



ORDINANCE O-19-2022

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 (C-TEC), PROVIDE FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS INTO A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND, 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 (C-TEC), (each, a “*School District*”), provide for the deposit of the remainder of those service payments into a municipal public improvement tax increment equivalent fund, 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 previously to established 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, the Boards of Education of Johnstown-Monroe Local School District and the Career and Technology Education Centers of Licking County (C-TEC) have waived any and all requirements for notice from the City under Sections 5709.40 and 5709.83 of the Ohio Revised Code in furtherance of the commitment made by the City in the Compensation Agreements entered into between the City and those Boards of Education;

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 previously established, 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*”) to be maintained in the custody of the City and 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 or The New Albany East Community Authority (each an “*Authority*”) to pay for Public Infrastructure Improvements, all amounts owed to any fund of the City or an 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 an 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 director of law, the director of finance 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 director of law, the director of finance 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 No. 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 _____, 2022.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Legislation dates:

Prepared: 06/09/2022

Introduced: 06/21/2022

Revised:

Adopted:

Effective:

Benjamin S. Albrecht
Law Director

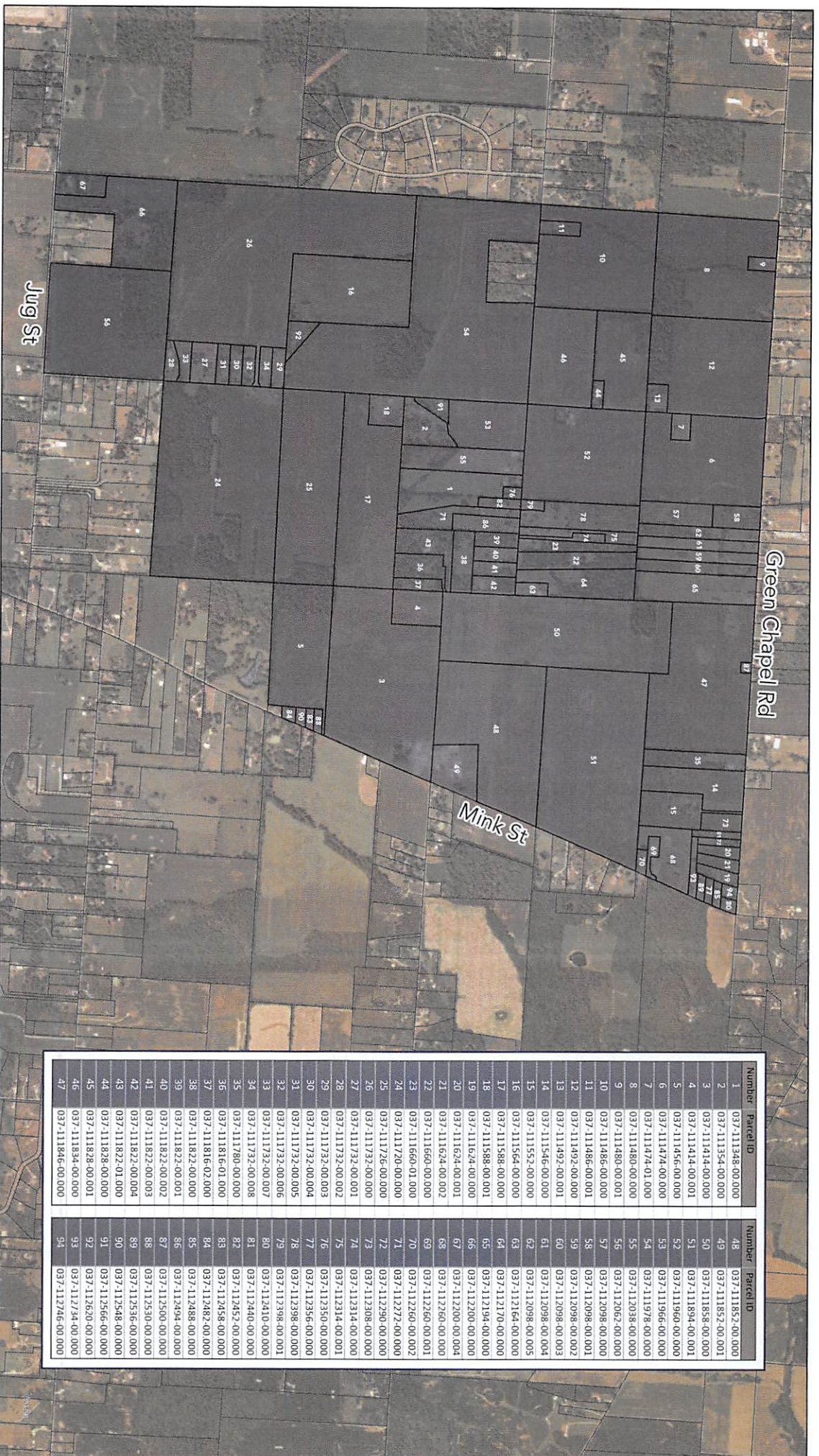
PROPOSED

EXHIBIT A

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-19-2022
Oak Grove II TIF • Mink St and Green Chapel Rd District



