored areas on the attached map specifically identify and depict the Parcels and constitutes part of this Exhibit A.

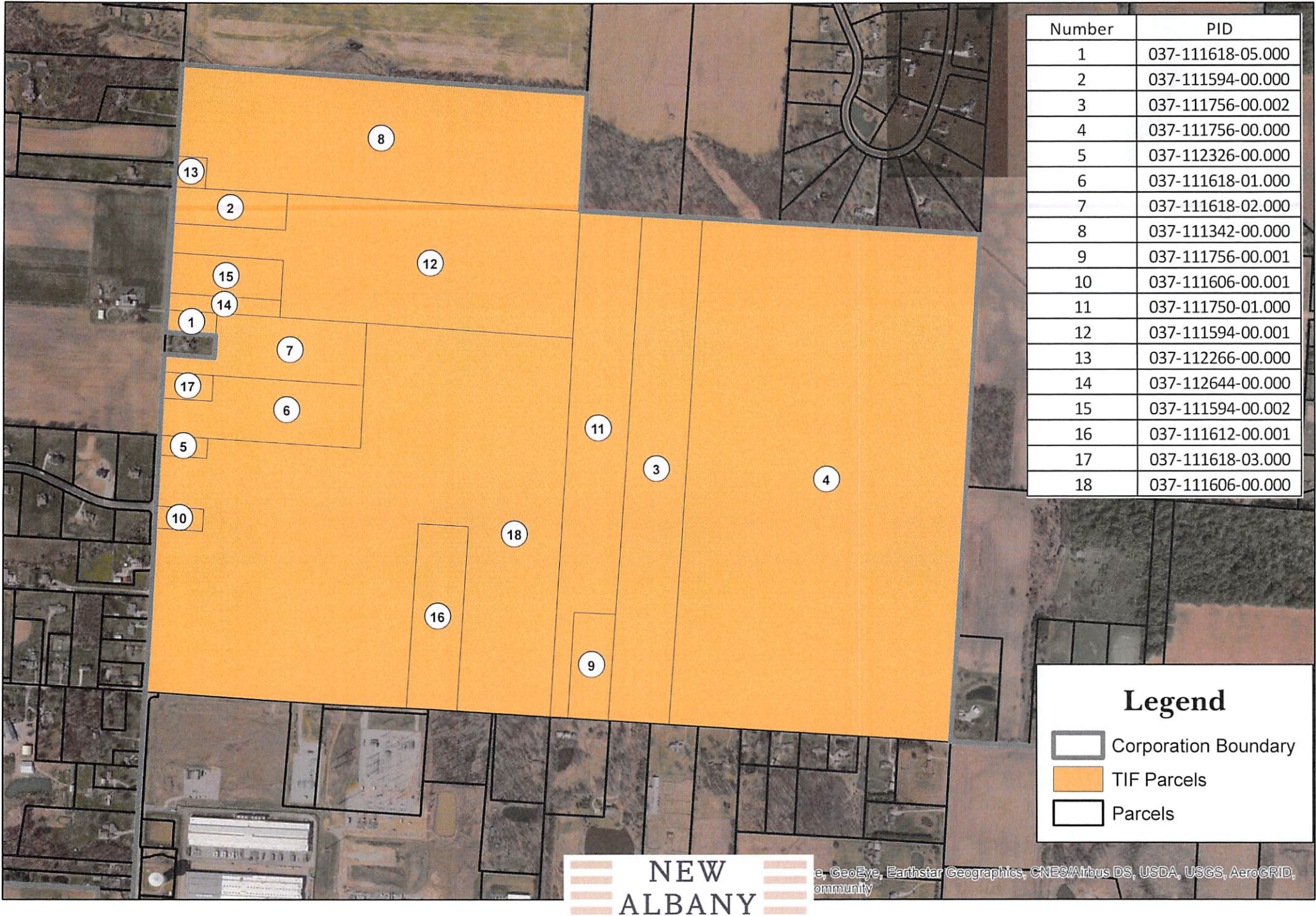


EXHIBIT A - O-18-2019

New Albany TIF Parcels -Jug Street North TIF Amendment

City of New Albany, Ohio

EXHIBIT B – O-18-2019

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements include the construction of the following improvements that will directly benefit the Parcels and all related costs of permanent improvements (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code), along with any other improvements subsequently designated by Village Council:

- public roads and highways (including street realignments);
- water and sewer lines;
- leisure trails and connections;
- parks and public facilities;
- environmental remediation projects;
- stormwater and flood remediation projects, including such projects on private property when determined to be necessary for public health, safety and welfare;
- gas, electric and communications services facilities, including fiber optics;
- land acquisition, including acquisition in aid of industry, commerce, distribution, or research;
- demolition, including demolition on private property when determined to be necessary for economic development purposes;
- landscaping and signage, including brick retaining walls at roadway intersections; including in each case, design and other related costs (including traffic studies); any rights-of-way or real estate acquisition; curbs and gutters, medians, sidewalks, bikeways, and landscaping (including scenic fencing and irrigation); traffic signs and signalization (including overhead street signage); street lighting and signs; burial of utility lines (including fiber optics); erosion and sediment control measures; grading, drainage and other related work; survey work, soil engineering, inspection fees and construction staking; and all other costs and improvements necessary and appurtenant thereto.



Prepared: 06/07/2019
Introduced: 06/18/2019
Revised:
Adopted:
Effective:

ORDINANCE O-19-2019

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 1.6 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to the petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on April 2, 2019, and

WHEREAS, the foregoing Resolution #99-82A of the Licking County Commissioners granting the petition was delivered to the City of New Albany on April 5, 2019, 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-35-2016 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreements 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 shall be 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, Counties of Franklin, and Licking, State of Ohio, that:

Section 1: The application of property owners set forth in Licking County requesting the annexation of 1.6+/- 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: An accurate map of the territory 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: City Council of the City of New Albany hereby accepts the annexation of a 1.6 +/-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: 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. 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 6. Pursuant to Article VI, Section 6.07(B) of the charter of the City of New Albany, this ordinance shall be in effect on and after 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. Banchevsky
Law Director

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

I certify that copies of Ordinance **O-19-2019** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2019.

Jennifer Mason, Clerk of Council

Date

Exhibit "A"

Exhibit A - O-19-2019

**PROPOSED ANNEXATION
1.6± ACRE**

FROM: JERSEY TOWNSHIP, LICKING COUNTY OHIO

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in Section 25, Township 2, Range 15, United States Military Lands, and being all of the 0.6395, 0.6462 and 0.1729 acre tracts conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201901290001691, (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Morse Road and the common section line of Sections 25 and 24, and in the southeasterly corner of City of New Albany corporation line, established by Ordinance Number O-15-2015, of record in Instrument Number 201506090011435;

Thence South 79° 38' 31" West, with the centerline of said Morse Road, with said City of New Albany corporation line, a distance of 631.16 feet to a southeasterly corner of said MBJ Holdings tracts, a southwesterly corner of that 56.367 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201708040016424, the TRUE POINT OF BEGINNING;

Thence South 77° 11' 02" West, continuing with the centerline of said Morse Road, with the northerly line of the that 106.464 acre tract conveyed to Anne M. Evans by deed of record in Instrument Number 200501050000413, with the southerly line of said MBJ Holdings tracts (Instrument Number 201901290001691), a distance of 374.43 feet to an angle point in the City of New Albany corporation line, the southwesterly corner of said MBJ Holdings tract (Instrument Number 201901290001691), and a southeasterly corner of said 56.367 acre tract;

Thence with the common line of said MBJ Holdings tracts (Instrument Number 201901290001691) and 56.367 acre tract, and said southerly City of New Albany corporation line, the following courses and distances:

North 02° 38' 02" East, a distance of 212.64 feet to a point;

North 75° 41' 02" East, a distance of 139.52 feet to a point;

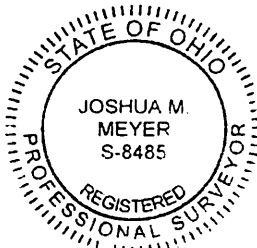
North 77° 11' 02" East, a distance of 132.71 feet to a point;

South 08° 02' 58" East, a distance of 89.34 feet to a point;

North 77° 11' 02" East, a distance of 63.00 feet to a point: and

South 08° 02' 58" East, a distance of 120.00 feet to the TRUE POINT OF BEGINNING, containing 1.6 acre, more or less.

This description is for annexation purposes only and is not for transfer.



JMM:jo
1_600 ac 20190011-VS-ANNX-01.doc

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer
Professional Surveyor No. 8485

1-30-2019

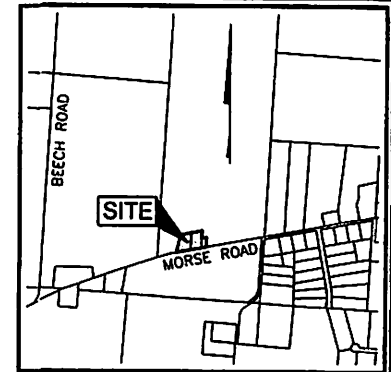
Date

PRE-APPROVAL LICKING COUNTY ENGINEER	
APPROVED <input checked="checked" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY: 	
DATE: 1/30/19	

ANNEXATION OF 1.6± ACRE TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP UNITED STATES MILITARY DISTRICT SECTION 25, TOWNSHIP 2, RANGE 15 TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-19-2019

Exhibit "B"



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

Proposed Annexation
of 1.6± acre 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____

Commissioner

Petition Approved _____, 20____

Commissioner

Commissioner

Transferred this _____ day of _____, 20____, upon the duplicates of this office.

Containing _____ acres.

Transfer Fee _____

Licking County Auditor

Received for Record _____, 20____, at _____ (AM-PM) and recorded _____, 20____, in plat ordinance, petition, etc. in instrument Number _____.

