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City
Council

Legislative Bulletin

An Official Publication of the Hilliard City Council

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Published under the authority of the City of Hilliard Charter and direction of the Clerk of Council. The City of Hilliard Legislative Bulletin contains ordinances and resolutions acted upon by Council. If noted within ordinance text, supplemental and supporting documents, such as exhibits, are available upon request to the Clerk of Council's office, 3800 Municipal Way, Hilliard, Ohio 43026, at 614.876.7361, Ext. 789. Past issues are available by logging onto hilliardohio.gov

ORDINANCES

The following ordinances were passed by Hilliard City Council on June 22, 2020.

20-07 ADOPTING AN ADDITIONAL FIVE-DOLLAR VEHICLE REGISTRATION TAX ON MOTOR VEHICLES REGISTERED IN THE CITY; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio House Bill 62 ("H.B. 62"), which established the 2020-2021 State of Ohio transportation budget became effective July 3, 2019; and

WHEREAS, H.B. 62 enacted Ohio Revised Code Section 4504.173 which authorizes local municipalities to levy an additional five-dollar annual license tax on motor vehicles registered in the municipal corporation; and

WHEREAS, the five-dollar tax increase is in addition to the taxes levied by sections 4503.02 and 4503.07 of the Ohio Revised Code and collected and distributed by the Ohio Bureau of Motor Vehicles; and

WHEREAS, under R.C. 4504.173(A)(2)(a)-(j), the additional five-dollar tax may only be used for costs associated with public roads, highways, and bridges; costs associated with street and traffic signs; debt service obligations; and costs for similar purposes; and

WHEREAS, City Council has determined it is in the best interest of the City to levy this additional five-dollar motor vehicle registration tax on vehicles registered in the municipality; and

WHEREAS, pursuant to R.C. 4504.08, an ordinance levying a motor vehicle license tax shall be certified no later than July 1st of the preceding year in which registration occurs, therefore, in order for the tax to be in effect commencing January 1, 2021, the City respectfully requests emergency passage.

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

SECTION 1. City Council hereby approves the levy of an annual license tax upon the operation of motor vehicles on the public roads or highways pursuant to R.C. 4505.173 for the purposes of paying costs associated with public roads, highways, and bridges, street and traffic signs, debt service obligations, and costs for similar purposes.

SECTION 2. Such tax shall be at the rate of Five Dollars (\$5.00) per motor vehicle on each and every motor vehicle registered within the City of Hilliard, Ohio.

SECTION 3. As used in this Ordinance, the term "motor vehicle" means any and all vehicles included within the definition of motor vehicle in R.C. 4501.01 and 4505.01.

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20-07 (continued):

SECTION 4. The tax imposed by this Ordinance shall apply to and be in effect for registrations commencing on January 1, 2021 and shall continue in effect and application during each registration year thereafter.

SECTION 5. The tax imposed by this Ordinance shall be paid to the Registrar of Motor Vehicles of the State of Ohio or to a Deputy Registrar at the time application for registration of a motor vehicle is made.

SECTION 6. All moneys derived from this tax shall be used by the City of Hilliard for the purposes specified Section 1 of this Ordinance.

SECTION 7. In order to comply with R.C. 4504.08 which requires an ordinance to be certified no later than July 1st of the preceding year in which registration occurs, this Ordinance is declared to be an emergency measure. The Ordinance shall take effect immediately upon its passage.

20-15 APPROPRIATING FUNDS FOR THE REIMBURSEMENT TO RIGGINS RUN APARTMENTS I, LLC FOR THE CONSTRUCTION AND INSTALLATION OF AN OVERSIZED SANITARY SEWER LINE.

