



## ORDINANCE O-04-2020

### APPROPRIATION AMENDMENT ORDINANCE

#### **AN ORDINANCE TO TRANSFER FUNDS FROM THE GENERAL FUND AND TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020**

**WHEREAS**, in December 2019, upon the recommendation of the finance director and city manager, council opted to postpone end-of-year transfers from the General Fund in order to more accurately assess the availability of general fund revenue for transfer; and

**WHEREAS**, upon the close of the 2019 fiscal year, the General Fund had an end-of-year balance that exceeded the city's 60%-65% General Fund reserve goal; and

**WHEREAS**, council desires to transfer a portion of the General Fund revenue that exceeds the amount of the city's reserve goal to various capital funds in order to provide funding for capital projects that will be undertaken in 2020; and

**WHEREAS**, council has previously approved the city manager to enter into all agreements related to the Blacklick Creek Trunk Sewer Part 2B capital project which was not originally included in the 2020 Capital Improvements list; and

**WHEREAS**, the city is currently seeking funding in the amount of \$15,000,000 for the Blacklick Creek Trunk Sewer Part 2B capital project which shall be repaid by revenue received within the New Albany International Business Park; and

**WHEREAS**, council has previously approved the city's support for land improvements planned by New Albany Plain Local Schools; and

**WHEREAS**, council has previously approved the temporary increase of the City Manager's spending authority to \$100,000 for expenditures related to COVID-19; and

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

**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.** Council hereby authorizes an appropriation of the unappropriated balance of the General Fund in the amount of \$750,000 to the Transfers category and also authorizes the transfer of that balance to the following funds:

| <u>Fund</u>  | <u>Amount</u> |
|--|---------------|
| Water & Sanitary Sewer Improvement Fund (Fund 405) | \$ 750,000    |

**Section 2.** Council hereby authorizes an appropriation of the unappropriated balance of the General Fund (Fund 101) in the Council Department and Operating and Contractual Services category in the amount of \$250,000.

**Section 3.** Council hereby authorizes an appropriation of the unappropriated balance of the General Fund (Fund 101) in the General Administration Department and Operating and Contractual Services category in the amount of \$100,000.

**Section 4.** Council hereby authorizes an appropriation of the unappropriated balance of the Water & Sanitary Sewer Improvement Fund (Fund 405) in the Capital category in the amount of \$15,750,000.

**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 Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 - House Bill 197 effective March 27, 2020.

**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 \_\_\_\_\_, 2020.

**Attest:**

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

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

**Approved as to form:**

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

**Legislation dates:**

Prepared: 03/06/2020  
Introduced: 03/17/2020  
Revised: 03/27/2020  
Adopted:  
Effective:



## ORDINANCE O-05-2020

### AN ORDINANCE TO APPROVE THE FINAL PLAT FOR TWO SINGLE FAMILY LOTS ON 5.28 +/- ACRES FOR THE "TIMMONS SUBDIVISION" LOCATED AT 5055 JOHNSTOWN ROAD

**WHEREAS**, an application to approve the final plat for the Timmons Subdivision has been submitted; and

**WHEREAS**, New Albany Codified Ordinance Chapter 1187 requires approval of the final plat by council; and

**WHEREAS**, the final plat includes two 2.640 acre residential lots; and

**WHEREAS**, the New Albany Planning Commission, after review during a public meeting on December 19, 2019, recommend approval of a variance to Chapter 1187 of the codified ordinances which requires the installation of street infrastructure improvements and the final plat (FPL-84-2019); and

**WHEREAS**, Council approved a variance to Chapter 1187 of the codified ordinances on March 17, 2020, which requires the installation of street infrastructure improvements; and

**WHEREAS**, the city engineer certifies that the final plat meets all other requirements of Chapter 1187 of the codified ordinances, stormwater management and design requirements of the city; and

**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 said final plat is attached to this resolution as Exhibit A and made a part herein is approved.

**Section 2.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this 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 Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 197 effective March 27, 2020.