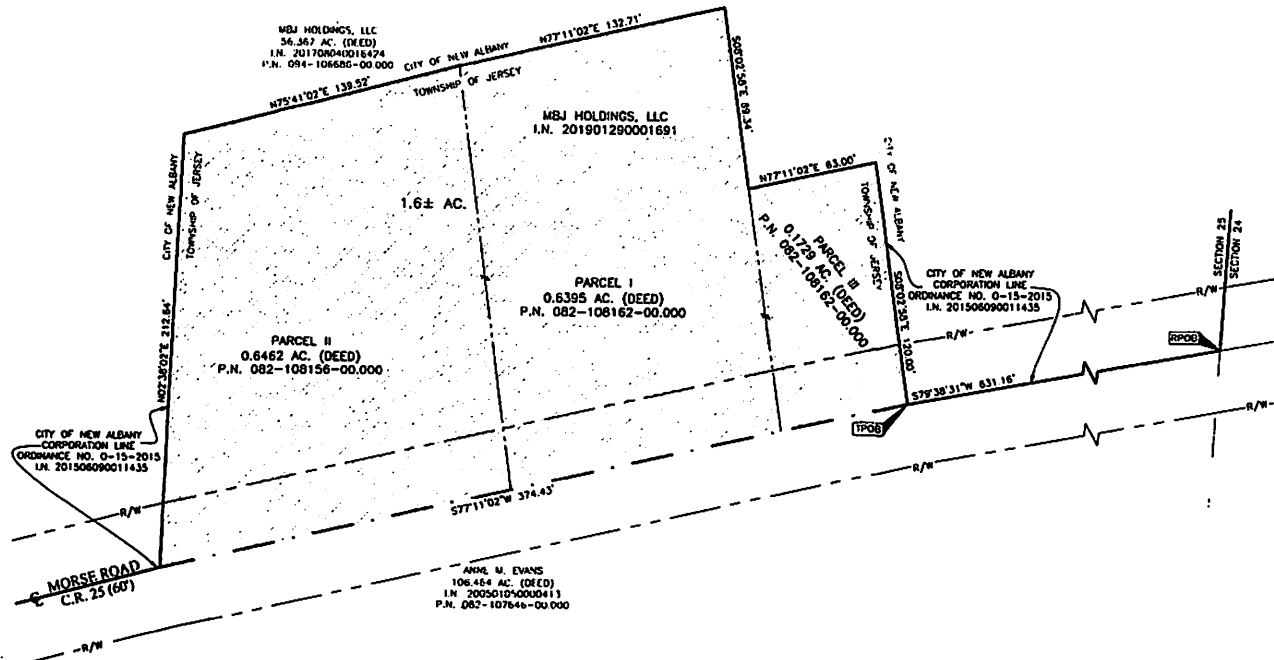
Plat Fee _____

Ordinance, etc. Fee _____

Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 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.

Attest _____
Clerk, City of New Albany



AREA TO BE ANNEXED

PROPOSED CITY OF NEW ALBANY
CORPORATION LINE

EXISTING CITY OF NEW ALBANY
CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 1131.64 feet, of which 757.21 feet is contiguous with the City of New Albany by Ordinance Number 13-15-2015, giving 66.9% perimeter contiguity.



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



By *Joshua M. Meyer*
Joshua M. Meyer
Professional Surveyor No. 8485
jmeyer@emht.com

1-30-2019
Date

EMHT		Date: January 30, 2019
Ernst, Hershman, Hornbuckle & Thies, Inc. Engineers • Surveyors • Planners • Scientists 3300 New Albany Road, Columbus, OH 43204 Phone: (614) 778-4300 Fax: (614) 778-3444 emht.com		Scale: 1" = 40'
		Job No: 2019-0011
		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION



Prepared: 05/29/2019
Introduced: 06/18/2019
Revised:
Adopted:
Effective:

ORDINANCE O-20-2019

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 1.6 +/- ACRES OF LAND GENERALLY LOCATED NORTH OF AND ADJACENT TO MORSE ROAD, EAST OF BEECH ROAD, AND WEST OF HARRISON ROAD FOR AN AREA TO BE KNOWN AS THE "BEECH ROAD SOUTH EXPANSION DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL DISTRICT TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS LLC C/O AARON UNDERHILL, ESQ.

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain property located in the city of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission, and City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

WHEREAS, pursuant to the application by MBJ Holdings LLC c/o Aaron Underhill, the Planning Commission of the City of New Albany has reviewed the proposed ordinance amendment and recommended its approval.

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 Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described site:

- A. A 1.6 ± acre area of land general located to north of and adjacent to Morse Road, east of Beech Road, and west of Harrison Road for an area to be known as the "Beech Road South Expansion District" from its current zoning of "Ag" Agricultural District to "L-GE" Limited General Employment;
- B. The zoning district's zoning text and site plan is hereby attached and marked Exhibit A.

Section 2. 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 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 _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

BEECH ROAD SOUTH EXPANSION ZONING DISTRICT**LIMITATION (L-GE) TEXT****May 31, 2019**

The Beech Road South Expansion Zoning District (hereinafter, the "Zoning District") provides for a minor expansion of the Beech Road South Zoning District, which generally applies to the real property which is located to the northeast of the intersection of Beech Road and Morse Road. The property that is the subject of this zoning text consists of 1.6+/- acres which were recently acquired by the applicant and are being annexed to the City. This property will apply substantially similar development standards to the subject property as apply to all of the real property which is adjacent to the north, east, and west. To the extent that a standard in this text conflicts with a standard that is provided in the City of New Albany's Codified Ordinances, the standard contained in this text shall govern. This Zoning District shall be governed by the relevant provisions of the City's Codified Ordinances to the extent that this text is silent on any particular matter.

A. Zoning Designation: L-GE, Limited General Employment District

B. Permitted Uses: The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE, General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

1. Industrial product sales (See Section 1153.03(a)(1));
2. Industrial service (See Section 1153.03(a)(2));
3. Mini-warehouses (See Section 1153.03(a)(4)(c));
4. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this Zoning District;
5. Vehicle services (See Section 1153.03(b)(4));
6. Radio/television broadcast facilities (See Section 1153.03(c)(1)); and
7. Sexually-oriented businesses (See Section 1153.03(c)(3)).

C. Access, Parking, Site Circulation, and Traffic Commitments:

1. The developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.
2. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved by the City Manager or his designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.
3. Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany.
4. Prior to submitting an application with the city for a plat or private site development, relating to any public streets in this Zoning District, the developer shall be required to obtain approval of a traffic study. Right-of-way widths shall generally be consistent with

d. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

e. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

f. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact.

g. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

4. Building Form:

a. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

b. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

5. Materials:

a. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, along with contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. The use of reflective or mirrored glass shall be prohibited.

b. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited.

c. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents).

iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

v. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

6. **Roof-Mounted Equipment:** Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to attenuate sound generated by such equipment.

F. **Buffering, Landscaping, Open Space, and Screening:** The following landscaping requirements shall apply to this Zoning District:

1. **Tree Preservation:** Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

2. **Morse Road:**

- a) Landscaping within the pavement setback shall be coordinated and consistent. Stormwater and other similar non-building activities require the landscaping stated in this text be installed.
- b) A landscape buffer shall be located within the pavement setback. The buffer shall be planted with a minimum quantity of one tree per 25 feet, in addition to street trees. Trees shall be randomly planted to create a naturalized appearance. Trees shall be of native species. Evergreen trees or shrubs shall not be permitted in the area between the buffer landscape and the edge of street pavement. For landscaping which is not used to meet zoning text, codified ordinance and street tree requirements, the minimum caliper of tree material may be reduced to 1" caliper to gain additional plant material. A four-board white horse fence may be located 1 foot from the edge of the right-of-way along Morse Road.
- c) The landscape buffer may consist of mounding. Mounding, when used, shall be a maximum of 12 feet in height. Trees shall be planted on the mound with a minimum of 70% of the trees occurring on the street side. No trees shall be located within the upper quartile of the crest of the mound.

3. **Street Trees:** A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this Zoning District and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees may be grouped or regularly spaced. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City Landscape Architect.

4. **Parking Areas:** Within this Zoning District, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of

Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.
6. All new electrical utilities that are installed in this Zoning District shall be located underground.
7. All other lighting on the site shall be in accordance with City Code.
8. Street lighting must meet the City Standards and Specifications.

H. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

I. Utilities: All utilities shall be installed underground.

UNITED STATES MILITARY DISTRICT
SECTION 25, TOWNSHIP 2, RANGE 15
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



PROPOSED CITY OF NEW ALBANY

EXISTING CITY OF NEW ALBANY

Continuity Note:

Contiguity Note:
Total perimeter of annexation area is 1131.64 feet, of which 737.21 feet is contiguous with the City of New Albany by Ordinance Number 0-15-2015, giving 66.9% perimeter contiguity

Note:

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



1-30-2019

Joshua M. Meyer
Professional Surveyor No. 8485
jmeyer@cmh.com



GRAPHIC SCALE (in feet)



LOCATION MAP AND BACKGROUND DRAWING

Proposed Annexation
of 1.6 +/- acre 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 _____

Licking County Auditor

Received for Record _____, 20____, at _____ (AM-PM) and recorded

20. In past ordinance, petition, etc. in Instrument Number _____

Flat Fee _____
Ordinance or Fee _____

Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance on _____, 20____, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Street _____

THE

Scale: 1" = 40'

Job No: 2019-0011

3500 NEW AUSTIN ROAD, COVINGTON, OH 43034
Phone 614 775-4500 Toll Free 800 775-3148

[illegible]

	DATE	DESCRIPTION
CHECK #789		

[illegible][illegible][illegible]

Corrigan to MBU ALTA / 20190011-VS-MAY-01



Prepared: 05/29/2019
Introduced: 06/18/2019
Revised:
Adopted:
Effective:

ORDINANCE O-21-2019

AN ORDINANCE TO ACCEPT A 1.941 ACRE TRACT OF LAND FROM MBJ HOLDINGS LLC FOR THE PURPOSE OF PUBLIC RIGHT OF WAY

WHEREAS, the tracts of land are located along the north side of Morse Road; and

WHEREAS, the land parcels currently extend to the centerline of Morse Road and have historically been served by way of a highway easement. The property owner requests to dedicate the highway easement area to the city as public right-of-way; and

WHEREAS, the city engineer has reviewed the newly created lot and commented this dedication is appropriate; and

WHEREAS, the city will benefit from this dedication of right of way.

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 accept a 1.941 acre tract of land from MBJ Holdings LLC for the purpose of public right of way as described and depicted in Exhibit A.

Section 2. 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 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 _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

PROPOSED

Exhibit A

EXHIBIT A - O-21-2019

LIMITED WARRANTY DEED (O.R.C. 5302.07 - 5302.08)

KNOW ALL MEN BY THESE PRESENTS that **MBJ HOLDINGS, LLC** a Delaware limited liability company (the “**Grantor**”), for good and valuable consideration paid, grants, with limited warranty covenants, to **THE CITY OF NEW ALBANY, OHIO**, an Ohio municipal corporation (the “**Grantee**”), whose tax-mailing address is 99 West Main Street, New Albany, Ohio 43054, the real property more particularly described as follows:

Property: That certain 1.941± acre tract situated in the City of New Albany, the Township of Jersey, County of Licking, and State of Ohio and being more particularly described on Exhibit A (the “**Property**”) and depicted on Exhibit B both attached hereto and made a part hereof.

Tax Parcel Numbers: Portions of 094-106686-00.000, 082-108156-00.000, 082-108162-00.000, 094-106926-00.000 and 094-106926-00.002.

Prior Instrument References: Instrument Numbers 201708040016424, 201901290001691, 200001250002500 and 200111190041598, Recorder’s Office, Licking County, Ohio.

THE PROPERTY IS INTENDED BY GRANTEE TO BE HELD FOR USE AS PUBLIC RIGHT-OF-WAY.

The conveyance made hereunder is subject to all covenants, conditions, easements, restrictions, reservations, and other matters of record in the Office of the Recorder, Licking County, Ohio.

[SIGNATURE AND ACKNOWLEDGMENT ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be executed by its duly authorized signatory to be effective as of the _____ day of _____, 2019.