WHEREAS, on February 27, 2017, City Council passed Resolution No. 17-R-18, which authorized the City to enter into a Reimbursement Agreement (the "Agreement") with Riggins Runs Apartments I, LLC (the "Developer"); and

WHEREAS, the Agreement authorized reimbursement to the Developer, in an amount not to exceed \$293,000, related to Developer's cost to construct and install a 24" sanitary sewer line to accommodate flows from future development in the City (the "Project"); and

WHEREAS, the Developer is moving forward with Phase II of the construction and installation of the 24" sanitary sewer line at an estimated cost of \$94,950; and

WHEREAS, approximately \$13,000 is still available from the appropriation for Phase I of the Project and to ensure that the City is able to fully reimburse for Phase II and ensure for any cost overruns, it is necessary to appropriate \$85,000.

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

SECTION 1. An appropriation in the amount of \$85,000 from the City's Capital Fund, Fund 304, Object 55 is authorized in order to reimburse Riggins Run Apartments I, LLC pursuant to the Reimbursement Agreement for the construction and installation of an oversized sanitary sewer line.

SECTION 2 If necessary, the City shall, in accordance with R.C. Section 5705.44, request the appropriation of additional funds needed in order to reimburse the Developer in the City's 2021 Capital Budget.

SECTION 3. This Ordinance shall be in effect from and after the earliest time provided for by law.

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RESOLUTIONS

The following resolutions were passed by Hilliard City Council on June 22, 2020.

20-R-44 AFFIRMING THAT FUNDS DISTRIBUTED UNDER HOUSE BILL 481 BY THE STATE OF OHIO TO THE CITY OF HILLIARD SHALL BE EXPENDED BY THE CITY ONLY FOR COSTS PERMITTED UNDER THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, ("CARES Act") was signed into law by the President of the United States on March 27, 2020; and

WHEREAS, the Ohio General Assembly established a process for distributing funds provides by the CARES Act in House Bill 481 of the 133rd General Assembly (H.B. 481); and

WHEREAS, H.B. 481 requires subdivisions receiving funds, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and any applicable regulations before receiving said funds; and

WHEREAS, Hilliard is requesting its share of funds from the County Coronavirus Relief Distribution Fund; and

WHEREAS, Hilliard City Council believes that accepting such funds pursuant to the required conditions is in the best interest of the public health, safety, and welfare of the City of Hilliard.

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

SECTION 1. The City affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481 shall be expended only to cover costs of the city consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 801(d), and outlined more specifically in Section 2.

SECTION 2. The City shall spend funds received under H.B. 481 only on necessary expenditures incurred due to COVID-19 between March 1, 2020 and December 30, 2020 that were not accounted for in Hilliard's most recently approved budget as of March 27, 2020.

SECTION 3. The City Fiscal Officer is directed to take all necessary action to pay any unencumbered balance of money in Hilliard's local coronavirus relief fund to the County Treasurer no later than October 15, 2020 as required by H.B. 481.

SECTION 4. The City Fiscal Officer is directed to take all necessary action to pay the balance of any money in Hilliard's local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management as required by H.B. 481; and

SECTION 5. The City Fiscal Officer is directed to provide information related to any payments received under H.B. 481 to the Director of the Ohio Office of Budget and Management as requested, and as required by H.B. 481.

SECTION 6. This Resolution shall take effect and be in force from the earliest date permitted by law.

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20-R-47 ADOPTING A TENTATIVE TAX BUDGET FOR THE CITY OF HILLIARD FOR THE FISCAL YEAR 2021.

WHEREAS, the City Manager and the Director of Finance have prepared and submitted to City Council a tentative tax budget for the fiscal year 2021, as required by Article VI of the Hilliard City Charter and Section 5705.30 of the Ohio Revised Code; and

WHEREAS, Section 5705.30 of the Ohio Revised Code requires City Council to adopt a tentative tax budget for the City of Hilliard and file a copy thereof with the Office of the Franklin County Auditor by July 20, 2020; and

WHEREAS, a copy of the tentative tax budget for the fiscal year 2021 is attached hereto as Exhibit A.

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

SECTION 1. The tentative tax budget for the fiscal year 2021, which is **attached** hereto as Exhibit A and incorporated by reference herein, is approved and adopted by this Council.