**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 \_\_\_\_\_, 2020.

**Attest:**

---

Sloan T. Spalding  
Mayor

---

Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

---

Mitchell H. Banchefsky  
Law Director

**Legislation dates:**

Prepared: 03/06/2020

Introduced: 03/17/2020

Revised: 03/27/2020

Adopted:

Effective:



EXHIBIT A

TIMMONS SUBDIVISION

Situated in the State of Ohio, County of Franklin, City of New Albany, and being part of Quarter Township 3, Township 2, Range 16, United States Military Lands, also being part of Lots 7 and 8 of the Plat of J. W. Swickard's Heirs, as shown on the recorded plat thereof, of record in Plat Book 3, Page 77, containing 5.284 acres of land, more or less, and being all of that 5.284 acre tract of land conveyed to Leslie B. Timmons, of record in Instrument Number 201509250134736, Recorder's Office, Franklin County, Ohio.

The undersigned, Leslie B. Timmons, owner of the land herein platted, do hereby certify that this plat correctly represents "TIMMONS SUBDIVISION", a subdivision of two lots, numbered 1 and 2, and do hereby accept this plat of same.

Easements are hereby reserved in, over and under areas designated on this plat as "Utility Easement" and "Private Roadway and Utility Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Watercourse Easement" on this plat, an additional easement is hereby reserved for the purpose of maintaining the existing Watercourse (Tributary to Rocky Fork). No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted with in Watercourse Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. Within that area designated "Driveway Easement" on this plat, an additional easement is hereby reserved for the use and maintenance of the existing gravel driveway crossing Lot 2.

In witness thereof \_\_\_\_ day of \_\_\_\_, 20\_\_.

Witness By: Leslie B. Timmons

Witness

STATE OF OHIO  
COUNTY OF FRANKLIN

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

In witness whereof, I have hereunto set hand and affixed by official seal this \_\_\_\_ day of \_\_\_\_, 20\_\_.

My Commission Expires Notary Public, State of Ohio

Approved this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Mayor, New Albany, Ohio

Approved this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Municipal Engineer, New Albany, Ohio

Approved this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Council Representative to Planning Commission, New Albany, Ohio

Approved this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Chairperson, Planning Commission New Albany, Ohio

Approved this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Finance Director, New Albany, Ohio

Transferred this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Auditor Franklin County, Ohio

Deputy Auditor Franklin County, Ohio

Filed for record this \_\_\_\_ day of \_\_\_\_, 20\_\_.