GRANTOR:

MBJ HOLDINGS, LLC,
a Delaware limited liability company

By: _____
Printed Name: _____
Title: _____

STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by _____, the _____ of MBJ HOLDINGS, LLC, a Delaware limited liability company, on behalf of the limited liability company.

[SEAL]

NOTARY PUBLIC

My Commission Expires: _____

This instrument prepared by:
UNDERHILL & HODGE LLC
8000 WALTON PARKWAY, SUITE 120
NEW ALBANY, OHIO 43054
(614) 335-9320

1.941 ACRES

Situated in the State of Ohio, County of Licking, City of New Albany and Township of Jersey, lying in Section 25, Township 2, Range 15, United States Military District, and being part of that 78.359 acre tract conveyed to MJB Holdings, LLC by deed of record in Instrument Number 200001250002500, part of that 2.366 acre tract conveyed to MJB Holdings, LLC by deed of record in Instrument Number 200111190041598, part of that 56.367 acre tract conveyed to MJB Holdings, LLC by deed of record in Instrument Number 201708040016424, and part of that 0.6395 acre tract conveyed as Parcel I, part of that 0.6462 acre tract conveyed as Parcel II, and part of that 0.1729 acre tract conveyed as Parcel III to MJB Holdings, LLC by deed of record in Instrument Number 201901290001691, (all references are to the records of the Recorder's Office, Licking County, Ohio, unless otherwise noted) and being more particularly described as follows:

BEGINNING at a magnetic nail set at the intersection of the centerline of Morse Road (60 feet) and Beech Road (60 feet), at a southwesterly corner of said 78.359 acre tract, at a southeasterly corner of that 3.791 acre tract conveyed to The City of New Albany, Ohio by deed of record in Instrument Number 201811210024845 (reference Franklin County Geodetic Survey Monument 2208 found North 85° 59' 31" West at a distance of 3322.04 feet);

Thence North 03° 34' 11" East, with the centerline of said Beech Road, with the line common to said 78.359 acre and 3.791 acre tracts, a distance of 30.00 feet to a magnetic nail set at a northwesterly corner of the remainder of said 78.359 acre tract, at a northeasterly corner of said 3.971 acre tract, at a southeasterly corner of that 10.505 acre tract conveyed to The City of New Albany by deed of record in Instrument Number 201801240001484, at a southwesterly corner of that 1.787 acre tract conveyed to The City of New Albany by deed of record in Instrument Number 201709290020862;

Thence South 85° 40' 11" East, partly with the southerly line of said 1.787 acre tract, and partly across said 78.359 acre and 2.366 acre tracts, (passing a 3/4 inch iron pipe found at a distance of 156.84 feet) a total distance of 261.38 feet to an iron pin set;

Thence continuing across said MJB tracts, the following courses and distances:

North 73° 21' 13" East, a distance of 280.37 feet to an iron pin set;

North 71° 42' 57" East, a distance of 510.79 feet to an iron pin set;

North 73° 31' 03" East, a distance of 135.56 feet to an iron pin set;

North 75° 33' 45" East, a distance of 615.21 feet to an iron pin set;

North 77° 11' 02" East, a distance of 375.50 feet to an iron pin set;

North 79° 38' 31" East, a distance of 631.88 feet to an iron pin set; and

North 79° 54' 44" East, a distance of 7.46 feet to an iron pin set in an easterly line of said 56.367 acre tract, in a westerly line of that 6.547 acre tract conveyed as Parcel III to Anthony A. Casagrande, Trustee, by deed of record in Instrument Number 201411060022036;

Thence South 03° 45' 00" West, across said Morse Road, with the line common to said 56.367 acre and 6.547 acre tracts, a distance of 30.90 feet to a P.K. nail found in the centerline of said Morse Road, at a southeasterly corner of said 56.367 acre tract, at a southwesterly corner of said 6.547 acre tract;

Thence with the centerline of said Morse Road, the following courses and distances:

South 79° 38' 31" West, a distance of 631.16 feet to a magnetic nail set;

South 77° 11' 02" West, a distance of 374.43 feet to a magnetic nail set;

South 75° 33' 45" West, a distance of 614.25 feet to a magnetic nail set;

South 73° 31' 03" West, a distance of 134.56 feet to a railroad spike found;

South 71° 42' 57" West, (passing a railroad spike found at 216.47 feet) a total distance of 510.75 feet to magnetic nail set;

South 73° 21' 13" West, a distance of 286.35 feet to a railroad spike found; and

1.941 ACRES

North 85° 40' 11" West, a distance of 266.53 feet to the POINT OF BEGINNING, containing 1.941 acres, more or less, of which 1.941 acres is located within the road right-of-way. Of the total 1.941 acres, 0.687 acre lies within Parcel Number 94-106826-00.000, 0.364 acre lies within Parcel Number 94-106926-00.002, 0.634 acre lies within Parcel Number 94-106686-00.000, 0.120 lies within Parcel Number 082-108156-00.000, and 0.136 acre lies within Parcel Number 082-108162-00.000.

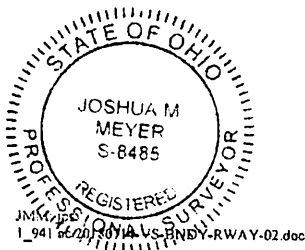
Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings are based on the Ohio State Plane Coordinate System, South Zone per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 80 and FRANK 180, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment. A bearing of North 03° 34' 11" East was held for a portion of the centerline of Beech Road.

This description was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in 1999, 2001, 2002, 2015, 2017, and 2018.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



Joshua M. Meyer
Professional Surveyor No. 8485

5-8-2019

Date

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="checked" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY: JMM	DATE: 5/8/19

EMH&T

Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648

emht.com

SURVEY OF ACREAGE PARCEL

SECTION 25, TOWNSHIP 2, RANGE 15

UNITED STATES MILITARY LANDS

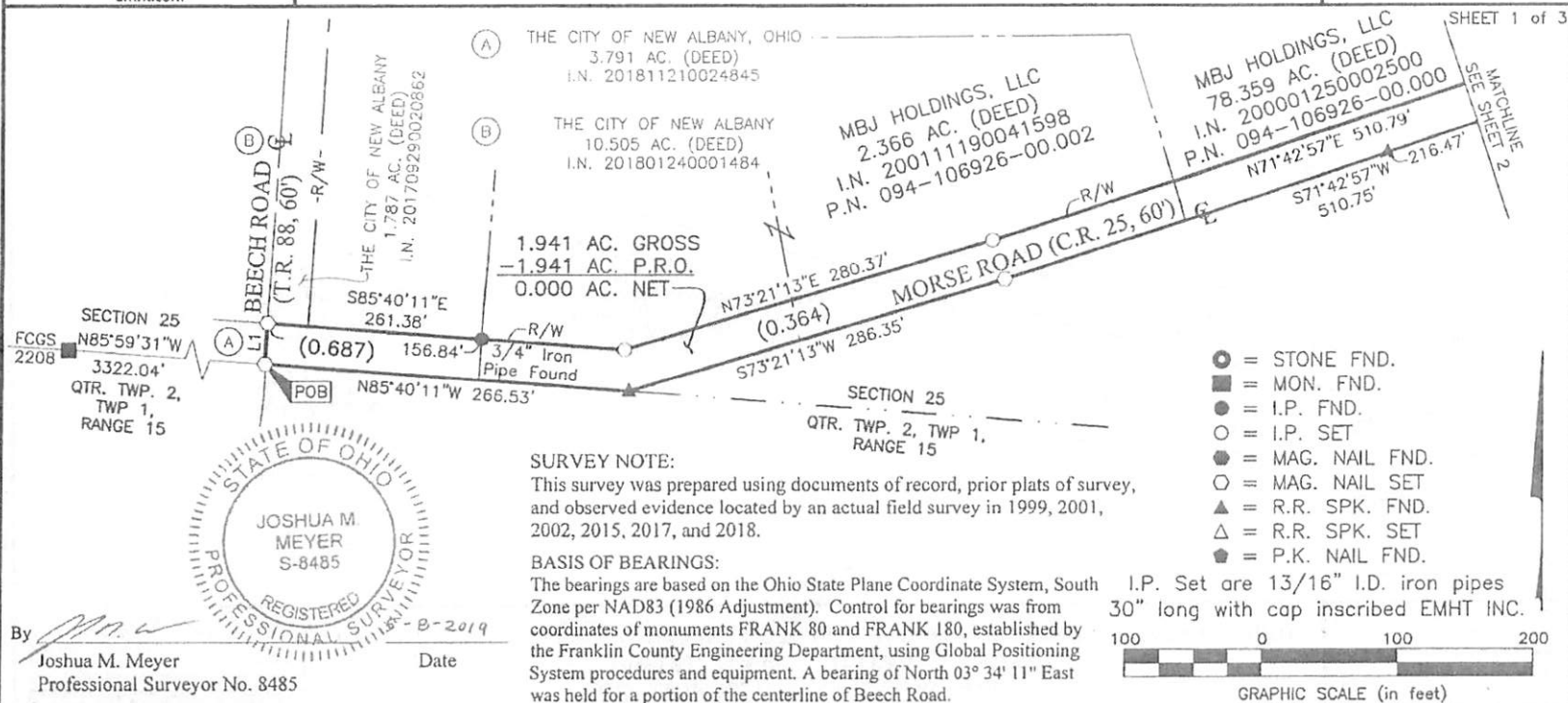
CITY OF NEW ALBANY & TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Date: May 8, 2019

Scale: 1" = 100'

Job No: 2018-0714

SHEET 1 of 3



J:\20180714\DWG\04SHEETS\BOUNDARY\20180714-VS-BNDY-RWAY-02.DWG plotted by SCHROEDER, JACOB on 5/8/2019 1:28:04 PM last saved by JSCHROEDER on 5/8/2019 1:28:11 PM
Xrefs:

EMH&T

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SURVEY OF ACREAGE PARCEL

SECTION 25, TOWNSHIP 2, RANGE 15

UNITED STATES MILITARY LANDS

CITY OF NEW ALBANY & TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Date: May 8, 2019

Scale: 1" = 100'

