



**RESOLUTION R-36-2023**

**A RESOLUTION TO APPROVE A FEE PAYMENT IN LIEU OF LEISURE TRAIL CONSTRUCTION IN ACCORDANCE WITH CODIFIED ORDINANCE CHAPTERS 1165.06 AND 1187.18 ALONG HARRISON ROAD AS PART OF THE META DATA CENTER DEVELOPMENT PROJECT AS REQUESTED BY THE CITY OF NEW ALBANY**

**WHEREAS**, codified ordinance chapter 1165.06(b) requires the developer/owner to provide and pay the entire cost of improvements to land including construction of leisure trails; and

**WHEREAS**, codified ordinance chapter 1165.06(c) allows for a fee-in-lieu of construction of a required leisure trail where special circumstances exist; and

**WHEREAS**, codified ordinance chapter 1187.18 sets forth the criteria for approval by which council may approve a fee-in-lieu of leisure trail construction and a calculation to determine the fee payment; and

**WHEREAS**, the city staff sponsors a request to pay a fee-in-lieu of construction for a leisure trail along Harrison Road as part of the continued construction of the Meta data center campus in Licking County; and

**WHEREAS**, staff has determined there is sufficient right-of-way dedicated in order for the city to complete the trail construction at some time in the future if deemed appropriate.

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

**Section 1:** Council hereby agrees that the developer/owner has proven that the construction of the leisure trail is not appropriate due to one of the following conditions outlined in chapter 1187.18 of the codified ordinances:

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

**Section 2.** Council hereby adopts a motion establishing a priority for a fee payment in lieu of leisure trail construction for the subject property.

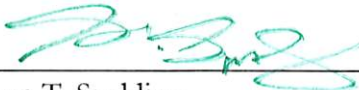
**Section 3.** Council hereby approves a recommendation from the city engineer regarding the calculation of the fee and, in accordance with codified ordinance chapter 1187.18(e), requires that permits for construction or improvements will not be issued by the municipality for the subject development until the fee payment is received.


**Section 4.** 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 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 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 5 day of Sept, 2023.

**Attest:**

  
Sloan T. Spalding  
Mayor

  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
Benjamin Albrecht  
Law Director

<b>Legislation dates:</b>	
Prepared:	08/18/2023
Introduced:	09/05/2023
Revised:	
Adopted:	09/05/2023
Effective:	09/05/2023



**RESOLUTION R-37-2023**

**A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE ALL CONTRACTS FOR THE PURCHASE AND UPFITTING OF A NEW SHUTTLE BUS AND TO WAIVE COMPETITIVE BIDDING**

**WHEREAS**, Council desires to make capital equipment investments as necessary to support SmartRide New Albany, a last mile shuttle service that supports businesses and employees in the international business park;

**WHEREAS**, the city owns two 15-passenger shuttles that are nearing the end of their useful life; and

**WHEREAS**, the city desires to purchase a 23-passenger shuttle to support the expanded SmartRide service schedule and continued employment growth within the business park; and

**WHEREAS**, the need for the 23-passenger shuttle bus is time sensitive and necessary to support the expanded daily operations of SmartRide New Albany; and

**WHEREAS**, due to the current economic conditions and supply chain constraints, shuttle bus availability is generally limited to dealer stock; and

**WHEREAS**, the city has solicited pricing from 18 vendors and determined that only 4 of the vendors solicited have current inventory; and

**WHEREAS**, the city desires to waive competitive bidding in order to take advantage of the vendors current inventory; and

**WHEREAS**, the total cost of the 23-passenger shuttle and upfitting shall not exceed \$140,000; and

**WHEREAS**, funding for the purchase and upfitting of the 23-passenger shuttle bus is available within the capital equipment fund.

**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 and directed to execute all contracts for the purchase and upfitting of a new shuttle bus.

**Section 2.** Council hereby waives competitive bidding pursuant to Section 9.04 of the New Albany Charter, for the reasons set forth in the "Whereas" clauses set forth above.


**Section 3.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of 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 Section 121.22 of the Ohio Revised Code.

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

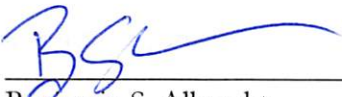
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Sloan T. Spalding  
Mayor

  
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Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
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Benjamin S. Albrecht  
Law Director

<b>Legislation dates:</b>	
Prepared:	08/28/2023
Introduced:	09/05/2023
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