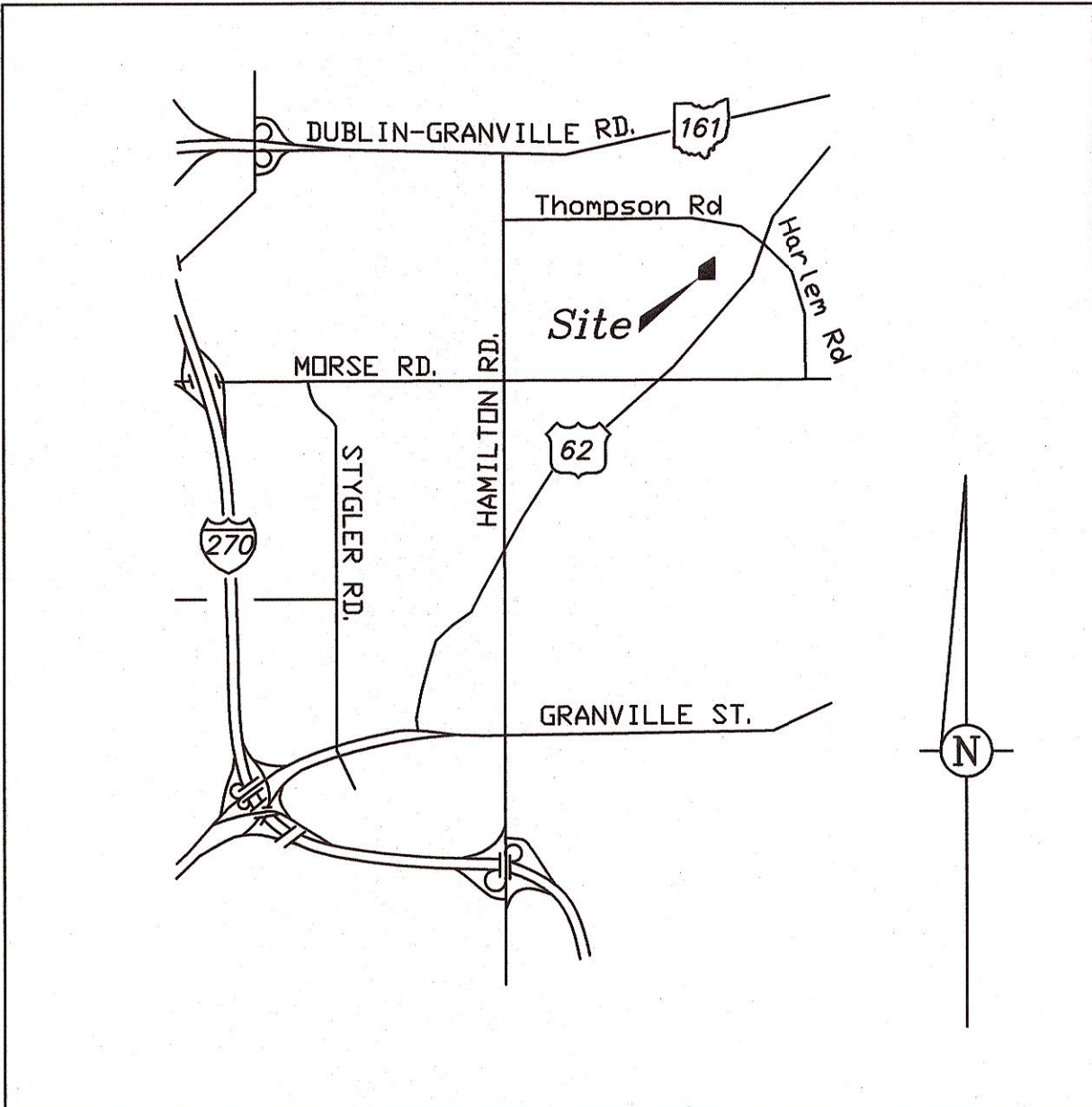
Recorder, Franklin County, Ohio

File No. \_\_\_\_\_.

Recorded this \_\_\_\_ day of \_\_\_\_, 20\_\_.

Deputy Recorder, Franklin County, Ohio

Plat Book \_\_\_\_, Pages \_\_\_\_.



LOCATION MAP  
No Scale

SURVEY DATA:

BASIS OF BEARINGS of Bearings: The centerline of Columbus-Millersburg Road (U.S. Route 62) was assigned a bearing of North 48°08'58" East, as shown for record in Plat Book 74, Page 58, Recorder's Office, Franklin County, Ohio.

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

All linear dimensions shown are in feet or decimal parts thereof.

IRON PINS: All iron pipes set are 3/4 inch inside diameter by 30 inches in length with an orange plastic cap marked "Geo-Graphics".

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one inch diameter, thirty inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped "Geo Graphics". Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

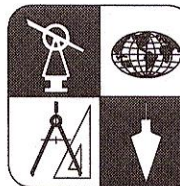
According to the Federal Emergency Management Agency's Flood Insurance Rate Map Number 39089 C 0212 K, (effective date: June 17, 2008), the property surveyed and shown hereon lies within Zone "X" (areas determined to be outside of the 0.2% annual chance floodplain).

LEGEND

- Permanent Marker
- 3/4" Iron Pipe (Found/Set)
- PK Nail (Found/Set)
- Railroad Spike (Found/Set)
- Rebar (Found/Set)

Geo-Graphics Inc.

Land Surveying & Civil Engineering  
3331 Livingston Avenue Columbus, Ohio 43219  
614-231-2016



We do hereby certify that we have surveyed the above premises and prepared the attached plat and that said plat is correct. All measurements are shown in feet and decimal parts thereof. Dimensions along curves are chord measurements unless otherwise indicated.

By Kevin Beechy 2/27/20  
Kevin Beechy - Ohio Professional Surveyor No. 7891



PLAT

SHEET  
1 OF 2

TIMMONS SUBDIVISION

Exhibit A - O-05-2020



# TIMMONS SUBDIVISION

## NOTES:

Basis of Bearings: The centerline of Columbus-Millersburg Road (U.S. Route 62) was assigned a bearing of North 48°08'58" East, as shown for record in Plat Book 74, Page 58, Recorder's Office, Franklin County, Ohio.