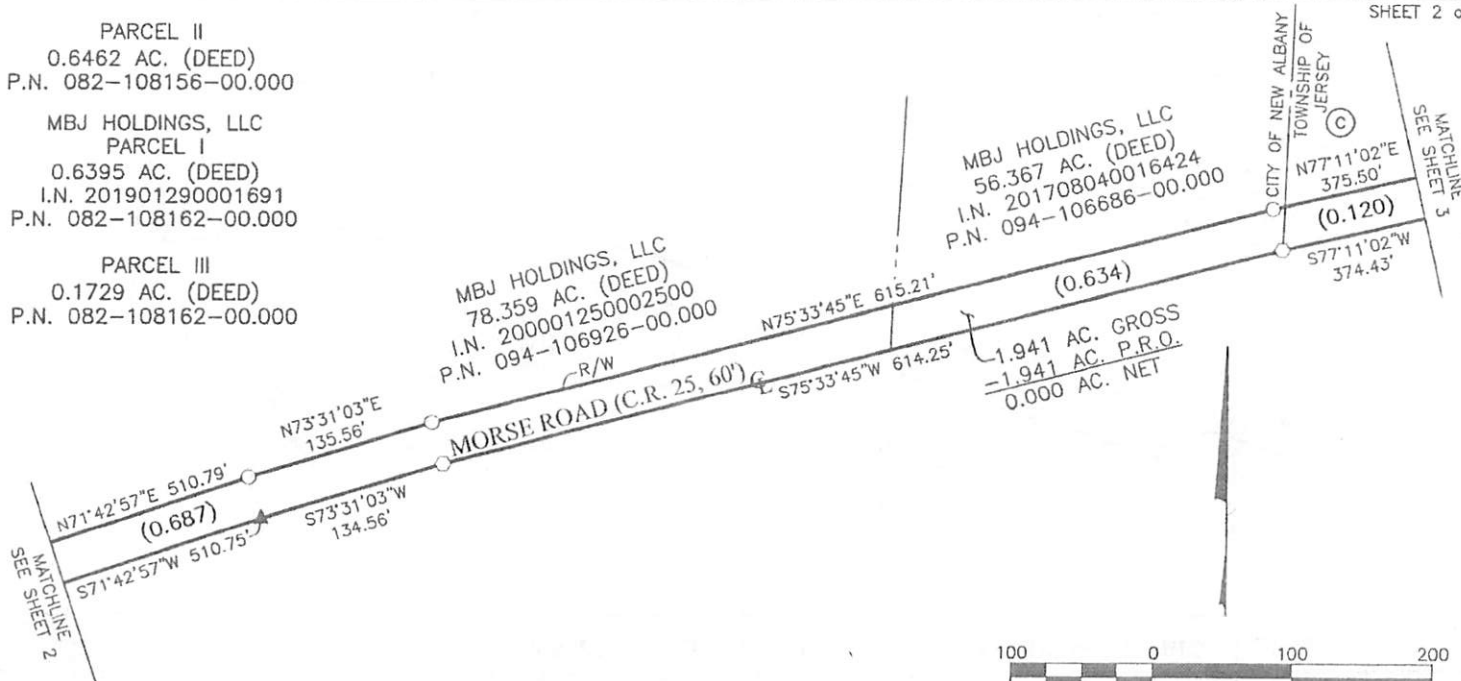
Job No: 2018-0714

SHEET 2 of 3

(C) PARCEL II
0.6462 AC. (DEED)
P.N. 082-108156-00.000

(D) MBJ HOLDINGS, LLC
PARCEL I
0.6395 AC. (DEED)
I.N. 201901290001691
P.N. 082-108162-00.000

(E) PARCEL III
0.1729 AC. (DEED)
P.N. 082-108162-00.000





Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll free: 888.775.3648
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SURVEY OF ACREAGE PARCEL

SECTION 25, TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
CITY OF NEW ALBANY & TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Date: May 8, 2019

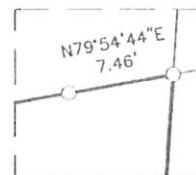
Scale: 1" = 100'

Job No: 2018-0714

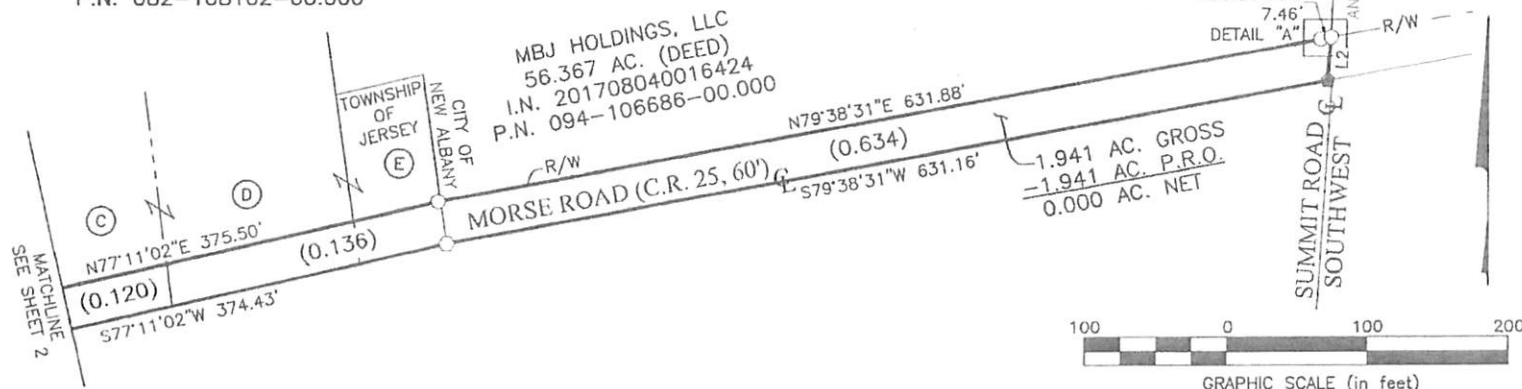
SHEET 3 of 3

- (C) PARCEL II
0.6462 AC. (DEED)
P.N. 082-108156-00.000
- (D) MBJ HOLDINGS, LLC
PARCEL I
0.6395 AC. (DEED)
I.N. 201901290001691
P.N. 082-108162-00.000
- (E) PARCEL III
0.1729 AC. (DEED)
P.N. 082-108162-00.000

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N03°34'11"E	30.00'
L2	S03°45'00"W	30.90'



DETAIL "A"
NOT TO SCALE





Prepared: 06/07/2019
Introduced: 06/18/2019
Revised:
Adopted:
Effective:

ORDINANCE O-22-2019

AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR THE COURTYARDS AT NEW ALBANY, PHASE 1A, AS REQUESTED BY EPCON COMMUNITIES

WHEREAS, in accordance with New Albany Ordinance 77-91 as amended, and pursuant to written certification by the city engineer that the improvements and appurtenances thereto for The Courtyards at New Albany, Phase 1A, have been completed to the standards set by Ordinance 77-97 as amended; and

WHEREAS, a two-year maintenance bond in the amount of \$199,510 an engineering inspection fee deposit in the amount of \$3,491, and a five-year settlement bond of \$44,000 will be provided by the applicant prior to second reading. Any infrastructure items that cannot be completed due to weather conditions will be identified and a performance bond or escrow amount will be submitted in an amount deemed acceptable to the city as required by codified ordinance.

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

Section 1. The improvements and appurtenances thereto are hereby accepted. Any weather-related items, street trees and landscaping covered under performance bonds must be installed as outlined in such performance bonds by September 30, 2019.

Section 2. It is hereby found and determined that all formal actions of council concerning and relating to the adoption of this ordinance were adopted in an open meeting and that all deliberations of 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, Franklin and Licking Counties, Ohio.

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 _____, 2019.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchevsky
Law Director

PROPOSED



Prepared: 06/07/2019
Introduced: 06/18/2019
Revised:
Adopted:
Effective:

ORDINANCE O-23-2019

AN ORDINANCE TO ADOPT A TAX BUDGET FOR THE CITY OF NEW ALBANY, OHIO FOR FISCAL YEAR 2020

WHEREAS, the City of New Albany is required under Ohio Revised Code (ORC) 5705.30 to prepare and submit a tax budget for fiscal year 2020 to the County Budget Commission on or before July 15, 2019; and

WHEREAS, a tentative budget for the City of New Albany, for the fiscal year 2019 has been presented to Council at a hearing held thereon as required by law.

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 tax budget for the City of New Albany, Ohio for the Year 2019 is hereby adopted, a copy of which is attached as Schedule A and is incorporated into this Ordinance as if fully rewritten herein.

Section 2. 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 3: 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 O23-2019 were posted in accordance with Section 6.03(C) of New Albany City Charter starting on _____, 2019.

Jennifer H. Mason, Clerk of Council

Date

CITY OF NEW ALBANY
FRANKLIN COUNTY, OHIO
99 W. MAIN STREET, PO BOX 188
NEW ALBANY, OHIO 43054

SCHEDULE A

FAILURE TO COMPLY WITH SEC. 5705.28 R.C. SHALL
RESULT IN LOSS OF LOCAL GOVERNMENT FUND

To the Franklin County Auditor:

The following Budget year beginning January 1, 2020 has been adopted by Council and is herewith submitted for consideration of the County Budget Commission.

Bethany Staats, CPA, Director of Finance
July 2, 2019

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED RATES.					
For Municipal Use		For Budget Commission Use		For County Auditor Use	
FUND CATEGORY/TYPE (which are requesting general property tax revenue)	BUDGET YEAR AMOUNT REQUESTED OF BUDGET COMMISSION INSIDE/OUTSIDE	BUDGET YEAR AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	BUDGET YEAR TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED	
				INSIDE 10 MILL LIMIT BUDGET YEAR	OUTSIDE 10 MILL LIMIT BUDGET YEAR
	Column 1	Column 2	Column 3	Column 4	Column 5
GOVERNMENTAL FUNDS					
General Fund	\$22,823,730				
Unclaimed Funds	0				
SPECIAL REVENUE FUNDS					
Wentworth Crossing TIF	\$309,938				
Hawksmoor TIF Fund	164,502				
The Enclave TIF Fund	68,732				
Saunton TIF Fund	135,150				
Richmond Square TIF	167,482				
Tidewater TIF Fund	342,558				
Ealy Crossing TIF	383,855				
Upper Clarenton TIF	483,032				
Balfour Green TIF	26,730				
Straits Farm TIF Fund	333,078				
Blacklick TIF Fund	1,281,406				
Blacklick II TIF Fund	35,739				
Village Center TIF Fund	879,848				
Research Tech District TIF	327,212				
Oak Grove II TIF	549,806				
Windsor TIF Fund	2,802,303				
Village Center II TIF	0				
PROPRIETARY FUNDS					
No Proprietary Funds	\$0				

EXHIBIT A

SCHEDULE B

FUND	Maximum Rate Authorized to be Levied	Tax Year County Auditor's Estimate of Levy
		(carry to Schedule A, column 3)

No Levies

TOTAL GENERAL FUND OUTSIDE 10 MILL LIMITATION

No Levies

TOTAL SPECIAL LEVIES OUTSIDE 10 MILL LIMITATION

6/10/2019
1:53 PM

CITY OF NEW ALBANY, OHIO

EXHIBIT I

FUND NAME: GENERAL FUND (101)

