



RESOLUTION R-40-2025

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED COMMUNITY REINVESTMENT AREA AGREEMENT WITH DISTRIBUTION LAND COMPANY, LLC, AND MAKING RELATED AUTHORIZATIONS

WHEREAS, Distribution Land Company, LLC (fka Distribution Land Corp.) (an affiliate of Bath & Body Works, Inc.) with offices located at Three Limited Parkway, Columbus, OH (the "Company"), previously acquired property (the "Project Site") in the City of New Albany for the potential construction of office and warehouse buildings and related site improvements (the "Original Project"). In support of the development of the Original Project, the City and the Company entered into a Community Reinvestment Area Agreement dated March 11, 2014 (the "Original CRA Agreement") pursuant to City Resolution No. R-17-2014 adopted on March 4, 2014; and then a Supplemental Agreement (the "Supplemental Agreement") dated September 9, 2019, was entered into by the City and the Company pursuant to City Resolution No. R-03-2018 adopted on January 16, 2018.

WHEREAS, the City and the Company intend to amend and restate the Original CRA Agreement as amended by the Supplemental Agreement to make the agreement more consistent with recent CRA agreements for distribution center projects in the City; and

WHEREAS, Council previously created the current Oak Grove II Community Reinvestment Area by its Resolution No. R-17-09 adopted March 3, 2009, as supplemented by its Resolutions No. R-41-10 adopted July 6, 2010, No. R-72-10 adopted November 16, 2010, No. R-53-12 adopted October 12, 2012, No. R-26-13 adopted July 16, 2013, No. R-72-14 adopted September 9, 2014, No. R-49-2015 adopted November 17, 2015, No. R-45-16 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-46-2021 adopted September 21, 2021, No. R-09-2022 adopted February 1, 2022, No. R-18-2022 adopted May 3, 2022, No. R-38-2022 adopted November 15, 2022, No. R-21-2023 adopted April 18, 2023, No. R-46-2023 adopted November 7, 2023, and No. R-25-2025 adopted July 15, 2025; and

WHEREAS, the City's Housing Officer, duly designated under Ohio Revised Code Section 3735.65, has reviewed the proposal to amend and restate the Original CRA Agreement has amended by the Supplemental Agreement and has recommended that City Council approve the proposal on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Area and improve the economic climate of the City; and

WHEREAS, the City, having the appropriate legal authority, desires to provide certain property tax incentives to encourage development of the Project; and

WHEREAS, the Boards of Education of the Johnstown Monroe Local School District, Licking Heights Local School District and the Licking County Joint Vocational School District (also known as "Career and Technology Education Centers of Licking County" or "C-TEC") have all waived their rights to (i) receive notice of the Amended and Restated Community Reinvestment Area Agreement under Ohio Revised Code Sections 3735.671 and 5709.83, and (ii) approve the Amended and Restated Community Reinvestment Area Agreement; 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. Amended and Restated Community Reinvestment Area Agreement. The Amended and Restated Community Reinvestment Area Agreement by and between the City and the Company, in the form presently on file with the Clerk of the Council, is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City and which shall be approved by the City Manager. The City Manager, for and in the name of this City, with the advice of the Director of Law, is hereby authorized to execute the Amended and Restated Community Reinvestment Area Agreement and approve the character of any changes and any amendments thereto as consistent with this Resolution and not substantially adverse to the City, as evidenced conclusively by his execution of the Amended and Restated Community Reinvestment Area Agreement.

Section 2. Further Authorizations. Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Community Development Director, the Clerk of Council, 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 Resolution and the transactions referenced or contemplated in this Resolution, including the Amended and Restated Community Reinvestment Area Agreement as approved in this Resolution.

Section 4. Compliance with the Law. Council finds and determines that all formal actions of Council and any of its committees concerning and relating to the adoption of this resolution were taken in an open meeting of 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.

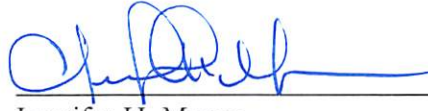
Section 5. Effective Date. This resolution is declared to be in full force and effect from and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 10 day of Nov, 2025.