Existing Parcel Information:  
Owner: Leslie B. Timmons  
Address: 5055 Johnstown Rd., New Albany, Ohio 43054  
Area: 5,280 Acres (by survey)  
Deed: Instr. No. 201509250134736  
Parcel #: 222-004747

Current City of New Albany Zoning Classification: L-R-1.  
Minimum Lot Area: 40,000 s.f.  
Minimum Lot Width: 150 feet  
Minimum Front Yard Depth: 50 feet  
Minimum Side Yard Width (each): 20 feet  
Minimum Rear Yard Depth: 50 feet  
Maximum Building Height: 45 feet

All linear dimensions shown are in feet or decimal parts thereof.

All iron pipes set are 3/4 inch inside diameter by 30 inches in length with an orange plastic cap marked "Geo-Graphics".

According to the Federal Emergency Management Agency's Flood Insurance Rate Map Number 39089 C 0212 K, (effective date: June 17, 2008), the property surveyed and shown hereon lies within Zone "X" (areas determined to be outside of the 0.2% annual chance floodplain).

No determination has been made by the City of New Albany, Ohio as to whether the area proposed to be platted contains areas that could be classified as wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether wetlands exist on the area hereby platted. The City of New Albany, Ohio approval of this plat of "Timmons Subdivision" does not imply any approval of the site as it may pertain to wetlands.