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

This Exhibit is to be used for General Fund Only.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
Local Taxes				
General Property Tax - Real Estate	\$ 1,025,024	\$ 1,104,921	\$ 1,115,887	\$ 1,115,887
Tangible Personal Property Tax	-	-	-	-
Municipal Income Tax	17,067,784	20,327,553	18,974,000	19,163,740
Other Local Taxes	328,232	343,522	303,133	306,165
Total Local Taxes	\$ 18,421,041	\$ 21,775,995	\$ 20,393,020	\$ 20,585,792
Intergovernmental Revenues				
<i>State Shared Taxes and Permits</i>				
Local Government	\$ 40,315	\$ 38,320	\$ 37,968	\$ 37,209
Kilowatt Hour Tax	-	-	-	-
Estate Tax	1,093	-	-	-
Cigarette Tax	75	75	75	76
Liquor and Beer Permits	14,992	14,698	15,000	15,150
Property Tax Allocation	116,808	125,745	126,262	126,262
Other State Shared Taxes and Permits	-	-	-	-
Total State Shared Taxes and Permits	\$ 173,283	\$ 178,837	\$ 179,305	\$ 178,696
<i>Grants or Other Aid:</i>				
Federal Grants or Aid	\$ -	\$ -	\$ -	\$ -
State Grants or Aid	-	-	-	-
Other Grants or Aid	49,844	36,203	20,522	20,727
Total Grants or Other Aid	49,844	36,203	20,522	20,727
Total Intergovernmental Revenues	\$ 223,126	\$ 215,040	\$ 199,827	\$ 199,424
Service Charges, Permits & Misc Revenues				
Investment Earnings	\$ 214,976	\$ 376,822	\$ 629,241	\$ 635,534
Charges for Services	247,812	174,044	278,806	281,594
Fines, Licenses, and Permits	867,817	759,781	871,812	880,530
Miscellaneous	305,996	794,476	222,445	224,669
Total Svc Charges, Permits & Misc Revenues	\$ 1,636,601	\$ 2,105,123	\$ 2,002,304	\$ 2,022,327
Other Financing Sources:				
Proceeds from Sale of Assets	\$ 10,530	\$ -	\$ 16,027	\$ 16,187
Transfers	-	-	-	-
Advances	-	1,000,000	-	-
Other Sources	-	-	-	-
Total Other Financing Sources	\$ 10,530	\$ 1,000,000	\$ 16,027	\$ 16,187
TOTAL REVENUE	\$ 20,291,298	\$ 25,096,158	\$ 22,611,179	\$ 22,823,730

CITY OF NEW ALBANY, OHIO

EXHIBIT I

FUND NAME: GENERAL FUND (101)This Exhibit is to be used for General
Fund Only.FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
EXPENDITURES				
<u>Police (1000)</u>				
Salary & Related	\$ 3,508,361	\$ 3,903,408	\$ 4,777,495	\$ 4,944,707.33
Operating & Contractual Services	177,209	168,021	265,304	274,590
Capital Outlay	-	-	-	-
Total Police	\$ 3,685,570	\$ 4,071,430	\$ 5,042,799	\$ 5,219,297
<u>Land & Building Maintenance (6000)</u>				
Salary & Related	\$ -	\$ 36,265	\$ 65,371	\$ 67,659
Operating & Contractual Services	812,608	830,732	1,413,581	1,463,056
Capital Outlay	29,306	58,442	62,085	64,258
Total Parks & Lands	\$ 841,914	\$ 925,439	\$ 1,541,037	\$ 1,594,973
<u>Community Development (4000)</u>				
Salary & Related	\$ 1,247,414	\$ 1,277,749	\$ 1,596,459	\$ 1,652,335
Operating & Contractual Services	1,076,870	1,180,261	1,701,505	1,761,058
Capital Outlay	-	-	-	-
Total Community Development	\$ 2,324,283	\$ 2,458,010	\$ 3,297,964	\$ 3,413,392
<u>Public Service (5000)</u>				
Salary & Related	\$ 2,232,983	\$ 2,492,809	\$ 2,925,876	\$ 3,028,282
Operating & Contractual Services	423,524	580,177	1,186,310	1,227,831
Capital Outlay	14,191	5,469	-	-
Total Public Service	\$ 2,670,698	\$ 3,078,455	\$ 4,112,186	\$ 4,256,113
<u>General Government (7000)</u>				
Salary & Related	\$ 1,692,462	\$ 2,016,700	\$ 2,415,283	\$ 2,499,818
Operating & Contractual Services	1,896,030	2,213,533	3,592,486	3,718,223
Capital Outlay	20,138	6,176	170,623	176,595
Total General Government	\$ 3,608,630	\$ 4,236,409	\$ 6,178,392	\$ 6,394,636
<u>Debt Service from General Fund (8000)</u>				
Redemption of Principal	\$ -	\$ -	\$ -	\$ -
Interest	-	-	-	-
Other Debt Service	-	-	-	-
Total Debt Service	\$ -	\$ -	\$ -	\$ -
<u>Other Uses of Funds (9000)</u>				
Transfers (to all funds; including Capital)	\$ 2,524,125	\$ 11,488,977	\$ 4,234,723	\$ 2,428,577
Advances	-	-	-	-
Contingencies	-	-	-	-
Other Uses of Funds	-	-	-	-
Total Other Uses of Funds	\$ 2,524,125	\$ 11,488,977	\$ 4,234,723	\$ 2,428,577
TOTAL EXPENDITURES	\$ 15,655,220	\$ 26,258,719	\$ 24,407,101	\$ 23,306,988
Revenues Over (Under) Expenditures	\$ 4,636,078	\$ (1,162,561)	\$ (1,795,922)	\$ (483,258)
Beginning Fund Balance	\$ 13,299,809	\$ 17,935,888	\$ 16,773,327	\$ 14,977,405
Ending Cash Fund Balance	\$ 17,935,888	\$ 16,773,327	\$ 14,977,405	\$ 14,494,147
Est/Actual Encumbrances (at end of year)	\$ 1,232,673	\$ 1,539,499	\$ 1,570,289	\$ 1,601,695
Est/Actual Unencumbered (at end of year)	\$ 16,703,215	\$ 15,233,828	\$ 13,407,116	\$ 12,892,452

CITY OF NEW ALBANY, OHIO

EXHIBIT II

FUND NAME: WENTWORTH CROSSING TIF FUND (230)

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUEThis Exhibit to be used for any fund
receiving property tax revenue
except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 216,991	\$ 280,242	\$ 273,098	\$ 273,098
Property Tax Allocation	28,695	36,668	36,840	36,840
Total Local Taxes	\$ 245,686	\$ 316,910	\$ 309,938	\$ 309,938
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 3,401	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 249,087	\$ 316,910	\$ 309,938	\$ 309,938
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 27,560	\$ 44,022	\$ 43,335	\$ 43,335
Operating & Contractual Services	45,255	64,146	69,535	69,535
Total General Government	\$ 72,815	\$ 108,169	\$ 112,870	\$ 112,870
<u>Public Service</u>				
Operating & Contractual Services	\$ 93,451	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ 93,451	\$ -	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ 100,500	\$ 90,000	\$ 100,000
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 166,266	\$ 208,669	\$ 202,870	\$ 212,870
Revenues Over (Under) Expenditures	\$ 82,822	\$ 108,242	\$ 107,067	\$ 97,067
Beginning Fund Balance	\$ 206,975	\$ 289,797	\$ 398,038	\$ 505,106
Ending Fund Balance	\$ 289,797	\$ 398,038	\$ 505,106	\$ 602,173
Est/Actual Encumbrances (at end of year)	\$ -	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 289,797	\$ 398,038	\$ 505,106	\$ 602,173

FUND NAME: HAWKSMOOR TIF FUND (231)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 117,285	\$ 155,074	\$ 147,712	\$ 147,712
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	15,538	18,849	16,790	16,790
Total Local Taxes	\$ 132,822	\$ 173,924	\$ 164,502	\$ 164,502
<u>Miscellaneous</u>				
Investment Earnings	\$ 2,958	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 135,780	\$ 173,924	\$ 164,502	\$ 164,502
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 19,764	\$ 25,004	\$ 25,833	\$ 25,833
Operating & Contractual Services	24,719	35,150	36,168	36,168
Total General Government	\$ 44,483	\$ 60,153	\$ 62,001	\$ 62,001
<u>Parks & Lands</u>				
Capital Outlay	\$ -	\$ -	\$ -	\$ -
Total Parks & Lands	\$ -	\$ -	\$ -	\$ -
<u>Public Service</u>				
Operating & Contractual Services	\$ 44,125	\$ 54,792	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ 44,125	\$ 54,792	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ 16,201	\$ 76,201	\$ 106,201
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 88,608	\$ 131,146	\$ 138,202	\$ 168,202
Revenues Over (Under) Expenditures	\$ 47,172	\$ 42,777	\$ 26,301	\$ (3,699)
Beginning Fund Balance	\$ 201,003	\$ 248,175	\$ 290,953	\$ 317,253
Ending Fund Balance	\$ 248,175	\$ 290,953	\$ 317,253	\$ 313,554
Est/Actual Encumbrances (at end of year)	\$ 54,792	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 193,383	\$ 290,953	\$ 317,253	\$ 313,554

CITY OF NEW ALBANY, OHIO

EXHIBIT II

FUND NAME: THE ENCLAVE TIF FUND (232)

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund
receiving property tax revenue
except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 50,385	\$ 51,791	\$ 61,897	\$ 61,897
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	6,378	6,831	6,835	6,835
Total Local Taxes	\$ 56,763	\$ 58,622	\$ 68,732	\$ 68,732
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 1,106	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 57,869	\$ 58,622	\$ 68,732	\$ 68,732
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 8,928	\$ 8,240	\$ 9,827	\$ 9,827
Operating & Contractual Services	10,486	11,870	15,364	15,364
Total General Government	\$ 19,414	\$ 20,111	\$ 25,190	\$ 25,190
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ 25,000	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ 25,000	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ -	\$ 50,000	\$ 50,000
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 19,414	\$ 45,111	\$ 75,190	\$ 75,190
Revenues Over (Under) Expenditures	\$ 38,455	\$ 13,512	\$ (6,458)	\$ (6,458)
Beginning Fund Balance	\$ 60,753	\$ 99,208	\$ 112,719	\$ 106,261
Ending Fund Balance	\$ 99,208	\$ 112,719	\$ 106,261	\$ 99,802
Est/Actual Encumbrances (at end of year)	\$ 25,000	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 74,208	\$ 112,719	\$ 106,261	\$ 99,802

FUND NAME: SAUNTON TIF FUND (233)

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund
receiving property tax revenue
except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 104,750	\$ 113,564	\$ 119,767	\$ 119,767
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	14,318	15,433	15,383	15,383
Total Local Taxes	\$ 119,068	\$ 128,996	\$ 135,150	\$ 135,150
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 3,604	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 122,672	\$ 128,996	\$ 135,150	\$ 135,150
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 17,944	\$ 17,994	\$ 19,487	\$ 19,487
Operating & Contractual Services	22,177	26,159	30,167	30,167
Total General Government	\$ 40,120	\$ 44,153	\$ 49,655	\$ 49,655
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ 119,312	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ 119,312	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ -	\$ 75,000	\$ 50,000
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 40,120	\$ 163,465	\$ 124,655	\$ 99,655
Revenues Over (Under) Expenditures	\$ 82,552	\$ (34,469)	\$ 10,496	\$ 35,496
Beginning Fund Balance	\$ 228,563	\$ 311,115	\$ 276,646	\$ 287,142
Ending Fund Balance	\$ 311,115	\$ 276,646	\$ 287,142	\$ 322,638
Est/Actual Encumbrances (at end of year)	\$ 119,312	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 191,803	\$ 276,646	\$ 287,142	\$ 322,638