Number	Parcel ID	Number	Parcel ID
1	037-11348-00-000	48	037-11852-00-000
2	037-11354-00-000	49	037-11852-00-001
3	037-11414-00-000	50	037-11858-00-000
4	037-11414-00-001	51	037-11894-00-001
5	037-11456-00-000	52	037-11960-00-000
6	037-11474-00-000	53	037-11966-00-000
7	037-11474-01-000	54	037-11978-00-000
8	037-11480-00-000	55	037-12038-00-000
9	037-11480-00-001	56	037-12062-00-000
10	037-11486-00-000	57	037-12098-00-000
11	037-11486-00-001	58	037-12098-00-001
12	037-11492-00-000	59	037-12098-00-002
13	037-11492-00-001	60	037-12098-00-003
14	037-11546-00-000	61	037-12098-00-004
15	037-11552-00-000	62	037-12098-00-005
16	037-11564-00-000	63	037-12164-00-000
17	037-11588-00-000	64	037-12170-00-000
18	037-11588-00-001	65	037-12194-00-000
19	037-11624-00-000	66	037-12200-00-000
20	037-11624-00-001	67	037-12200-00-004
21	037-11624-00-002	68	037-12260-00-000
22	037-11660-00-000	69	037-12260-00-001
23	037-11660-01-000	70	037-12260-00-002
24	037-11720-00-000	71	037-12272-00-000
25	037-11726-00-000	72	037-12290-00-000
26	037-11732-00-000	73	037-12308-00-000
27	037-11732-00-001	74	037-12314-00-000
28	037-11732-00-002	75	037-12314-00-001
29	037-11732-00-003	76	037-12350-00-000
30	037-11732-00-004	77	037-12398-00-000
31	037-11732-00-005	78	037-12398-00-000
32	037-11732-00-006	79	037-12398-00-001
33	037-11732-00-007	80	037-12410-00-000
34	037-11732-00-008	81	037-12440-00-000
35	037-11780-00-000	82	037-12462-00-000
36	037-11816-01-000	83	037-12468-00-000
37	037-11816-02-000	84	037-12482-00-000
38	037-11822-00-000	85	037-12488-00-000
39	037-11822-00-001	86	037-12494-00-000
40	037-11822-00-002	87	037-12500-00-000
41	037-11822-00-003	88	037-12530-00-000
42	037-11822-00-004	89	037-12536-00-000
43	037-11822-01-000	90	037-12548-00-000
44	037-11828-00-000	91	037-12566-00-000
45	037-11828-00-001	92	037-12620-00-000
46	037-11834-00-000	93	037-12734-00-000
47	037-11846-00-000	94	037-12746-00-000

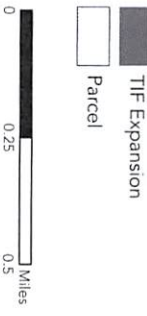


EXHIBIT B

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.



ORDINANCE O-20-2022

AN ORDINANCE TO ADOPT A TAX BUDGET FOR THE CITY OF NEW ALBANY, OHIO FOR FISCAL YEAR ENDING DECEMBER 31, 2023

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 2023 to the County Budget Commission on or before July 15, 2022; and

WHEREAS, a tentative budget for the City of New Albany for the fiscal year 2023 has been presented to council at a hearing held thereon as required by law.

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 tax budget for the City of New Albany, Ohio for the Year 2023 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 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.

Section 3. 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 _____, 2022.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin Albrecht
Law Director

Legislation dates:

Prepared: 06/07/2021

Introduced: 06/14/2021

Revised:

Adopted:

Effective:

PROPOSED

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

Schedule A - O-20-2022

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

To the Franklin County Auditor:

The following Budget year beginning January 1, 2023 has been adopted by Council and is herewith submitted for consideration of the County Budget Commission.

Bethany Staats, CPA, Director of Finance
 July 5, 2022

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 <small>(which are requesting general property tax revenue)</small>	BUDGET YEAR AMOUNT REQUESTED OF BUDGET COMMISSION INSIDE/OUTSIDE	BUDGET YEAR AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMIATION	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	\$ 1,388,686				
SPECIAL REVENUE FUNDS					
<i>No Special Revenue Funds</i>	\$0				
PROPRIETARY FUNDS					
<i>No Proprietary Funds</i>	\$0				
FIDUCIARY FUNDS					
<i>No Fiduciary Funds</i>	\$0				
TOTAL ALL FUNDS	\$1,388,686				

SCHEDULE A

FUND NAME: GENERAL FUND (101)
 FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

This Exhibit is to be used for General Fund Only.

DESCRIPTION (1)	2020 ACTUAL (2)	2021 ACTUAL (3)	CURRENT YEAR ESTIMATED 2022 (4)	NEXT YEAR ESTIMATED 2023 (5)
REVENUES				
Local Taxes				
General Property Tax - Real Estate	\$ 1,251,973	\$ 1,338,387	\$ 1,388,686	\$ 1,388,686
Tangible Personal Property Tax	-	-	-	-
Municipal Income Tax	21,965,716	27,390,466	24,579,294	23,841,915
Other Local Taxes	236,594	279,607	313,094	316,225
Total Local Taxes	\$ 23,454,283	\$ 29,008,460	\$ 26,281,074	\$ 25,546,826
Intergovernmental Revenues				
<i>State Shared Taxes and Permits</i>				
Local Government	\$ 73,637	\$ 135,544	\$ 111,633	\$ 109,400
Kilowatt Hour Tax	-	-	-	-
Estate Tax	-	-	-	-
Cigarette Tax	92	142	200	202
Liquor and Beer Permits	14,393	11,525	15,000	15,150
Property Tax Allocation	126,563	138,902	140,684	140,684
Other State Shared Taxes and Permits	-	-	-	-
Total State Shared Taxes and Permits	\$ 214,685	\$ 286,114	\$ 267,517	\$ 265,436
<i>Grants or Other Aid:</i>				
Federal Grants or Aid	\$ -	\$ -	\$ -	\$ -
State Grants or Aid	3,272	-	-	-
Other Grants or Aid	44,201	53,955	50,107	50,608
Total Grants or Other Aid	47,474	53,955	50,107	50,608
Total Intergovernmental Revenues	\$ 262,159	\$ 340,068	\$ 317,623	\$ 316,044
Service Charges, Permits & Misc Revenues				
Investment Earnings	\$ 522,457	\$ 253,024	\$ 166,136	\$ 167,797
Charges for Services	148,189	295,299	383,719	387,556
Fines, Licenses, and Permits	780,398	1,132,329	918,842	928,031
Miscellaneous	1,721,216	883,636	567,405	573,080
Total Svc Charges, Permits & Misc Revenues	\$ 3,172,260	\$ 2,564,288	\$ 2,036,102	\$ 2,056,463
Other Financing Sources:				
Proceeds from Sale of Assets	\$ 13,807	\$ 25,752	\$ 25,000	\$ 25,250
Transfers	-	-	-	-
Advances	275,000	85,597	227,000	-
Other Sources	-	-	-	-
Total Other Financing Sources	\$ 288,807	\$ 111,349	\$ 252,000	\$ 25,250
TOTAL REVENUE	\$ 27,177,508	\$ 32,024,165	\$ 28,886,800	\$ 27,944,583