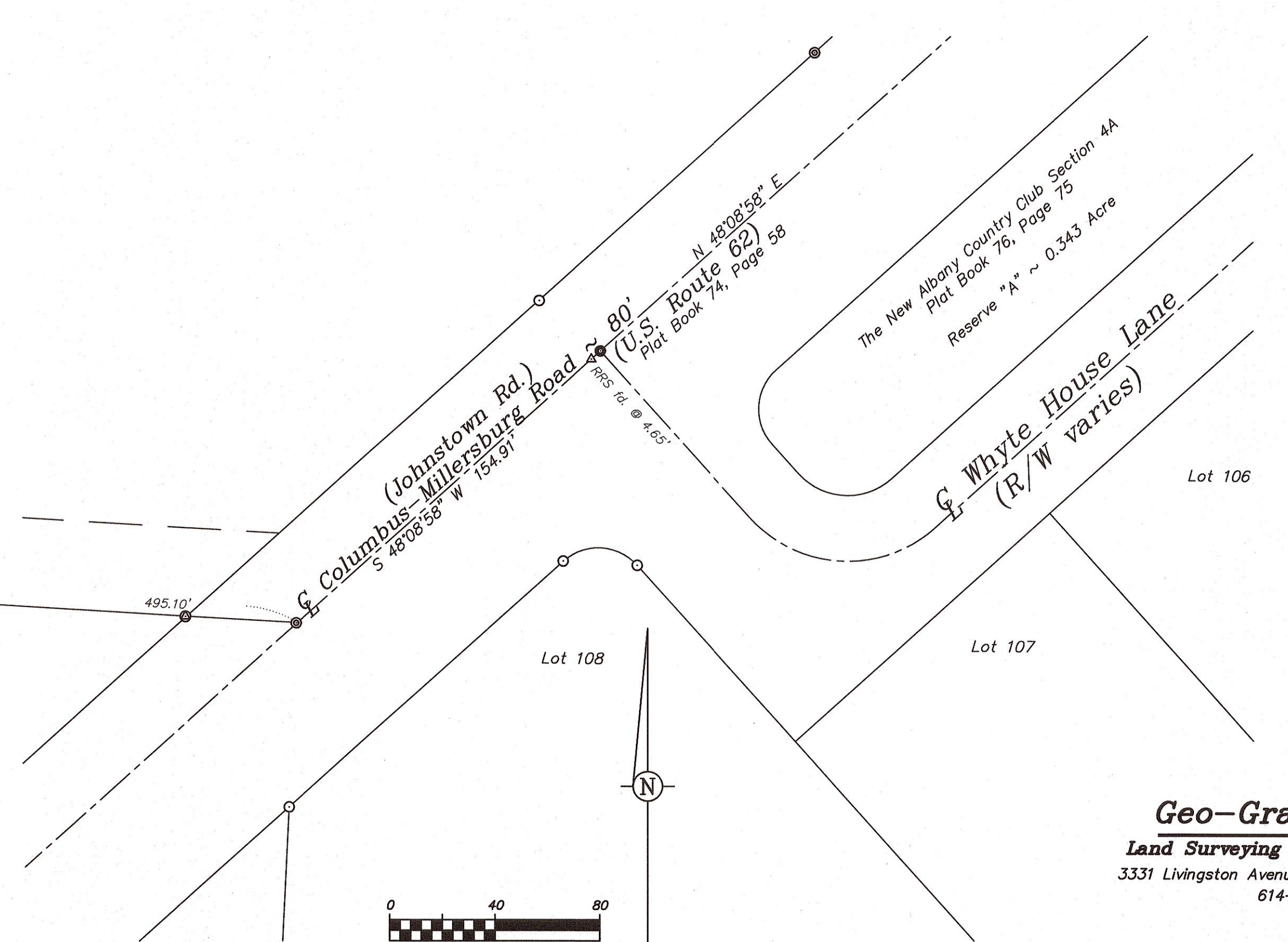
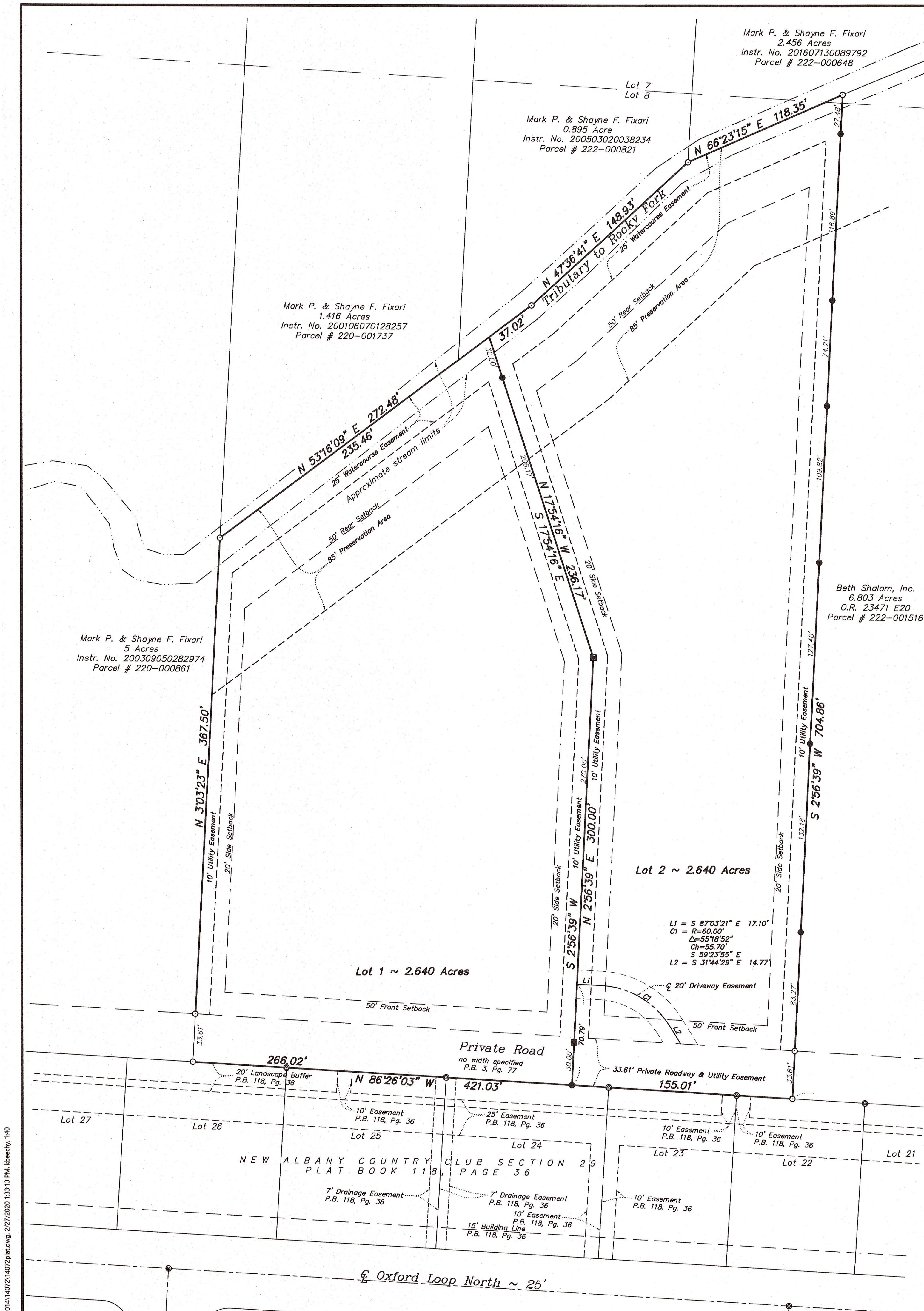
The "Watercourse Easement" shall forever be restricted from development with buildings, structures and uses, and the natural state of said easement area shall remain undisturbed. Additional restrictions include: No dumping or burning of refuse; No hunting or trapping; Natural resources shall remain undisturbed and no topsoil, sand, gravel, or rock shall be excavated, removed or graded; Nothing shall be permitted to occur within the Watercourse Easement area which would contribute to the erosion of the land and no trees shall be cut or removed, except for the removal of such dead, diseased, noxious, or decayed trees or vegetation which may be required for conservation or scenic purposes, or for reasons of public safety; No private encroachment, such as, but not limited to, dumping of trash or debris, or the installation of any type of recreation or other facility or convenience shall be permitted; No roadway or any facility of any public utility shall be permitted to be constructed or installed within the Watercourse Easement.