CITY OF NEW ALBANY, OHIO

EXHIBIT IIFUND NAME: RICHMOND SQUARE TIF FUND (234)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 84,036	\$ 114,361	\$ 149,977	\$ 149,977
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	10,074	14,108	17,505	17,505
Total Local Taxes	\$ 94,109	\$ 128,470	\$ 167,482	\$ 167,482
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 1,893	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 96,002	\$ 128,470	\$ 167,482	\$ 167,482
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 12,898	\$ 17,880	\$ 23,642	\$ 23,642
Operating & Contractual Services	17,420	26,062	37,516	37,516
Total General Government	\$ 30,318	\$ 43,942	\$ 61,158	\$ 61,158
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ 75,000	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ 75,000	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ 75,281	\$ 85,282	\$ 125,281
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 30,318	\$ 194,223	\$ 146,440	\$ 186,439
Revenues Over (Under) Expenditures	\$ 65,684	\$ (65,753)	\$ 21,042	\$ (18,958)
Beginning Fund Balance	\$ 105,145	\$ 170,829	\$ 105,076	\$ 126,118
Ending Fund Balance	\$ 170,829	\$ 105,076	\$ 126,118	\$ 107,160
Est/Actual Encumbrances (at end of year)	\$ 75,000	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 95,829	\$ 105,076	\$ 126,118	\$ 107,160

CITY OF NEW ALBANY, OHIO

EXHIBIT II

FUND NAME: TIDEWATER TIF FUND (235)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 309,005	\$ 312,279	\$ 302,247	\$ 302,247
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	41,307	40,304	40,311	40,311
Total Local Taxes	\$ 350,312	\$ 352,583	\$ 342,558	\$ 342,558
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 6,233	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 356,545	\$ 352,583	\$ 342,558	\$ 342,558
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 53,469	\$ 50,083	\$ 48,754	\$ 48,754
Operating & Contractual Services	66,301	71,142	76,630	76,630
Total General Government	\$ 119,770	\$ 121,225	\$ 125,384	\$ 125,384
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ 246,782	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ 246,782	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ 50,000	\$ 300,000	\$ 125,000	\$ 100,000
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 169,770	\$ 668,007	\$ 250,384	\$ 225,384
Revenues Over (Under) Expenditures	\$ 186,775	\$ (315,424)	\$ 92,175	\$ 117,175
Beginning Fund Balance	\$ 387,073	\$ 573,848	\$ 258,424	\$ 350,599
Ending Fund Balance	\$ 573,848	\$ 258,424	\$ 350,599	\$ 467,773
Est/Actual Encumbrances (at end of year)	\$ 246,782	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 327,066	\$ 258,424	\$ 350,599	\$ 467,773

FUND NAME: EALY CROSSING TIF FUND (236)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUEThis Exhibit to be used for any fund
receiving property tax revenue
except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 206,816	\$ 246,038	\$ 349,169	\$ 349,169
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	26,333	29,776	34,686	34,686
Total Local Taxes	\$ 233,150	\$ 275,813	\$ 383,855	\$ 383,855
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 5,867	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 239,017	\$ 275,813	\$ 383,855	\$ 383,855
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 32,389	\$ 39,136	\$ 54,939	\$ 54,939
Operating & Contractual Services	43,195	55,721	85,788	85,788
Total General Government	\$ 75,584	\$ 94,856	\$ 140,727	\$ 140,727
<u>Community Development</u>				
Contractual Services	\$ -	\$ -	\$ -	\$ -
Total Community Development	\$ -	\$ -	\$ -	\$ -
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ 192,444	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ 192,444	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ 300,000	\$ 150,000	\$ 100,000
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 75,584	\$ 587,300	\$ 290,727	\$ 240,727
Revenues Over (Under) Expenditures	\$ 163,433	\$ (311,487)	\$ 93,129	\$ 143,129
Beginning Fund Balance	\$ 351,070	\$ 514,503	\$ 203,015	\$ 296,144
Ending Fund Balance	\$ 514,503	\$ 203,015	\$ 296,144	\$ 439,273
Est/Actual Encumbrances (at end of year)	\$ 192,444	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 322,059	\$ 203,015	\$ 296,144	\$ 439,273

CITY OF NEW ALBANY, OHIO

EXHIBIT II

FUND NAME: UPPER CLARENTON TIF FUND (237)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 381,365	\$ 443,953	\$ 453,039	\$ 453,039
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	51,966	59,813	29,993	29,993
Total Local Taxes	\$ 433,332	\$ 503,765	\$ 483,032	\$ 483,032
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 4,020	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 437,351	\$ 503,765	\$ 483,032	\$ 483,032
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 65,550	\$ 70,800	\$ 73,534	\$ 73,534
Operating & Contractual Services	80,618	101,835	114,628	114,628
Total General Government	\$ 146,167	\$ 172,635	\$ 188,162	\$ 188,162
<u>Public Service</u>				
Operating & Contractual Services	\$ 100,000	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ 100,000	\$ -	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ 45,000	\$ 210,000	\$ 80,000	\$ 100,000
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 291,167	\$ 382,635	\$ 268,162	\$ 288,162
Revenues Over (Under) Expenditures	\$ 146,184	\$ 121,130	\$ 214,871	\$ 194,871
Beginning Fund Balance	\$ 192,756	\$ 338,940	\$ 460,070	\$ 674,941
Ending Fund Balance	\$ 338,940	\$ 460,070	\$ 674,941	\$ 869,811
Est/Actual Encumbrances (at end of year)	\$ -	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 338,940	\$ 460,070	\$ 674,941	\$ 869,811

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EXHIBIT IIFUND NAME: BALFOUR GREEN TIF FUND (238)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund
receiving property tax revenue
except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 23,336	\$ 23,763	\$ 23,627	\$ 23,627
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	3,160	3,106	3,103	3,103
Total Local Taxes	\$ 26,496	\$ 26,869	\$ 26,730	\$ 26,730
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 1,015	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 27,510	\$ 26,869	\$ 26,730	\$ 26,730
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 3,997	\$ 3,708	\$ 3,717	\$ 3,717
Operating & Contractual Services	4,934	5,440	6,002	6,002
Total General Government	\$ 8,931	\$ 9,147	\$ 9,719	\$ 9,719
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ 13,970	\$ -	\$ -
Total Public Service	\$ -	\$ 13,970	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ 7,130	\$ 12,130	\$ 12,130
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 8,931	\$ 30,247	\$ 21,849	\$ 21,849
Revenues Over (Under) Expenditures	\$ 18,580	\$ (3,378)	\$ 4,881	\$ 4,881
Beginning Fund Balance	\$ 67,534	\$ 86,114	\$ 82,735	\$ 87,616
Ending Fund Balance	\$ 86,114	\$ 82,735	\$ 87,616	\$ 92,498
Est/Actual Encumbrances (at end of year)	\$ 13,970	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 72,144	\$ 82,735	\$ 87,616	\$ 92,498

FUND NAME: STRAITS FARM TIF FUND (239)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
Local Taxes				
General Property Tax - TIF/PILOT	\$ 367,442	\$ 244,385	\$ 296,350	\$ 296,350
Tangible Personal PropertyTax	-	-	-	-
Property Tax Allocation	45,138	31,073	36,729	36,729
Total Local Taxes	\$ 412,579	\$ 275,458	\$ 333,078	\$ 333,078
Intergovernmental Revenues				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
Miscellaneous				
Investment Earnings	\$ -	\$ -	\$ -	\$ -
Other Financing Sources:				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 412,579	\$ 275,458	\$ 333,078	\$ 333,078
EXPENDITURES				
General Government				
Auditor and Treasurer Fees	\$ 62,884	\$ 37,958	\$ 46,321	\$ 46,321
Operating & Contractual Services	280,419	-	593,534	286,757
Total General Government	\$ 343,303	\$ 37,958	\$ 639,855	\$ 333,078
Parks & Lands				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Total Parks & Lands	\$ -	\$ -	\$ -	\$ -
Public Service				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ -	\$ -	\$ -
Other Uses of Funds				
Transfers	\$ -	\$ -	\$ -	\$ -
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 343,303	\$ 37,958	\$ 639,855	\$ 333,078
Revenues Over (Under) Expenditures	\$ 69,276	\$ 237,500	\$ (306,776)	\$ -
Beginning Fund Balance	\$ -	\$ 69,276	\$ 306,776	\$ -
Ending Fund Balance	\$ 69,276	\$ 306,776	\$ -	\$ -
Est/Actual Encumbrances (at end of year)	\$ -	\$ 306,776	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 69,276	\$ 0	\$ -	\$ -

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EXHIBIT II

FUND NAME: BLACKLICK TIF FUND (250)

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION	2017 ACTUAL	2018 ACTUAL	CURRENT YEAR ESTIMATED 2019	NEXT YEAR ESTIMATED 2020
(1)	(2)	(3)	(4)	(5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 1,317,068	\$ 1,309,092	\$ 1,281,406	\$ 1,281,406
Tangible Personal Property Tax	-	-	-	-
Property Tax Rollback	-	-	-	-
Total Local Taxes	\$ 1,317,068	\$ 1,309,092	\$ 1,281,406	\$ 1,281,406
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 19,117	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 1,336,185	\$ 1,309,092	\$ 1,281,406	\$ 1,281,406
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 14,907	\$ 14,744	\$ 14,482	\$ 14,482
Operating & Contractual Services	-	1,400,391	-	-
Total General Government	\$ 14,907	\$ 1,415,135	\$ 14,482	\$ 14,482
<u>Parks & Lands</u>				
Capital Outlay	\$ -	\$ 81,465	\$ 2,000,000	\$ -
Total Parks & Lands	\$ -	\$ 81,465	\$ 2,000,000	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ 210,000	\$ 365,780	\$ 265,780	\$ 265,480
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 224,907	\$ 1,862,380	\$ 2,280,262	\$ 279,961
Revenues Over (Under) Expenditures	\$ 1,111,278	\$ (553,287)	\$ (998,856)	\$ 1,001,445
Beginning Fund Balance	\$ 820,020	\$ 1,931,298	\$ 1,378,011	\$ 379,155
Ending Fund Balance	\$ 1,931,298	\$ 1,378,011	\$ 379,155	\$ 1,380,599
Est/Actual Encumbrances (at end of year)	\$ -	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 1,931,298	\$ 1,378,011	\$ 379,155	\$ 1,380,599

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EXHIBIT II

FUND NAME: BLACKLICK II TIF FUND (251)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 18,539	\$ 36,056	\$ 35,739	\$ 35,739
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	-	-	-	-
Total Local Taxes	\$ 18,539	\$ 36,056	\$ 35,739	\$ 35,739
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ -	\$ 32,709	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 18,539	\$ 68,765	\$ 35,739	\$ 35,739
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 210	\$ 407	\$ 404	\$ 404
Operating & Contractual Services	-	-	-	-
Total General Government	\$ 210	\$ 407	\$ 404	\$ 404
<u>Parks & Lands</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Total Parks & Lands	\$ -	\$ -	\$ -	\$ -
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ -	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 210	\$ 407	\$ 404	\$ 404
Revenues Over (Under) Expenditures	\$ 18,329	\$ 68,359	\$ 35,335	\$ 35,335
Beginning Fund Balance	\$ -	\$ 18,329	\$ 86,687	\$ 122,023
Ending Fund Balance	\$ 18,329	\$ 86,687	\$ 122,023	\$ 157,358
Est/Actual Encumbrances (at end of year)	\$ -	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 18,329	\$ 86,687	\$ 122,023	\$ 157,358