FUND NAME: GENERAL FUND (101)

This Exhibit is to be used for General Fund Only.

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

DESCRIPTION (1)	2020 ACTUAL (2)	2021 ACTUAL (3)	CURRENT YEAR ESTIMATED 2022 (4)	NEXT YEAR ESTIMATED 2023 (5)
EXPENDITURES				
<u>Police (1000)</u>				
Salary & Related	\$ 4,756,694	\$ 5,221,494	\$ 6,476,621	\$ 6,703,303
Operating & Contractual Services	204,853	293,335	645,585	668,180
Capital Outlay	-	-	-	-
Total Police	\$ 4,961,547	\$ 5,514,829	\$ 7,122,206	\$ 7,371,483
<u>Land & Building Maintenance (6000)</u>				
Salary & Related	\$ 67,458	\$ 68,907	\$ 116,160	\$ 120,226
Operating & Contractual Services	1,275,932	1,224,499	1,753,550	1,814,924
Capital Outlay	23,456	-	-	-
Total Parks & Lands	\$ 1,366,845	\$ 1,293,406	\$ 1,869,710	\$ 1,935,150
<u>Community Development (4000)</u>				
Salary & Related	\$ 1,742,933	\$ 1,665,069	\$ 2,450,150	\$ 2,535,905
Operating & Contractual Services	1,308,561	1,059,658	1,834,950	1,899,173
Capital Outlay	-	-	-	-
Total Community Development	\$ 3,051,494	\$ 2,724,727	\$ 4,285,100	\$ 4,435,079
<u>Public Service (5000)</u>				
Salary & Related	\$ 2,916,469	\$ 3,437,854	\$ 4,704,390	\$ 4,869,044
Operating & Contractual Services	717,348	873,638	1,170,500	1,211,468
Capital Outlay	-	-	-	-
Total Public Service	\$ 3,633,817	\$ 4,311,491	\$ 5,874,890	\$ 6,080,511
<u>General Government (7000)</u>				
Salary & Related	\$ 2,318,382	\$ 2,483,409	\$ 3,266,003	\$ 3,380,313
Operating & Contractual Services	2,756,427	2,894,211	4,233,235	4,381,398
Capital Outlay	45,516	-	-	-
Total General Government	\$ 5,120,324	\$ 5,377,620	\$ 7,499,238	\$ 7,761,711
<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)	\$ 2,868,185	\$ 14,071,677	\$ 5,646,807	\$ 2,090,147
Advances	-	-	-	-
Contingencies	-	-	-	-
Other Uses of Funds	-	-	-	-
Total Other Uses of Funds	\$ 2,868,185	\$ 14,071,677	\$ 5,646,807	\$ 2,090,147
TOTAL EXPENDITURES	\$ 21,002,212	\$ 33,293,750	\$ 32,297,951	\$ 29,674,081
Revenues Over (Under) Expenditures	\$ 6,175,297	\$ (1,269,585)	\$ (3,411,151)	\$ (1,729,498)
Beginning Fund Balance	\$ 21,351,331	\$ 27,526,628	\$ 26,257,043	\$ 22,845,891
Ending Cash Fund Balance	\$ 27,526,628	\$ 26,257,043	\$ 22,845,891	\$ 21,116,393
Est/Actual Encumbrances (at end of year)	\$ 1,434,850	\$ 1,588,894	\$ 1,620,672	\$ 1,653,085
Est/Actual Unencumbered (at end of year)	\$ 26,091,778	\$ 24,668,149	\$ 21,225,220	\$ 19,463,308

FUND NAME:
 FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

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

DESCRIPTION (1)	2020 ACTUAL (2)	2021 ACTUAL (3)	CURRENT YEAR ESTIMATED 2022 (4)	NEXT YEAR ESTIMATED 2023 (5)
REVENUES				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ -	\$ -	\$ -	\$ -
Property Tax Allocation	-	-	-	-
Total Local Taxes	\$ -	\$ -	\$ -	\$ -
<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	\$ -	\$ -	\$ -	\$ -
EXPENDITURES				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ -	\$ -	\$ -	\$ -
Operating & Contractual Services	-	-	-	-
Total General Government	\$ -	\$ -	\$ -	\$ -
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
Total Public Service	\$ -	\$ -	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Other Uses	-	-	-	-
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -
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 2023 TAX BUDGET
 PROJECTED FUND BALANCES