A "Preservation Area" shall apply for a distance of 85 feet from the rear boundary lines of Lots 1 and 2. Within this area, no structures, pavement, or other permanent improvements shall be permitted. The Preservation Area shall remain in its natural state, except that trees or vegetation may be removed or trimmed if they are dead or diseased, are of a noxious or invasive species, or if they present actual or potential danger to persons or property. After any real property that is adjacent to the 85 foot Preservation Area shown on the plat becomes available for public use, a leisure trail shall be permitted to be installed and used within the preservation area.

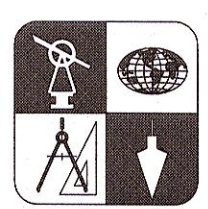
Prior to the issuance of a building permit for a structure on Lot 2, the owner of said lot shall be required to submit a study of the tributary to Rocky Fork Creek that is located along the property that is the subject of this plat. The purpose of the study will be to establish the base 100-year floodplain elevations that apply to such property. Said study shall be created in conformance with relevant requirements of the Codified Ordinances of the City of New Albany, Ohio. Such written documentation shall contain the signature of the City of New Albany Engineer or City Manager (as determined by the City) in order to demonstrate the City's review and approval of the same.

## LEGEND

- Permanent Marker
- 3/4" Iron Pipe (Found/Set)
- PK Nail (Found/Set)
- Railroad Spike (Found/Set)
- Rebar (Found/Set)



**Geo-Graphics Inc.**  
Land Surveying & Civil Engineering  
3331 Livingston Avenue Columbus, Ohio 43219  
614-231-2016



PLAT  
SHEET  
2 OF 2

TIMMONS SUBDIVISION





## RESOLUTION R-16-2020

### **A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO APPROVE AND SIGN AN AMENDED & RESTATED CONSOLIDATED AGREEMENT WITH ANOMATIC CORPORATION RELATED TO INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE OAK GROVE II COMMUNITY REINVESTMENT AREA**