CITY OF NEW ALBANY, OHIO

EXHIBIT II

FUND NAME: VILLAGE CENTER TIF FUND (252)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUEThis Exhibit to be used for any fund
receiving property tax revenue
except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 818,180	\$ 841,348	\$ 876,380	\$ 876,380
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	4,622	3,566	3,467	3,467
Total Local Taxes	\$ 822,802	\$ 844,914	\$ 879,848	\$ 879,848
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 1,995	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 824,796	\$ 844,914	\$ 879,848	\$ 879,848
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 11,036	\$ 11,734	\$ 13,528	\$ 13,528
Operating & Contractual Services	487,059	497,780	519,792	519,792
Total General Government	\$ 498,095	\$ 509,513	\$ 533,320	\$ 533,320
<u>Parks & Lands</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Total Parks & Lands	\$ -	\$ -	\$ -	\$ -
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ -	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ 300,000	\$ 505,895	\$ 346,025	\$ 346,025
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 798,095	\$ 1,015,408	\$ 879,345	\$ 879,345
Revenues Over (Under) Expenditures	\$ 26,701	\$ (170,494)	\$ 503	\$ 503
Beginning Fund Balance	\$ 143,793	\$ 170,494	\$ (0)	\$ 503
Ending Fund Balance	\$ 170,494	\$ (0)	\$ 503	\$ 1,006
Est/Actual Encumbrances (at end of year)	\$ -	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 170,494	\$ (0)	\$ 503	\$ 1,006

FUND NAME: RESEARCH TECH DISTRICT TIF FUND (253)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 119,912	\$ 245,899	\$ 327,212	\$ 327,212
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	-	-	-	-
Total Local Taxes	\$ 119,912	\$ 245,899	\$ 327,212	\$ 327,212
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ -	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 119,912	\$ 245,899	\$ 327,212	\$ 327,212
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 1,357	\$ 2,773	\$ 18,451	\$ 18,451
Operating & Contractual Services	-	-	-	-
Total General Government	\$ 1,357	\$ 2,773	\$ 18,451	\$ 18,451
<u>Parks & Lands</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Total Parks & Lands	\$ -	\$ -	\$ -	\$ -
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ -	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 1,357	\$ 2,773	\$ 18,451	\$ 18,451
Revenues Over (Under) Expenditures	\$ 118,555	\$ 243,126	\$ 308,761	\$ 308,761
Beginning Fund Balance	\$ 328,194	\$ 446,749	\$ 689,875	\$ 998,636
Ending Fund Balance	\$ 446,749	\$ 689,875	\$ 998,636	\$ 1,307,397
Est/Actual Encumbrances (at end of year)	\$ -	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 446,749	\$ 689,875	\$ 998,636	\$ 1,307,397

CITY OF NEW ALBANY, OHIO

EXHIBIT II

FUND NAME: OAK GROVE II TIF FUND (254)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund
receiving property tax revenue
except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 731,101	\$ 445,568	\$ 549,806	\$ 549,806
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	-	-	-	-
Total Local Taxes	\$ 731,101	\$ 445,568	\$ 549,806	\$ 549,806
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ 24,276	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 755,377	\$ 445,568	\$ 549,806	\$ 549,806
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 70,497	\$ 8,412	\$ 11,747	\$ 11,747
Operating & Contractual Services	783,859	-	-	-
Total General Government	\$ 854,356	\$ 8,412	\$ 11,747	\$ 11,747
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Capital Outlay	-	-	1,000,000	1,035,000
Total Public Service	\$ -	\$ -	\$ 1,000,000	\$ 1,035,000
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 854,356	\$ 8,412	\$ 1,011,747	\$ 1,046,747
Revenues Over (Under) Expenditures	\$ (98,979)	\$ 437,156	\$ (461,941)	\$ (496,941)
Beginning Fund Balance	\$ 830,595	\$ 731,616	\$ 1,168,772	\$ 706,832
Ending Fund Balance	\$ 731,616	\$ 1,168,772	\$ 706,832	\$ 209,891
Est/Actual Encumbrances (at end of year)	\$ -	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 731,616	\$ 1,168,772	\$ 706,832	\$ 209,891

CITY OF NEW ALBANY, OHIO

EXHIBIT II

FUND NAME: WINDSOR TIF FUND (258)

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund
receiving property tax revenue
except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
Local Taxes				
General Property Tax - TIF/PILOT	\$ 1,973,774	\$ 2,357,104	\$ 2,543,402	\$ 2,543,402
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	216,655	252,774	258,901	258,901
Total Local Taxes	\$ 2,190,429	\$ 2,609,878	\$ 2,802,303	\$ 2,802,303
Intergovernmental Revenues				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
Miscellaneous				
Investment Earnings	\$ 15,091	\$ -	\$ -	\$ -
Other Financing Sources:				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 2,205,520	\$ 2,609,878	\$ 2,802,303	\$ 2,802,303
EXPENDITURES				
General Government				
Auditor and Treasurer Fees	\$ 32,656	\$ 39,168	\$ 49,268	\$ 49,268
Operating & Contractual Services	483,325	605,193	718,046	718,046
Total General Government	\$ 515,980	\$ 644,360	\$ 767,314	\$ 767,314
Parks & Lands				
Capital Outlay	\$ -	\$ -	\$ -	\$ -
Total Parks & Lands	\$ -	\$ -	\$ -	\$ -
Public Service				
Operating & Contractual Services	\$ 558,424	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ 558,424	\$ -	\$ -	\$ -
Other Uses of Funds				
Transfers	\$ 1,000,000	\$ 696,985	\$ 727,362	\$ 729,040
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 2,074,404	\$ 1,341,345	\$ 1,494,676	\$ 1,496,354
Revenues Over (Under) Expenditures	\$ 131,116	\$ 1,268,533	\$ 1,307,627	\$ 1,305,949
Beginning Fund Balance	\$ 1,199,365	\$ 1,330,481	\$ 2,599,013	\$ 3,906,641
Ending Fund Balance	\$ 1,330,481	\$ 2,599,013	\$ 3,906,641	\$ 5,212,590
Est/Actual Encumbrances (at end of year)	\$ 408,424	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ 922,057	\$ 2,599,013	\$ 3,906,641	\$ 5,212,590

CITY OF NEW ALBANY, OHIO

EXHIBIT II

FUND NAME: VILLAGE CENTER II TIF FUND (259)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund receiving property tax revenue except for General Fund.

DESCRIPTION (1)	2017 ACTUAL (2)	2018 ACTUAL (3)	CURRENT YEAR ESTIMATED 2019 (4)	NEXT YEAR ESTIMATED 2020 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ 18,539	\$ -	\$ -	\$ -
Tangible Personal Property Tax	-	-	-	-
Property Tax Allocation	-	-	-	-
Total Local Taxes	\$ 18,539	\$ -	\$ -	\$ -
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
Total Intergovernmental Revenues	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ -	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
TOTAL REVENUE	\$ 18,539	\$ -	\$ -	\$ -
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ 210	\$ -	\$ -	\$ -
Operating & Contractual Services	18,329	-	-	-
Total General Government	\$ 18,539	\$ -	\$ -	\$ -
<u>Parks & Lands</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Total Parks & Lands	\$ -	\$ -	\$ -	\$ -
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ -	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ 18,539	\$ -	\$ -	\$ -
Revenues Over (Under) Expenditures	\$ -	\$ -	\$ -	\$ -
Beginning Fund Balance	\$ -	\$ -	\$ -	\$ -
Ending Fund Balance	\$ -	\$ -	\$ -	\$ -
Est/Actual Encumbrances (at end of year)	\$ -	\$ -	\$ -	\$ -
Est/Actual Unencumbered (at end of year)	\$ -	\$ -	\$ -	\$ -