EXHIBIT III

FUND CATEGORY/TYPE	ESTIMATED UNENCUMBERED BAL 1/1/23	ESTIMATED 2023 REVENUE	TOTAL AVAIL FOR EXPENDITURE	EST 2023 EXPENSES /ENC	ESTIMATED UNENC BAL 12/31/2023
GOVERNMENTAL:					
GENERAL					
101 - General	22,845,891	27,944,583	50,790,475	31,327,166	19,463,308
906 - Unclaimed Funds	2,940	-	-	-	2,940
TOTAL GENERAL FUNDS	\$ 22,848,831	\$ 27,944,583	\$ 50,793,414	\$ 31,327,166	\$ 19,466,248
SPECIAL REVENUE:					
201 - Street Construction, Maint & Repair	601,595	674,650	1,276,245	459,650	816,595
202 - State Highway	153,404	48,410	201,814	40,000	161,814
203 - Permissive Tax	204,128	73,130	277,258	66,950	210,308
210 - Alcohol Education	16,766	1,030	17,796	1,030	16,766
211 - Drug Use Prevention	73,463	20,600	94,063	20,600	73,463
213 - Law Enforcement & Ed	7,155	1,000	8,155	1,000	7,155
216 - K9 Fund	4,967	20,190	25,157	19,190	5,967
217 - Safety Town	124,319	56,650	180,969	44,728	136,241
218 - DUI Grant	14,701	10,300	25,001	10,300	14,701
219 - Law Enforcement Assistance	7,820	-	7,820	-	7,820
221 - Economic Development NAECA	-	2,199,945	2,199,945	2,199,945	-
222 - Economic Development NACA	1,317,219	3,500,000	4,817,219	3,500,000	1,317,219
223 - Oak Grove EOZ	0	3,685,773	3,685,773	3,685,773	0
224 - Central College EOZ	0	1,922,650	1,922,650	1,922,650	0
225 - Oak Grove II EOZ	(0)	1,481,106	1,481,106	1,481,106	(0)
226 - Blacklick EOZ	(0)	4,105,823	4,105,823	4,105,823	(0)
228 - Subdivision Development	644,032	500,000	1,144,032	700,000	444,032
229 - Builders Escrow	827,405	500,000	1,327,405	600,000	727,405
230 - Wentworth Crossing TIF	753,602	353,500	1,107,102	283,600	823,502
231 - Hawksmoor TIF	366,541	174,730	541,271	166,991	374,280
232 - Enclave TIF	50,979	63,630	114,609	82,145	32,464
233 - Saunton TIF	238,796	143,420	382,216	170,985	211,231
234 - Richmond Square TIF	182,555	188,870	371,425	170,687	200,738
235 - Tidewater I TIF	314,845	354,510	669,355	426,175	243,180
236 - Ealy Crossing TIF	172,037	353,500	525,537	427,720	97,817
237 - Upper Clarenton TIF	1,186,309	540,350	1,726,659	425,775	1,300,884
238 - Balfour Green TIF	91,683	27,270	118,953	28,975	89,978
239 - Straits Farm TIF	1,336	309,060	310,396	309,060	1,336
240 - Oxford TIF	78	113,300	113,378	113,300	78
241 - Schleppl Residential TIF	1,476	226,600	228,076	226,600	1,476
250 - Blacklick TIF	1,900,678	1,919,000	3,819,678	1,322,005	2,497,673
251 - Blacklick II TIF	241,544	43,430	284,974	515	284,459
252 - Village Center TIF	79,459	1,005,960	1,085,419	1,053,450	31,969
253 - Research Tech District TIF	1,742,217	297,950	2,040,167	5,150	2,035,017
254 - Oak Grove II TIF	3,436,112	1,717,000	5,153,112	27,775	5,125,337
255 - Schleppl Commercial TIF	15,001	-	15,001	-	15,001
258 - Windsor TIF	5,709,475	3,030,000	8,739,475	1,534,555	7,204,920
259 - Village Center II TIF	-	449,450	449,450	449,450	-
271 - Local Coronavirus Relief	(0)	-	(0)	-	(0)
272 - Local Fiscal Recovery	454,599	-	454,599	-	454,599
280 - Hotel Excise Tax	-	92,700	92,700	92,700	-
281 - Healthy New Albany Facilities	497,564	959,500	1,457,064	1,025,395	431,669
282 - Hinson Amphitheater	64,672	32,500	97,172	62,500	34,672
290 - Alcohol Indigent	12,016	1,000	13,016	-	13,016
291 - Mayors Court Computer	9,941	4,120	14,061	1,000	13,061
292 - Court Special Projects	728	1,000	1,728	1,000	728
293 - Clerk's Court Computer	460	1,000	1,460	1,000	460
299 - Severance Liability Fund	1,069,518	200,000	1,269,518	200,000	1,069,518
TOTAL SPECIAL REVENUE FUNDS	\$ 22,591,195	\$ 31,404,607	\$ 53,995,802	\$ 27,467,253	\$ 26,528,549
DEBT SERVICE FUNDS:					
301 - Debt Service	674,384	6,624,515	7,298,899	6,624,514	674,385
TOTAL DEBT SERVICE	\$ 674,384	\$ 6,624,515	\$ 7,298,899	\$ 6,624,514	\$ 674,385
CAPITAL PROJECT FUNDS:					
401 - Capital Improvements	1,278,106	3,632,345	4,910,451	4,910,451	-
403 - Bond Improvements	305,732	-	305,732	305,732	-
404 - Park Improvements	303,975	1,331,799	1,635,774	1,635,774	-
405 - Water & Sanitary Improvements	4,444,956	489,250	4,934,206	4,934,206	-
410 - Infrastructure Replacement	10,771,452	31,930	10,803,382	10,803,382	-
411 - Leisure Trail Improvements	89,045	25,750	114,795	114,795	-
415 - Capital Equip Replacement	4,264,652	1,237,650	5,502,302	5,502,302	-
422 - Oak Grove II Infrastructure	1,849,287	1,751,531	3,600,818	3,600,818	-
422 - Economic Development Capital Improvement	1,435,475	500,000	1,935,475	1,935,475	-
TOTAL CAPITAL PROJECT FUNDS	\$ 24,742,680	\$ 9,000,255	\$ 33,742,935	\$ 33,742,935	\$ -
TOTAL (MEMORANDUM ONLY)	\$ 70,857,090	\$ 74,973,960	\$ 145,831,051	\$ 99,161,869	\$ 46,669,182