**WHEREAS**, the Council for the City of New Albany, Ohio (the “City”) by its Resolution No. R-17-09 adopted March 3, 2009 (the “Original CRA Legislation”), created the Oak Grove II Community Reinvestment Area (the “Original Area”) and by its Resolutions No. R-41-10 adopted July 6, 2010, No. R-72-10 adopted November 16, 2010, No. R-53-2012 adopted October 2, 2012, No. R-26-2013 adopted August 6, 2013, No. R-72-2014 adopted September 16, 2014, and R-49-2015 adopted November 17, 2015, No. R-45-2016 adopted November 1, 2016, No. R-02-17 adopted February 7, 2017, No. R-17-18 adopted July 17, 2018, No. R-41-18 adopted November 6, 2018, No. R-05-2019 adopted February 19, 2019, and No. R-37-2019 adopted August 6, 2019, and (together the “CRA Expansion Legislation” and collectively with the Original CRA Legislation the “CRA Legislation”), amended the designation of the Original Area to include the area known as the “Johnstown Monroe Area”, “Johnstown Monroe Annex”, “Licking Heights Annex”, “Cobbs Road Annex”, “Harrison Road Area”, “Innovation Campus Area” “Innovation Campus Way Extension” “Beech Road South”, “Babbitt Road”, and the “Central College Road Area” respectively, and certain other parcels within the City (collectively, with the Original Area, the “Area”), and designated that entire Area the Oak Grove II Community Reinvestment Area; and

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

**WHEREAS**, the Director of Development of the State of Ohio has determined that the Area contains the characteristics set forth in R.C. Section 3735.66 and confirmed the Area as a “Community Reinvestment Area”; and

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

**WHEREAS**, the Board of Education of the Licking County Career & Technology Education Center (C-TEC) has been notified in accordance with the applicable law; and

**WHEREAS**, the Board of Education of the Licking Heights Local School District waived their right to notice in accordance with their respective compensation agreements entered into with New Albany;

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

**Section 1.** The city manager is hereby authorized to execute the CRA Agreement by and between the City and the Company, in the form presently on file in the New Albany Community Development Department, and directed to take any further actions, and execute and deliver any further agreements, certificates or documents necessary to accomplish the granting of the incentives described in the Agreement, provided further that the approval of changes thereto by the city manager and their character as not being substantially adverse to the City shall be evidenced conclusively by the execution thereof.

**Section 2.** 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 Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 197 effective March 27, 2020.

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

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Attest:**

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

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

**Approved as to form:**

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

**Legislation dates:**

Prepared: 02/20/2020

Introduced:

Revised:

Adopted:

Effective:





## RESOLUTION R-17-2020

### **A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ADVERTISE, AWARD BIDS AND EXECUTE A CONTRACT FOR THE 2020 CITY OF NEW ALBANY STREET IMPROVEMENT PROJECT**

**WHEREAS,** Council of the City of New Albany, Ohio desires to proceed with general road maintenance such as asphalt overlay, crack seal, and curb replacement as needed within the city, and

**WHEREAS,** funding for general road maintenance was provided for in the Annual Appropriations Ordinance (Ord. O-40-2019), 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 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 proceed with advertisement, acceptance and the execution of a contract for the 2020 City of New Albany Street Improvement project.

**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 Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 197 effective March 27, 2020.

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

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Attest:**



---

Sloan T. Spalding  
Mayor

---

Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

---

Mitchell H. Banchefsky  
Law Director

**Legislation dates:**

Prepared: 03/25/2020  
Introduced: 04/07/2020  
Revised:  
Adopted:  
Effective:





## RESOLUTION R-18-2020

### **A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACT (018-21)**

**WHEREAS**, the City of New Albany, Franklin and Licking Counties, (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- A. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- B. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- C. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and
- D. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- E. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract’s effective period; and
- F. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- G. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 24 by 12:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will



respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**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 above participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the City of New Albany ("Political Subdivision") agrees to the above terms and conditions regarding participation on the ODOT salt contract.

**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 Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 197 effective March 27, 2020.

