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City
Council

Legislative Bulletin

An Official Publication of the Hilliard City Council

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RESOLUTIONS

The following Resolutions were passed by Hilliard City Council on May 26, 2020.

20-R-42 ACCEPTING A 0.008 ACRE PERMANENT EASEMENT FROM THE HILLIARD PRESBYTERIAN CHURCH FOR CIP T-43 "LEAP ROAD STORM SEWER IMPROVEMENTS, PHASE 1".

WHEREAS, Hilliard Presbyterian Church owns 4.624 acres± of property identified as parcel number 050-002837 by the Franklin County Auditor's Office, which parcel is located at 3600 Leap Road at the northeast corner of Leap Road and Edgewyn Avenue ("Property"); and

WHEREAS, in 2001, the City of Hilliard constructed a sidewalk in the Leap Road public right-of-way across the frontage of the Property to improve pedestrian facilities in the area; and

WHEREAS, this sidewalk is located below the edge of the Leap Road pavement and retains storm water runoff due to no drainage facilities along the sidewalk; and

WHEREAS, this storm water retainage makes the public sidewalk unusable for lengthy periods of time after a rain event; and

WHEREAS, in Ordinance No. 18-24 (Amended), passed January 28, 2019, Hilliard City Council authorized Capital Improvement Project (CIP) ST-43, Leap Road Storm Sewer Improvements, Phase 1 as part of the 2019 capital improvements budget; and

WHEREAS, Phase 1 of the Leap Road Storm Sewer Improvements entails drainage improvements designed by CDM Smith, Inc. as part of a general engineering services contract authorized in Resolution 18-R-67; and

WHEREAS, the public infrastructure improvements include public storm sewer improvements that cannot be constructed within the public street right-of-way at the corner of Leap Road and Edgewyn Avenue and require a permanent easement ("Easement") be granted to the City of Hilliard; and

WHEREAS, a portion of the existing public sidewalk along the northern side of Edgewyn Avenue near Leap Road was not constructed within public street right-of-way as well and must be included in this permanent easement; and

WHEREAS, the Hilliard Presbyterian Church has offered to grant the Easement to the City at no cost in support of the public storm sewer and sidewalk improvements; and

WHEREAS, the Easement located on the Hilliard Presbyterian Church property is described and depicted in Exhibits "A" and "B" attached to this legislation; and

City of Hilliard Legislative Bulletin
an Official Publication of the Hilliard City Council

RESOLUTIONS

20-R-42 continued:

WHEREAS, it is in the interest and benefit of the City of Hilliard and the public-at-large that the Easement depicted on Exhibits "A" and "B" be accepted by the City of Hilliard.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The City of Hilliard accepts a permanent easement from the Hilliard Presbyterian Church as shown and described on Exhibits "A" and "B" **attached** hereto and incorporated by reference herein.

SECTION 2. The City Manager and City Engineer are authorized to approve any necessary administrative changes to effect the proper form and recording of the permanent Easement.

SECTION 3. The City Engineer is authorized to do all acts and to execute all instruments that are necessary or appropriate to carrying out the terms of this Resolution and recording of the Easement.

SECTION 4. This Resolution is effective upon its adoption.

20-R-43 AMENDING THE BOUNDARIES AND ADOPTING DATES AND HOURS OF OPERATION FOR THE DESIGNATED OUTDOOR REFRESHMENT AREA ("DORA") AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE FOR THE USE OF A PARKING LOT DURING THE DORA.

WHEREAS, pursuant to R.C. 4301.82, *et seq.*, on April 24, 2017, City Council adopted Resolution No. 17-R-30 establishing a Designated Outdoor Refreshment Area ("DORA") in Old Hilliard; and

WHEREAS, although special events have been cancelled through June 30, 2020, the City desires to provide opportunities to its residents to enjoy the City's businesses and amenities in Old Hilliard; and

WHEREAS, to provide these opportunities, the City desires to expand the days that the DORA is available to the public to permit the DORA every Wednesday, Thursday, Friday, and Saturday from June 3, 2020 to August 15, 2020; and

WHEREAS, the DORA will operate from 4:00 p.m. to 9:00 p.m. Wednesday through Friday and will operate 11:00 a.m. to 9:00 p.m. on Saturday; and

WHEREAS, the City desires to expand the boundaries of the DORA to provide for easier walkability through the DORA; and

WHEREAS, in order to provide more seating for the public during these times, the City desires to lease a parking lot along Norwich Street; and

WHEREAS, the City will issue guidelines for the operation of the DORA during this time that adheres to all Federal, State, and City orders; and

City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

RESOLUTIONS

20-R-43 continued:

WHEREAS, City Council finds that adopting the 2020 DORA dates and hours of operations and entering into a lease for the parking lot along Norwich Street will further the City's goal of providing outdoor entertainment activities in Old Hilliard.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. City Council adopts the 2020 Old Hilliard DORA dates and times, as listed below:

- Every Wednesday, Thursday, Friday, and Saturday – June 3rd through August 15th
- Times:
 - o Wednesday through Friday – 4:00 p.m. to 9:00 p.m.
 - o Saturday – 11:00 a.m. to 9:00 p.m.

SECTION 2. City Council finds that the boundary of the DORA should be expanded as identified in **Exhibit "A"** attached hereto and incorporated herein.