CITY OF NEW ALBANY, OHIO
 FISCAL YEAR 2023 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 01/01/23	BUDGET YEAR		FY 2023
								Amount Required for Principal and Interest 1/1/23 to 12/31/23	Amt Receivable from Outside Sources to Meet Debt Payments	
Payable from Debt Service:										
INSIDE 10 MILL LIMIT:										
2022 Refunding - 2012 Various Purpose Refunding Ltd Tax GO Bonds	NA	5/25/2022	12/1/2029	O-14-2022	Serial	2.68%	\$3,650,000	\$577,820	\$0	\$577,820
Capital Facilities Bonds, Series 2018	NA	7/11/2018	12/1/2037	O-08-2018	Serial	1.52% - 3.24%	\$13,950,000	\$1,301,125	\$0	\$1,301,125
Cap Impr Bonds - Public Facs, Taxable Refunding, Series 2016	NA	11/23/2016	12/1/2027	O-35-2016	Serial	2.39% - 2.50%	\$3,265,000	\$690,034	\$0	\$690,034
Capital Facilities Ltd. Tax GO Bonds, Series 2014	NA	12/1/2014	12/1/2030		Serial	0.85% - 4.00%	\$3,425,000	\$556,100	\$0	\$556,100
TOTAL							\$24,290,000	\$3,125,079	\$0	\$3,125,079
OUTSIDE 10 MILL LIMIT:										
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.

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, 2023.

FUND	Estimated Unenc Bal as of 1/1/2023	Real Estate Property Tax	Personal Property Tax	Local Government Funds	Rollback, Homestead and Personal Prop Tax Exemption	Other Sources	Total
GOVERNMENTAL FUNDS	\$ 70,857,090	\$ 1,388,686	\$ -	\$ 109,400	\$ 140,684	\$ 73,335,191	\$ 145,831,051
General Fund	22,845,891	1,388,686	-	109,400	140,684	26,305,813	50,790,475
Unclaimed Funds	2,940	-	-	-	-	-	2,940
Special Revenue Funds	22,591,195	-	-	-	-	31,404,607	53,995,802
Debt Service Funds	674,384	-	-	-	-	6,624,515	7,298,899
Capital Project Funds	24,742,680	-	-	-	-	9,000,255	33,742,935
PROPRIETARY FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Enterprise Funds	-	-	-	-	-	-	-
Internal Service Funds	-	-	-	-	-	-	-
FIDUCIARY FUNDS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Trust and Agency Funds	-	-	-	-	-	-	-
TOTAL ALL FUNDS	<u>\$ 70,857,090</u>	<u>\$ 1,388,686</u>	<u>\$ -</u>	<u>\$ 109,400</u>	<u>\$ 140,684</u>	<u>\$ 73,335,191</u>	<u>\$ 145,831,051</u>

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 _____, 2022

Budget
Commission



ORDINANCE O-21-2022

APPROPRIATION AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022

WHEREAS, in December 2021, the 2022 Annual Budget Program and the related permanent appropriations were adopted by council; and

WHEREAS, it is necessary to make adjustments to the 2022 appropriations to ensure compliance with budgetary requirements and reflect proposed and actual spending; and

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. City Council hereby authorizes an appropriation of the unappropriated balance of the following funds:

Fund	Department	Category	Increase/ (Decrease)
101 - General	Police	Operating and Contractual Services	\$ 47,000
101 - General	Community Development	Operating and Contractual Services	83,500
101 - General	Administrative Services	Operating and Contractual Services	88,100
101 - General	Public Service	Operating and Contractual Services	50,000
101 - General	Land & Building Maintenance	Operating and Contractual Services	77,500
101 - General	General Administration	Operating and Contractual Services	100,000
101 - General	Finance	Operating and Contractual Services	150,000
404 - Park Improvement	Finance	Operating and Contractual Services	150,000
415 - Capital Equipment Replacement	N/A	Capital	150,000
422 - Economic Development Capital	N/A	Capital	650,000
		Total Appropriation Amendments	\$ 1,546,100

Section 2. City Council hereby authorizes Budget Transfers as follows:

Fund	Department	Category	Increase/ (Decrease)
101 - General	Land & Building Maintenance	Operating and Contractual Services	\$ 53,000
101 - General	General Administration	Operating and Contractual Services	(53,000)
222 - Economic Development - NACA	Community Development	Operating and Contractual Services	600,000
422 - Economic Development Capital	N/A	Capital	(600,000)
		Net Change related to Transfers	-

Section 3. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. 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 _____, 2022.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin Albrecht
Law Director

Legislation dates:

Prepared: 06/13/2022
Introduced: 06/21/2022
Revised:
Adopted:
Effective:



RESOLUTION R-21-2022

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT WITH INTEL CORPORATION AND MAKING RELATED AUTHORIZATIONS

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, No. R-37-2019 adopted August 6, 2019, No. R-15-2021 adopted April 6, 2021, No. R-46-21 adopted September 21, 2021, No. R-09-2022 adopted February 1, 2022, and No. R-18-2022 adopted May 3, 2022 (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", "Central College Road Area", "Jug Street North", "Jug Street South", "Innovation District East", "Innovation District East Expansion", and "Mink Street and Green Chapel Road Expansion", 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 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, Intel Corporation (the "Company") has submitted to the City the application attached to the Community Reinvestment Area Agreement (the "CRA Agreement") referred to in Section 1 of this Resolution (the "Agreement Application") and has remitted with the Agreement Application the required State application fee to be forwarded to the Ohio Department of Development with a copy of the final, executed CRA Agreement; and

WHEREAS, 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

WHEREAS, the City, having appropriate authority, desires to provide certain property tax incentives to encourage the development of the Project (as defined in the CRA Agreement); and

WHEREAS, the Boards of Education of both the Johnstown-Monroe Local School District and the Career and Technology Education Centers of Licking County have each waived their rights to receive notice under Section 5709.83 of the Revised Code in accordance with their respective compensation agreements entered into with the city of 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. Community Reinvestment Area Agreement. The CRA Agreement for the Project, by and between the City and the Company, in the form presently on file with the Clerk of the Council which provides for a 100% CRA exemption for 30 years for the proposed Project, is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City which shall be approved by the city manager. The city manager, for and in the name of this City, is hereby authorized to execute that CRA Agreement and approve the character of any changes or amendments thereto as not inconsistent with this Resolution and not substantially adverse to this City, that are approved by the city manager, which approval shall be conclusively evidenced by the city manager's execution of that CRA Agreement.

Section 2. Expansion of the Oak Grove II Economic Opportunity Zone. This Council hereby authorizes the city manager, the director of law, the director of finance, the community development director, the clerk of council, or any such other appropriate officers of the City to take all action necessary, including but not limited to the preparation, execution and approval of all agreements and instruments, any other actions as may be appropriate to expand the Oak Grove II Economic Opportunity Zone in a manner consistent with the expansion of the Oak Grove II Community Reinvestment Area, all as contemplated by this Council in its Resolution No. R-37-2019 adopted August 6, 2019.

Section 3. Further Authorizations. This Council hereby further authorizes and directs the city manager, the director of law, the director of finance, the community development director, the clerk of council, or any such other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions (including by not limited to making application and preliminary arrangements for financing that is then subject to formal approval by this Council) as may be appropriate to implement this Resolution and the transactions referenced or contemplated in this Resolution and the Community Reinvestment Area Agreement authorized and approved in this Resolution.

Section 4. Compliance with the Law. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting 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 all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. Effective Date. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2022.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	06/09/2022
Introduced:	06/21/2022
Revised:	
Adopted:	
Effective:	

PROPOSAL



RESOLUTION R-22-2022

APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A NEW ECONOMIC DEVELOPMENT AGREEMENT AND NEW WATER SERVICE AND SEWER DISPOSAL CONTRACTS, ALL WITH THE CITY OF COLUMBUS, IN ORDER TO FACILITATE AND SUPPORT FUTURE ECONOMIC DEVELOPMENT IN THE CITY

WHEREAS, in recognition of the importance of planning for their future growth and working cooperatively, Columbus and New Albany previously entered into Economic Development Agreements dated October 12, 2001 (the "2001 EDA") and January 26, 2012 (the "2012 EDA"), with that 2012 EDA having been amended on August 28, 2015; and

WHEREAS, the City of New Albany and the City of Columbus desire to continue that intergovernmental cooperation and advancement of regional growth by entering into an additional Economic Development Agreement (the "2022 Economic Development Agreement") establishing an area call the "2022 New Revenue/Equity Sharing Area"; and

WHEREAS, Columbus and New Albany are currently parties to the following agreements for water and sewer service: (1) for water service, that certain contract between Columbus and New Albany for water service, originally entered into on January 26, 2012, as the same was amended on September 3, 2015 (as amended, the "Water Service Contract"), and (ii) for sewer service, that certain contract between Columbus and New Albany for sewage disposal services originally entered into on September 14, 1988, as the same was amended on May 11, 1995, November 10, 1999, October 12, 2001, February 28, 2012, and September 3, 2015 (as amended, the "Sewer Service Contract"); and

WHEREAS, the Cities of New Albany and Columbus desire to enter into a new Water Service Contract (the "2022 Water Service Contract") and a new Sewer Service Contract (the "2022 Sewer Service Contract") to modernize their existing Water Service Contract and Sewer Service Contract and provide for water and sewer service to the 2022 New Revenue/Equity Sharing Area.

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

Section 1. Authorization and Approval of Agreements. This Council hereby approves and authorizes the 2022 Economic Development Agreement, the 2022 Water Service Contract and the 2022 Sewer Disposal Contract, all between the City of New Albany and the City of Columbus, in the forms presently on file with the Clerk of Council, together with any changes thereto approved by the City Manager and the City's legal counsel and not substantially adverse to the City or inconsistent with this Resolution. The City Manager, on behalf of the City and this Council, is hereby authorized to execute and deliver that 2022 Economic Development Agreement, 2022 Water Service Contract

and 2022 Sewer Disposal Contract, with the character of any changes and completions thereto as not being inconsistent with this Resolution or substantially adverse to the City evidenced conclusively by the City Manager's execution there.

Section 2. Further Authorizations. This Council hereby further authorizes and directs the city manager, the director of law, the director of finance, the community development director, the clerk of council, or any such other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions (including but not limited to signing a petition for adjustments to the Section 208 service boundary and making application and preliminary arrangements for financing that is then subject to formal approval by this Council) as may be appropriate to implement this Resolution and the transactions referenced or contemplated in this Resolution and the Agreements authorized and approved in this Resolution.