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

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Attest:**

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

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

**Approved as to form:**

\_\_\_\_\_  
Mitchell H. Banchevsky  
Law Director

**Legislation dates:**

Prepared: 03/25/2020

Introduced: 04/07/2020

Revised:

Adopted:

Effective:





## RESOLUTION R-19-2020

**A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH FYDA FREIGHTLINER COLUMBUS INC FOR THE PURCHASE OF A TANDEM AXLE CAB AND CHASSIS UNIT AS SET FORTH IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM INVITATION NUMBER 023-20 AT A PRICE NOT TO EXCEED \$104,000**

**WHEREAS**, the City of New Albany is in need of a tandem axle truck to replace an existing, outdated unit that is nearing the end of its useful life; and

**WHEREAS**, the service department will use the tandem axle truck for performing snow and ice removal on public streets and maintaining city infrastructure; and

**WHEREAS**, city staff has obtained competitive pricing utilizing the State of Ohio Cooperative Purchasing Program; and

**WHEREAS**, funding for the purchase of a replacement tandem axle truck was approved in the 2020 Capital Equipment Replacement Budget and provided for in the Annual Appropriations Ordinance (Ord. O-40-2019).

**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 enter into a purchase agreement with FYDA Freightliner Columbus, Inc. for the purchase of a tandem axle cab and chassis unit as set forth in the State of Ohio Cooperative Purchasing Program Invitation Number 023-20 at a price not to exceed \$104,000.

**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 Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 197 effective March 27, 2020.

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



**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Attest:**

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

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

**Approved as to form:**

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

**Legislation dates:**

Prepared: 03/25/2020

Introduced: 04/07/2020

Revised:

Adopted:

Effective:





## RESOLUTION R-20-2020

### **A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO REQUEST AND ACCEPT THE SUM OF TWO MILLION FIVE HUNDRED AND SEVENTY THOUSAND DOLLARS (\$2,570,000.00) FROM THE NEW ALBANY COMMUNITY AUTHORITY ECONOMIC DEVELOPMENT FUND FOR ECONOMIC DEVELOPMENT PROJECTS AND INCENTIVES**

**WHEREAS**, the Council of the City of New Albany (“the City”) was empowered by virtue of the laws of the State, including Article VIII, Section 13 of the Ohio Constitution, and Chapters 165 and 349 of the Ohio Revised Code to establish an Economic Development Fund by Resolution 52-2004; and

**WHEREAS**, the Economic Development Fund was established to promote the continued construction, improvement, furnishing and equipping of economic development activities; and

**WHEREAS**, the New Albany Community Authority is permitted to disburse funds from the Economic Development Fund solely for the purpose of paying expenditures directly related to economic development initiatives that are approved by both the City and the Authority; and

**WHEREAS**, the Council of the City of New Albany has determined that economic incentives have been earned by various companies located in the New Albany International Business Park; and

**WHEREAS**, the Council of the City of New Albany has determined that various economic development initiatives are necessary in support of, and within, the New Albany International Business Park; and

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

**Section 1:** The City Manager is authorized and hereby directed to request that the New Albany Community Authority (“the Authority”) disburse the sum of two million five hundred and seventy thousand dollars (\$2,570,000.00) from the Authority’s Economic Development Fund to the City for payment of expenditures listed in the recitals above and as listed in “Exhibit A”.

**Section 2:** The appropriated funds shall be disbursed by the Authority in accordance with a schedule established by the City and the Authority.

**Section 3:** The City Manager and Director of Finance are further authorized to enter into any agreements as may be necessary and appropriate for facilitating the request and acceptance.



**Section 4.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this 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 Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 197 effective March 27, 2020.

**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 \_\_\_\_\_, 2020.

**Attest:**

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

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

**Approved as to form:**

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

**Legislation dates:**

Prepared: 03/30/2020  
Introduced: 04/07/2020  
Revised:  
Adopted:  
Effective:

## **EXHIBIT A – R-20-2020**

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

1. to pay costs of incentives for previously approved projects in an amount not to exceed \$2,000,000, in support of economic development;
2. to pay CIC operating costs in an amount not to exceed \$75,000, in support of economic development;
3. to pay for Rev1 Ventures support incentives in an amount not to exceed \$25,000, in support of economic development;
4. to pay for shuttle service in 2020 for business park employees between the COTA Park and Ride and their places of employment, in an amount not to exceed \$100,000, in support of economic development;
5. to pay costs of professional services including, but not limited to, engineering, plan design and legal counsel, for economic development projects, in an amount not to exceed \$370,000.