CITY OF NEW ALBANY, OHIO
FISCAL YEAR 2020 TAX BUDGET
PROJECTED FUND BALANCES

EXHIBIT III

FUND CATEGORY/TYPE	ESTIMATED UNENCUMBERED BAL 1/1/20	ESTIMATED 2020 REVENUE	TOTAL AVAIL FOR EXPENDITURE	EST 2020 EXPENSES / ENC	ESTIMATED UNENC BAL 12/31/2020
GOVERNMENTAL:					
GENERAL					
101 - General	14,977,405	22,823,730	37,801,135	24,908,683	12,892,452
906 - Unclaimed Funds	1,934	-	1,934	-	1,934
TOTAL GENERAL FUNDS	\$ 14,979,339	\$ 22,823,730	\$ 37,803,069	\$ 24,908,683	\$ 12,894,386
SPECIAL REVENUE:					
201 - Street Construction, Maint & Repair	967,100	426,420	1,393,520	382,400	1,011,120
202 - State Highway	91,169	33,939	125,108	20,600	104,508
203 - Permissive Tax	157,013	75,963	232,976	66,950	166,026
210 - Alcohol Education	12,744	824	13,568	1,030	12,538
211 - Drug Use Prevention	52,866	36,565	89,431	36,565	52,866
213 - Law Enforcement & Ed	7,818	515	8,333	1,000	7,333
216 - K9 Fund	2,575	10,000	12,575	2,500	10,075
217 - Safety Town	91,458	43,260	134,718	43,260	91,458
218 - DUI Grant	16,119	5,150	21,269	2,575	18,694
219 - Law Enforcement Assistance	7,820	-	7,820	-	7,820
221 - Economic Development NAECA	-	452,768	452,768	452,768	-
222 - Economic Development NACA	2,340,719	3,025,000	5,365,719	3,158,900	2,206,819
223 - Oak Grove EOZ	-	3,739,930	3,739,930	3,739,930	-
224 - Central College EOZ	-	1,800,440	1,800,440	1,800,440	-
225 - Oak Grove II EOZ	-	1,697,440	1,697,440	1,697,440	-
226 - Blacklick EOZ	-	3,914,000	3,914,000	3,914,000	-
230 - Wentworth Crossing TIF	505,106	309,938	815,043	212,870	602,173
231 - Hawksmoor TIF	317,253	164,502	481,756	168,202	313,554
232 - Enclave TIF	106,261	68,732	174,992	75,190	99,802
233 - Saunton TIF	287,142	135,150	422,293	99,655	322,638
234 - Richmond Square TIF	126,118	167,482	293,600	186,439	107,160
235 - Tidewater I TIF	350,599	342,558	693,157	225,384	467,773
236 - Ealy Crossing TIF	296,144	383,855	680,000	240,727	439,273
237 - Upper Clarenton TIF	674,941	483,032	1,157,973	288,162	869,811
238 - Ballfour Green TIF	87,616	26,730	114,347	21,849	92,498
239 - Straits Farm TIF	-	333,078	333,078	333,078	-
240 - Oxford TIF	-	-	-	-	-
241 - Schleppi Residential TIF	-	-	-	-	-
250 - Blacklick TIF	379,155	1,281,406	1,660,561	279,961	1,380,599
251 - Blacklick II TIF	-	-	-	-	-
252 - Village Center TIF	503	879,848	880,350	879,345	1,006
253 - Research Tech District TIF	998,636	327,212	1,325,847	18,451	1,307,397
254 - Oak Grove II TIF	706,832	549,806	1,256,638	1,046,747	209,891
255 - Schleppi Commercial TIF	-	-	-	-	-
258 - Windsor TIF	3,906,641	2,802,303	6,708,944	1,496,354	5,212,590
259 - Village Center II TIF	-	-	-	-	-
280 - Hotel Excise Tax	-	113,300	113,300	113,300	-
281 - Healthy New Albany Facilities	909,851	1,133,000	2,042,851	769,813	1,273,038
290 - Alcohol Indigent	10,755	1,000	11,755	-	11,755
291 - Mayors Court Computer	15,012	4,120	19,132	3,000	16,132
299 - Severance Liability Fund	1,105,626	200,000	1,305,626	200,000	1,105,626
TOTAL SPECIAL REVENUE FUNDS	\$ 14,531,591	\$ 24,969,267	\$ 39,500,858	\$ 21,978,884	\$ 17,521,974
DEBT SERVICE FUNDS:					
301 - Debt Service	1,323,779	4,086,128	5,409,907	4,733,977	675,930
TOTAL DEBT SERVICE	\$ 1,323,779	\$ 4,086,128	\$ 5,409,907	\$ 4,733,977	\$ 675,930
CAPITAL PROJECT FUNDS:					
401 - Capital Improvements	4,115,878	5,989,640	10,105,518	10,105,518	-
403 - Bond Improvements	-	-	-	-	-
404 - Park Improvements	2,844,160	724,000	3,568,160	3,568,160	-
405 - Water & Sanitary Improvements	3,983,494	350,200	4,333,694	4,333,694	-
410 - Infrastructure Replacement	10,316,958	685,400	11,002,358	11,002,358	-
411 - Leisure Trail Improvements	54,620	15,450	70,070	70,070	-
415 - Capital Equip Replacement	2,880,442	1,113,474	3,993,916	3,993,916	-
420 - OPWC Greensward Roundabout	2,088,563	1,210,250	3,298,813	3,298,813	-
422 - Economic Development Capital Improvement	-	-	-	-	-
501 - Water & Sanitary Sewer Impr.	9,579,934	3,602,250	13,182,184	13,182,184	-
TOTAL CAPITAL PROJECT FUNDS	\$ 35,864,049	\$ 13,690,664	\$ 49,554,713	\$ 49,554,713	\$ -
TOTAL (MEMORANDUM ONLY)	\$ 66,698,758	\$ 65,569,789	\$ 132,268,547	\$ 101,176,257	\$ 31,092,290

CITY OF NEW ALBANY, OHIO
FISCAL YEAR 2019 TAX BUDGET

STATEMENT OF AMOUNTS REQUIRED

Description of Judgement	Amount of Judgement	Fund Paying Judgement
NONE	NONE	NONE
TOTAL	\$0	

List the amounts required for the payment of each judgement expected to be paid during the year being budgeted.

CITY OF NEW ALBANY, OHIO
FISCAL YEAR 2020 TAX BUDGET
SCHEDULE OF OUTSTANDING DEBT

EXHIBIT V

PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 mill Limit *	Date of Issue	Due Date	Ordinance or Resolution	Serial or Term	Rate of Interest	Amounts of Bonds and Notes Outstanding beginning of year 01/01/20	BUDGET YEAR		FY 2020
								Amount Required for Principal and Interest 1/1/20 to 12/31/20	Amt Receivable from Outside Sources to Meet Debt Payments	Amount Required for Principal and Interest 1/1/20 to 12/31/20
Payable from Debt Service:										
<u>INSIDE 10 MILL LIMIT:</u>										
Capital Facilities Bonds, Series 2018	NA	7/11/2018	12/1/2037	O-08-2018	Serial	1.52% - 3.24%	\$16,005,000	\$1,322,725	\$0	\$1,322,725
Cap Impr Bonds - Public Facs, Taxable Refunding, Series 2016	NA	11/23/2016	12/1/2027	O-35-2016	Serial	2.39% - 2.50%	\$5,035,000	\$695,337	\$0	\$695,337
2013 Refunding - 2010 BABs	NA	5/1/2013	12/1/2024		Serial/Term	1.50% - 4.00%	\$1,975,000	\$496,838	\$0	\$496,838
Various Purpose Refunding Ltd Tax GO Bonds, Series 2012	NA	1/1/2012	12/1/2030		Serial	2.00% - 5.00%	\$7,015,000	\$861,338	\$0	\$861,338
Capital Facilities Ltd. Tax GO Bonds, Series 2014	NA	12/1/2014	12/1/2030		Serial	0.85% - 4.00%	\$4,565,000	\$542,275	\$0	\$542,275
TOTAL							\$34,595,000	\$3,918,512	\$0	\$3,918,512
<u>OUTSIDE 10 MILL LIMIT:</u>										
None	-	-	-	-	-	-	\$0	\$0	\$0	\$0
TOTAL							\$0	\$0	\$0	\$0

* If the Levy is outside the 10 mill limit by vote enter the words "by vote" and the date of the election. If outside the 10 mill limit without a vote, enter the reference to the statute under which the levy is exempt from the 10 mill limit.

CITY OF NEW ALBANY, OHIO

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

The Budget Commission of Franklin County, Ohio, hereby makes the following Official Certificate of Estimated Resources for the City of New Albany for the BUDGET YEAR beginning January 1st, 2020.

FUND	Estimated Unenc Bal as of 1/1/2020	Real Estate Property Tax	Personal Property Tax	Local Government Funds	Rollback, Homestead and Personal Prop Tax Exemption	Other Sources	Total
GOVERNMENTAL FUNDS	\$ 66,698,758	\$ 8,906,715	\$ -	\$ 37,209	\$ 626,806	\$ 55,999,059	\$ 132,268,547
General Fund	14,977,405	1,115,887	-	37,209	126,262	21,544,372	37,801,135
Unclaimed Funds	1,934	-	-	-	-	-	1,934
Special Revenue Funds	14,531,591	7,790,828	-	-	500,545	16,677,895	39,500,858
Debt Service Funds	1,323,779	-	-	-	-	4,086,128	5,409,907
Capital Project Funds	35,864,049	-	-	-	-	13,690,664	49,554,713
PROPRIETARY FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Enterprise Funds	-	-	-	-	-	-	-
Internal Service Funds	-	-	-	-	-	-	-
FIDUCIARY FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Trust and Agency Funds	-	-	-	-	-	-	-
TOTAL ALL FUNDS	\$ 66,698,758	\$ 8,906,715	\$ -	\$ 37,209	\$ 626,806	\$ 55,999,059	\$ 132,268,547

The Budget Commission further certifies that its action on the foregoing budget and the County Auditor's Estimate of the rate of each tax necessary to be levied within and outside the 10 mill limitation is set forth in the proper columns of the preceding pages and the total amount approved for each fund must govern the amount of appropriation from such fund.

DATE _____, 2019

Budget
Commission



Prepared: 06/06/2019
Introduced: 06/21/2019
Revised:
Adopted:
Effective:

RESOLUTION R-31-2019

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AN INFRASTRUCTURE GRANT AND LOAN FROM THE OHIO PUBLIC WORKS COMMISSION (OPWC); TO ADVERTISE FOR BIDS, TO AWARD A CONTRACT TO THE LOWEST AND BEST BIDDER, AND TO EXECUTE ALL RELATED CONTRACTS FOR THE US62 / SR161 INTERCHANGE IMPROVEMENT PROJECT

WHEREAS, The City of New Albany has been successful in its efforts to obtain a grant of Ohio Public Works Commission (OPWC) funds for the improvement of the US62 / SR161 Interchange; and

WHEREAS, the interchange improvements will include the installation of a traffic signal at the intersection of US62 and Theisen Road; the improvement of the entrance and exit ramps at the US62 / SR161 Interchange; and the construction of a landscaped median, bicycle lanes, and sidewalks along US62 between Smith's Mill Road and the interchange; and

WHEREAS, the City will be asked to commit to its acceptance of the OPWC grant and loan after July 1, 2019; and

WHEREAS, it is expected that the engineering/construction plans for the project will be completed and ready for bid during the fourth quarter of 2019; and

WHEREAS, it is anticipated that the project will be awarded to the lowest and best bidder by December 31, 2019.

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 hereby authorized to accept the award of an infrastructure grant of \$479,000 and a loan of \$1,519,000 from the Ohio Public Works Commission.

Section 2: The city manager is hereby authorized to advertise for bids for the U.S.62 / SR161 Interchange Improvement Project.

Section 3: The city manager is hereby authorized to award a construction contract to the lowest and best project bidder and execute all contracts related to the construction of the U.S. 62 / SR161 Interchange Improvement Project.

Section 4: 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 this council, and that all deliberations of this council and any of its committees that resulted in such formal actions were in meetings

open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: 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. Banchevsky
Law Director



Prepared: 06/07/2019
Introduced: 06/18/2019
Revised:
Adopted:
Effective:

RESOLUTION R-32-2019

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ADVERTISE, AWARD BIDS, AND EXECUTE A CONTRACT FOR THE EXPANSION OF THE PUBLIC SERVICE FACILITY GARAGE

WHEREAS, the city's existing Public Service Facility is located at 7800 Bevelhymmer Road, and

WHEREAS, the Public Service Facility was constructed in 2006 and sized appropriately for the needs of the service department to support the services provided to the growing New Albany community, and

WHEREAS, due to the city's rapid growth from 2007 to 2017, the roadway lane miles increased with corresponding infrastructure maintenance and snow removal services, and

WHEREAS, to maintain the same level of services for the growth areas of the community, the city has hired additional service department staff, trucks and equipment, and

WHEREAS, to accommodate the needs to park and store the additional trucks and equipment within the existing Public Service Facility an expansion of the garage space is necessary, and

WHEREAS, storing trucks and equipment outside and uncovered is detrimental to the longevity of these city assets and increases maintenance and repairs costs, and

WHEREAS, funding for the expansion of the Public Service Facility Garage was provided for in the Annual Appropriations Ordinance (Ord. O-25-2018), and

WHEREAS, the city will advertise for and award bids, in accordance with the Codified Ordinances of New Albany and the Ohio Revised Code, for these improvements, and

WHEREAS, the city manager will review the proposals to certify they are in order.

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 hereby authorized to proceed with advertisement, acceptance and the execution of a contract for the expansion of the Public Service Facility Garage.

Section 2: 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 3: Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this ordinance shall be in effect on and after 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