SECTION 3. The City Manager is authorized to enter into a Lease with M&K Investments PTR, LLC for the use of the Norwich Street Parking Lot in order to provide more seating for the public during the DORA. The City Manager is authorized to enter into the lease agreement substantially similar to the one **attached hereto as Exhibit "B"** and incorporated herein (the "Lease"), with such changes therein that are not inconsistent with this Resolution and not detrimental to the City, with her execution thereof being conclusive evidence that such changes are approved by Council.

SECTION 4. The Clerk of Council shall forthwith forward a certified copy of this Resolution, along with all exhibits, to the Division of Liquor Control and the Investigative Unit of the State of Ohio Department of Public Safety, and to each of the DORA Establishments.

SECTION 5. This Resolution is effective upon its adoption.

20-R-45 AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE CONTRACTS FOR THE 2020 STREET MAINTENANCE AND REHABILITATION PROGRAM (SMRP); AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the Department of Public Service has conducted its annual inspection of streets, alleys, parks, sidewalks, and curb ramps in the City of Hilliard and has identified those needing repair and maintenance; and

WHEREAS, those streets and incidental items needing repair are identified in CIP T-121 "Citywide Street Rehabilitation and Right-of-Way Management Program" ("CIP T-121"); those alleys needing repair are identified in CIP T-122; and those parks needing repair are identified in CIP LB-12 (collectively, CIP T-121, T-122, and LB-12 hereinafter referred to as the "Project"); and

WHEREAS, the Project is identified as a Level One Capital Improvement Project for 2020, which must be implemented for the safety and well-being of the City and its residents; and

WHEREAS, the estimated cost for the base bid of the Project is \$1,752,971.00 and the estimated cost of Alternates are \$726,302.00; and

City of Hilliard Legislative Bulletin
an Official Publication of the Hilliard City Council

RESOLUTIONS

20-R-45 continued:

WHEREAS, after having been duly advertised for two consecutive weeks as required by law, bids for the contract were publicly opened and read aloud at 2:00 p.m., May 21, 2020, and Decker Construction Company, which submitted a base bid in the amount of \$1,467,810.54 was determined to be the lowest and best bidder on the base bid ("Contractor"); and

WHEREAS, the City has elected to award Alternate 1A to Decker Construction Company, which submitted a bid in the amount of \$33,483.18; and

WHEREAS, the City has elected to award Alternate 2A to Decker Construction Company, which submitted a bid in the amount of \$44,688.48; and

WHEREAS, the City has elected to award Alternate 3A to Decker Construction Company, which submitted a bid in the amount of \$30,020.04; and

WHEREAS, the City has elected to award Alternate 4A to Decker Construction Company, which submitted a bid in the amount of \$38,375.02; and

WHEREAS, the City has elected to award Alternate 7A to Decker Construction Company, which submitted a bid in the amount of \$103,834.72; and

WHEREAS, the City has elected to award Alternate 8A to Decker Construction Company, which submitted a bid in the amount of \$20,000; and

WHEREAS, a contingency in the amount of \$159,041.28 is available to cover approved change orders for the base bid and alternates; and

WHEREAS, funds for the Project, totaling \$2,550,000, were appropriated in the 2020 Capital Improvement Budget by Ordinance No. 20-03, passed by City Council on February 24, 2020, and pursuant to Section 3.10 of the Charter of the City, authorization for this contract may be established by resolution of Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. An expenditure for CIP T-121, T-122, and LB-12 is authorized in an amount not to exceed \$2,000,000 from Fund 206, Object 55.

SECTION 2. The City Manager is authorized to enter into a contract with Decker Construction Company, for the 2020 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$1,606,819.71, which amount includes authorization to approve change order in an amount not to exceed \$139,009.17.

SECTION 3. The City Manager is authorized to enter into a contract with Decker Construction Company, for Alternate 1A of the 2020 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$36,161.83 which amount includes authorization to approve change order in an amount not to exceed \$2,678.65.

SECTION 4. The City Manager is authorized to enter into a contract with Decker Construction Company, for Alternate 2A of the 2020 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$48,263.56, which amount includes authorization to approve change order in an amount not to exceed \$3,575.08.

City of Hilliard Legislative Bulletin
an Official Publication of the Hilliard City Council

RESOLUTIONS

20-R-45 continued:

SECTION 5. The City Manager is authorized to enter into a contract with Decker Construction Company, for Alternate 3A of the 2020 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$32,421.64, which amount includes authorization to approve change order in an amount not to exceed \$2,401.60.

SECTION 6. The City Manager is authorized to enter into a contract with Decker Construction Company, for Alternate 4A of the 2020 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$41,445.02, which amount includes authorization to approve change order in an amount not to exceed \$3,070.00.

SECTION 7. The City Manager is authorized to enter into a contract with Decker Construction Company, for Alternate 7A of the 2020 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$112,141.50, which amount includes authorization to approve change order in an amount not to exceed \$8,306.78.

SECTION 8. The City Manager is authorized to enter into a contract with Decker Construction Company, for Alternate 8A of the 2020 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$20,000.

SECTION 9. The Finance Director is authorized to pay DLZ of Ohio to provide construction inspection and testing services required for the Project in an amount not to exceed \$73,390.53.

SECTION 10. The Finance Director is authorized to pay the cost of city staff services to provide construction inspection services required for the Project in an amount not to exceed \$29,356.21.

SECTION 11. The Finance Director is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with expenditure of the funds.

SECTION 12. This Resolution is effective upon its adoption.

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