Attest:



Sloan T. Spalding
Mayor



Jennifer H. Mason
Clerk of Council

Approved as to form:



Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 11/06/2025

Introduced: 11/18/2025

Revised:

Adopted: 11/18/2025

Effective: 11/18/2025



RESOLUTION R-41-2025

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO PARTICIPATE IN CONSORTIUM CONTRACTS FOR REQUIRED SERVICES AND A BID FOR THE COLLECTION, TRANSPORTATION, AND DELIVERY FOR DISPOSAL AND/OR PROCESSING OF RESIDENTIAL SOLID WASTE, RECYCLABLE MATERIALS, YARD WASTE, AND ORGANIC MATERIALS GENERATED WITHIN THE CITY OF NEW ALBANY, OHIO

WHEREAS, pursuant to Section 715.43 of the Ohio Revised Code, the city may establish such collection systems and solid waste facilities as may be necessary or appropriate to provide for the safe and sanitary management of solid waste, including recyclable materials, yard waste, and organic materials generated within the City of New Albany; and

WHEREAS, the City of New Albany and other central Ohio communities have determined that, to foster competition and secure experienced waste collection, disposal and processing services, bidding together as a consortium is desirable; and

WHEREAS, the City of New Albany has determined that it may be in the best interests of its residents that the city arrange for the collection, transportation and delivery for disposal and/or processing of all solid waste, recyclable materials, yard waste, and organic materials generated at residential units and municipal facilities located within the City of New Albany from a single contractor on an exclusive basis ("Collection Services"); and

WHEREAS, the city's current Collection Services Agreement will expire at the conclusion of the existing term on December 31, 2026, and it is necessary to participate in the 2026 SWACO Consortium bid process to ensure continued uninterrupted recycling and collection services beginning January 1, 2027; and

WHEREAS, the council of the City of New Albany desires to authorize the city manager to take all necessary actions to advertise, receive, and evaluate bids through the consortium for the provision of collection and processing services, and to bring forward a recommendation for contract award consistent with the city's procurement procedures.

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 participate in advertisement and bid for the collection, transportation and delivery for disposal and/or processing of residential solid waste,

recyclable materials, yard waste, and organic materials generated within the City of New Albany, together with other central Ohio consortium communities.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

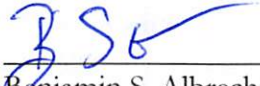
CERTIFIED AS ADOPTED this 16 day of Nov, 2025.

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

Approved as to form:


Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 11/07/2025

Revised: 11/14/2025

Introduced: 11/18/2025

Revised:

Adopted: 11/18/2025

Effective: 11/18/2025



RESOLUTION R-42-2025

A RESOLUTION TO AMEND THE CITY'S GROUND LEASE WITH THE NEW ALBANY PLAIN LOCAL JOINT PARK DISTRICT TO PROVIDE FOR THE DEVELOPMENT AND OPERATION OF THE MIRACLE FIELD

WHEREAS, on April 2, 2018, the City of New Albany entered into a ten (10) year ground lease with the New Albany Plain Local Joint Park District to provide for the development and operation of the New Albany Miracle Field; and

WHEREAS, on January 19, 2021, New Albany City Council adopted Resolution R-05-2021 authorizing the city manager to execute the first amendment to said lease and extend the lease from ten (10) years to twenty (20) years; and

WHEREAS, the New Albany Miracle League has requested the city's approval of a second amendment to the lease to facilitate the construction of a building within the boundaries of the existing Miracle Field site that would house restrooms, a concession area with warming kitchen, and a flex space; and

WHEREAS, the Miracle League of New Albany intends to seek the assistance of the Adaptive Sports Connection for the construction of the facility; and

WHEREAS, in order to provide funding for the facility, Adaptive Sports Connection must be added to the lease as a sub-lessee, as is the case with the Miracle League of New Albany.