Section 3. Compliance with the Law. 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 and any of 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 4. Effective Date. Pursuant to Article 607(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2022.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	06/09/2022
Introduced:	06/21/2022
Revised:	
Adopted:	
Effective:	



RESOLUTION R-23-2022

A RESOLUTION TO REQUEST THE FRANKLIN COUNTY BUDGET COMMISSION TO GRANT THE .74 MILLS IN AVAILABLE INSIDE MILLAGE TO THE CITY OF NEW ALBANY

WHEREAS, there is additional inside millage available for distribution by the Franklin County Budget Commission; and

WHEREAS, due to its need to fund expanded operations and provide infrastructure to service rapid growth in the community as demonstrated by the 2023 Tax Budget, the City of New Albany is in need of additional revenue.

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 of New Albany hereby requests that the Franklin County Budget Commission grant the additional inside millage of .74 mills to the City of New Albany.

Section 2: The clerk of council is directed to submit a certified copy of this resolution to the Franklin County Budget Commission.

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

CERTIFIED AS ADOPTED this _____ day of _____, 2022.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin Albrecht
Law Director

Legislation dates:

Prepared: 06/10/2022

Introduced: 06/21/2022

Revised:

Adopted:

Effective:

PROPOSED



RESOLUTION R-24-2022

A RESOLUTION TO CLARIFY CERTAIN SECTIONS OF THE CITY OF NEW ALBANY'S PERSONNEL POLICIES TO DEFINE EARNABLE AND NON-EARNABLE SALARY AS REQUESTED BY THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM

WHEREAS, the Ohio Public Employees Retirement System (OPERS) has requested annual clarification of the city's Codified Ordinance Sections 155.08, 155.09, 155.10, and 155.11 to determine pensionable earnable salary eligibility; and

WHEREAS, the Ohio Public Employees Retirement System (OPERS) has also requested that the city confirm its definition of salary, which is not pensionable; and

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

Section 1. Pursuant to ORC Section 145.01 and the OAC 145.1-26, the City of New Albany has executed a plan for the conversions of sick and vacation leave to cash for leave that is accrued, but not used, during the calendar year, defined as January 1 to December 31, as part of an annual conversion plan. These earnings are earnable salary on which employee and employer contributions shall be remitted to OPERS.

Section 2. Sick and vacation leaves shall be converted on a last in, first out (LIFO) basis. The leave to be considered earnable salary is the leave accrued to date in the current calendar year, less any leave used to date in the same calendar year.

Section 3. Retiring employees' sick and vacation leave conversion payments must occur according to the plan and either prior to or during the month of their termination date for this earnable salary to be included in the calculation of Final Average Salary.

Section 4. The following payments made to employees shall not have retirement contributions withheld as the payments do not meet the definition of earnable salary for OPERS purposes:

- Leave in excess of the annual amount of leave accrued from January 1 to December 31 less leave used January 1 to time of payment
- Leave earned in previous calendar years (other than payments made in January for leave accrued but not used during the previous calendar year)
- Conversion of leave to employees separating employment

- Conversion of leave to retiring employees outside the regular payment schedule

Section 5. The city's accrual policy for Sick, Vacation, and Personal Leave is summarized in the attached Exhibit A.

Section 6. It is hereby found and determined that all formal actions of 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 of the Ohio Revised Code.

Section 7. Pursuant to the Article VI of the charter of the City of New Albany, this resolution shall take effect upon passage, and shall be retroactive to January 1, 2022.

CERTIFIED AS ADOPTED this _____ day of _____, 2022.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Ben Albrecht
Law Director

Legislation dates:

Prepared: 06/10/2022

Introduced: 06/21/2022

Revised:

Adopted:

Effective:

155.08 PERSONAL LEAVE.

(a) In addition to the observed holidays set forth in C.O. 155.07(a), all full-time employees shall be authorized to observe sixteen (16) hours designated as "personal leave". Such time shall be scheduled as far in advance as possible and approved by the supervisor, except that no reasonable request shall be denied. Wages shall be computed on the basis of the employee's existing rate of compensation at the time the leave is taken. Any unused personal leave remaining after the last pay period of the same year or when an employee terminates his/her employment shall be forfeited.

(b) New employees hired before June 30 will be authorized to observe sixteen (16) hours of personal leave. New employees hired between July 1 and November 30 will be authorized to observe eight (8) hours of personal leave. New employees hired December 1 or after will not be eligible for any personal leave that year.

155.09 VACATION.

(a) Full-time, non-exempt employees shall accrue vacation on the following schedule:

(1) At employment up to the completion of the 4th year of employment - 3.077 hours per pay period

(2) Upon completion of the 4th year of employment up to the completion of the 9th year of employment - 4.615 hours per pay period

(3) Upon completion of the 9th year of employment up to the completion of the 14th year of employment - 6.154 hours per pay period

(4) Upon completion of the 14th year of employment and beyond - 7.70 hours per pay period

(b) The annual vacation schedule for full-time, exempt employees shall be as follows:

(1) At appointment - three weeks. Employees who move from a non-exempt position to an exempt position will be provided three weeks upon appointment to the exempt position and continue to accrue at the rate otherwise qualified for based on length of continuous service with the City.

(2) Upon completion of the 1st year of employment up to the completion of the 4th year of employment – 4.615 hours per pay period

(3) Upon completion of the 4th year of employment up to the completion of the 7th year of employment – 6.154 hours per pay period

(4) Upon completion of the 7th year of employment and beyond - 7.70 hours per pay period.

(c) Vacations shall be at full pay at the current salary rate.