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

Section 1. The city's ground lease with the New Albany Plain Local Joint Park District shall be amended to include, as a permitted structure, a multi-purpose building that will include restrooms, a concession stand with warming kitchen, and a flex space, the total area of which will be approximately 5,000 square feet.

Section 2. The city's ground lease with the New Albany Plain Local Joint Park District shall also be amended to include Adaptive Sports Connection as a permitted sub-lessee under the previously approved lease terms.

Section 3. The city manager is hereby authorized to execute a Second Amendment to the Swickard Woods Ground Lease, as shown in Exhibit A or substantially similar thereto, between the city and the New Albany Plain Local Joint Park District.

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 and that all deliberations of this council and 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 5. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 16 day of Nov, 2025.

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

Approved as to form:


Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 11/07/2025

Revised: 11/14/2025

Introduced: 11/18/2025

Revised:

Adopted: 11/18/2025

Effective: 11/18/2025

**SECOND AMENDMENT TO SWICKARD WOODS GROUND LEASE BETWEEN
THE CITY OF NEW ALBANY AND THE NEW ALBANY-PLAIN LOCAL
JOINT PARK DISTRICT**

This Amendment to the Swickard Woods Ground Lease (hereinafter referred to as "Lease") is made on this ____ day of _____, 202__ between the City of New Albany (hereinafter referred to as "Landlord"), with offices at 99 W. Main Street, New Albany, Ohio 43054 and the New Albany Plain-Local Joint Park District (hereinafter referred to as "Tenant") with offices at 7860 Bevelhymer Road, New Albany, Ohio 43054.

This Amendment modifies and amends the Lease between Landlord and Tenant dated April 2, 2018, the execution of which was approved by Landlord's City Council via Resolution R-58-2017 regarding premises containing approximately five and four fifths (5.792) acres and known as Swickard Woods, situated in the City of New Albany, County of Franklin, State of Ohio, which is more particularly described by the Franklin County Auditor as parcel number 222-003178. Except as modified herein, all of the terms and provisions of the Lease and subsequent First Amendment shall remain in full force and effect. In the event of a conflict between the terms and conditions of the Lease and this Amendment, this Amendment shall govern.

The Lease Agreement is modified and amended as follows:

1. **SECTION 4. CONSTRUCTION OF IMPROVEMENTS (a) Plans and Specifications:** A building approximately 5000 square feet in area containing restrooms, a concession area with warming kitchen and flex space is hereby added as a permitted improvement and replaces the reference to restroom facilities.
2. **SECTION 5. USE AND OCCUPANCY:** A building approximately 5000 square feet in area containing restrooms, a concession area with warming kitchen and flex space is hereby added as a permitted improvement and replaces the reference to restroom facilities.
3. **SECTION 10. SUBLEASE OR ASSIGNMENT:** Adaptive Sports Connection is added as an approved Lessee.

IN WITNESS OF THE ABOVE, the Landlord and Tenant have caused this Amendment to be executed on the day and year set forth above.

{Remainder of This Page Intentionally Left Blank}

IN WITNESS WHEREOF, the parties hereto have executed this Lease the day and year first above written.

Signed and acknowledged
in the presence of:

LANDLORD:
CITY OF NEW ALBANY,
An Ohio Municipal Corporation

Print Name: _____

By: _____
Joseph F. Stefanov, City Manager

Approved as to Form:

Benjamin S. Albrecht, City Law Director

STATE OF OHIO :
:ss.
COUNTY OF FRANKLIN :

The foregoing instrument was acknowledged before me this ____ day of _____,
202__ by Joseph F. Stefanov, City Manager of the City of New Albany, an Ohio Municipal Corporation,
for and on behalf of said City.

Notary Public

Signed and acknowledged
in the presence of:

TENANT:
NEW ALBANY PLAIN-LOCAL JOINT
PARK DISTRICT

Print Name: _____

By: _____
David Wharton, Director

STATE OF OHIO :
 :SS.
COUNTY OF FRANKLIN :

 The foregoing instrument was acknowledged before me this ____ day of _____,
202____, by David Wharton, Director of the New Albany-Plain Local Joint Park District, for and on behalf
of said District.

Notary Public