(d) Each full-time employee and official shall be permitted an annual standard maximum carryover of three (3) times the annual vacation accrual rate. Any accrued vacation leave in excess of the maximum carryover limits standing to the credit of the employee on December 1 shall become void on December 31. Employees with leave in excess of 480 hours as of December 1 may have up to 80 hours paid out upon request. Such payout shall occur in January. ~~unless used by the employee, carried over to the subsequent calendar year following the submission to and approval of such request by the City Manager on December 1~~

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(e) No advance of vacation is permitted. Only requests for vacation less than or equal to the accrued balance will be approved.

(f) Leave is accrued on the basis of an 80 hour pay period such that any time not in a paid status, i.e. unpaid time off, during a pay period will result in a reduced, pro-rated accrual for that pay period.

(g) In order to recruit and retain qualified persons, employees shall accrue vacation leave as provided in (a) or (b), above, except that accrual rates above the minimum may be authorized if the Department Head and the Human Resources Officer submit adequate reasons in writing and the action is approved by the City Manager. Approval will be based upon the exceptional qualification of the applicant or the inability to employ adequately qualified personnel. In awarding a higher accrual rate, consideration shall be given to the applicant's qualifications, work experience, the level of responsibility required in the position and the availability of qualified applicants or other relevant market factors. Employees granted higher accrual rates shall move to the next accrual rate upon completion of four (4) years of employment with the City.

(h) Compensation for vacation leave in lieu of time off shall not be granted except as provided in (d), above.

(i) Vacation leave shall be scheduled as far in advance as possible and at the discretion of the supervisor. In the event of conflicting requests, the Department Head shall resolve the conflict based on the operating needs of the department/division.

(j) Where an employee becomes deceased while in paid status in municipal employment, any accrued vacation leave to his/her credit shall be paid in a lump sum first to the surviving spouse, then to the deceased's estate.

(k) Upon retirement or termination, unused accrued vacation leave will be cashed out in the form of a lump sum monetary payment.

155.10 SICK LEAVE.

(a) All full-time employees and officials shall be credited sick leave at the rate of 4.615 hours for each pay period. Leave is accrued on the basis of an 80 hour pay period such that any hours not in a paid status, i.e. unpaid time off, during a pay period will result in a reduced pro-rated accrual for that pay period.

(b) Sick leave may be accumulated without limit.

(c) When used, sick leave shall be deducted from the cumulative total on a quarter-hour basis.

(d) Employees may use leave for absence due to illness, pregnancy, non-work related injury, exposure of contagious disease which could be communicated to other employees, quarantine of the employee, and for illness or injury of the employee's spouse, child, mother, father, or other relative residing in the employee's household. Sick leave may also be used for medical, vision or dental related examination and care.

(e) Employees may be required to furnish proof of illness by furnishing a doctor's statement if the duration of the illness exceeds three (3) consecutive working days.

(f) Absence due to sickness in the immediate family not residing in the employee's household, and requiring the continuing presence of the employee to make arrangements for hospitalization or other care shall not exceed three consecutive workdays without approval from the Department Head.

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(g) Excessive use, abuse of, or misuse of sick leave may be cause for disciplinary action or dismissal.

(h) Employees for whom a replacement must be found and who are unable to report to work for any reason listed herein must report their anticipated absence to their supervisor at least one hour prior to the start of their shift on the first day of their absence. Other employees must report their anticipated absence before the expiration of the first half-hour of the start of their shift. All employees shall report accordingly on each succeeding day of their absence unless other arrangements are authorized.

(i) Sick leave may be transferable between employees due to exigent circumstances, with the approval of the City Manager.

(j) For family medical incidents, an employee may use up to four (4) days for each discrete incident.

(k) Following the fourth (4th) occurrence of sick leave absence of one day or more in a twelve month period of time, the employee may be required to secure and present a certificate from a doctor giving information as to the circumstances involved or nature of the illness to receive pay for each subsequent absence involving sick leave in the remainder of that twelve month period. The documentation shall be sent to the Human Resources Officer to be placed in the individual's personnel file.

(l) Sick leave accumulated during former employment with the City or with another public agency may be credited to the employee upon his/her re-employment or hire with the City provided such re-employment/employment takes place within ten (10) years of the former termination date.

a. Up to 1,920 hours of previously accumulated sick leave from another public agency may be transferred to the employee's credit at a rate of two (2) to one (1) for each hour accrued as an employee of the City of New Albany.

b. Rate of accrual shall be in conformance with C.O. 155.10(a).

(m) Upon retirement or separation in good standing, full-time employees may convert unused accrued sick leave to a lump sum monetary payment on the following conditions:

(1) For the first 120 hours (15 days) of sick leave accrued, payment shall be hour for hour. Accumulated sick leave above 120 hours shall be paid at the rate of eight (8) hours pay for every 24 hours accumulated.

(2) Payment will be at the hourly rate in effect at the time of retirement or termination.

(3) Employees terminated for cause or who fail to give two weeks' written notice of intent to terminate are not eligible for the sick leave conversion benefit.

155.11 SICK LEAVE RECIPROCITY

(a) During January, each permanent full-time non-union employee may receive payment in cash for a portion of unused accrued sick leave hours at the end of the preceding fiscal year, provided such employee was entitled to sick leave benefits during all of the twenty-six (26) pay periods of the previous year. Additionally, in order to participate, an employee must have at least 480 hours of sick leave after cash benefit hours are taken. Those who are eligible may cash in up to eighty (80) hours of sick leave. Eligible employees must elect, no later than September 1 of each year, to convert

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up to eighty (80) hours of sick leave for payment in the first full pay period in January of the next calendar year (payable at the employees base rate of pay as of December 31 of the year of the election).

(b) The number of reciprocity hours paid each employee will be subtracted from the total accrued unused sick leave. The balance of unused sick leave will be carried forward each year as the current sick leave account.