SECTION 2. The Clerk of Council is authorized and directed to certify copies of the tentative tax budget for the fiscal year 2021, as identified in Exhibit A, to the Office of the Franklin County Auditor no later than July 20, 2020.

SECTION 3. This Resolution shall become effective upon its adoption.

20-R-48 AUTHORIZING THE CITY MANAGER TO PURCHASE NETWORK EQUIPMENT; AND AUTHORIZING AN EXPENDITURE.

WHEREAS, the City Manager has determined that an upgrade to the City's network to a hierarchical network in order to support the City's expanded services and utilize the City's fiber infrastructure is needed (the "Equipment"); and

WHEREAS, the Equipment will increase capacity and provide for efficient, fast, and logical traffic forwarding patterns; and

WHEREAS, by the passage of Ordinance No. 19-32 by City Council, funding for the Equipment was appropriated by Council, and pursuant to Section 3.10 of the City's Charter, authorization to purchase the Equipment 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 is authorized in an amount not to exceed \$79,644 from Fund 304, Object 55 to provide funds for the purchase of the Equipment.

SECTION 2. The City Manager is authorized to sign and execute any and all documents or agreements necessary to effectuate the purchase of the Equipment as authorized hereunder.

SECTION 3. The Director of Finance 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 4. This Resolution is effective upon its adoption.

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20-R-49 AUTHORIZING THE CITY MANAGER TO PURCHASE SOFTWARE, HARDWARE, LABOR AND MATERIALS TO IMPLEMENT A CENTRACS ADVANCED TRAFFIC MANAGEMENT SYSTEM.

WHEREAS, the City of Hilliard currently owns and maintains thirty-three traffic signals, including two coordinated signal systems along Cemetery Road and Main Street/Hilliard Rome Road; and

WHEREAS, the software that currently runs the two coordinated systems was originally purchased in 1998 and is no longer supported; and

WHEREAS, on November 13, 2018, City Council adopted Resolution No. 18-R-94 authorizing the Director of Public Service to enter into a contract for the construction of the Cemetery Road/Lacon Road Traffic Signal, which included replacement of the existing twisted pair communication along Cemetery Road to fiber optic cable to meet current standards for signal systems and communications; and

WHEREAS, on December 9, 2019, City Council adopted Resolution No. 19-R-85 authorizing the Director of Information Technology to enter into a contract for construction of the Hilliard Municipal Fiber Network; and

WHEREAS, construction of a citywide fiber optic network allows for upgrades and modernization of the City's traffic signals and signal systems; and

WHEREAS, in February 2020, an internal team (the "Team"), which consisted of members of the Engineering Division, the Operations Division, and the Department of Information Technology, began evaluation of options to upgrade the software and hardware for a citywide traffic management system; and

WHEREAS, in May 2020, the Team determined that purchase of Econolite's *Centracs ATMS* software will provide the City with the best traffic management system and network security; and

WHEREAS, Econolite is the manufacturer of the City's traffic signal controllers, and Pathmaster is the vendor of Econolite products in central Ohio; and

WHEREAS, the cost to purchase the Centracs ATMS software from Pathmaster for twenty-five (25) intersections is \$89,300; and

WHEREAS, the cost to purchase twelve (12) new traffic signal controllers from Pathmaster using current technology is \$45,600; and

WHEREAS, the estimated cost to purchase fiber switches, fiber modems, and other miscellaneous equipment or construction to connect the fiber network to twenty-five traffic signals is \$99,750; and

WHEREAS, funding for the Traffic Management System, including fiber optic communications, was included in the City's Capital Improvement Budget in CIP T-149 Hilliard Traffic Management & Smart Technology Improvement and CIP IT-12 Traffic Signal; and

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20-R-49 (continued):

WHEREAS, by the passage of Ordinance No. 19-32 by City Council on December 9, 2019, funding for the Traffic Management System, including fiber optic communications, was appropriated by Council, and pursuant to Section 3.10 of the City's Charter, authorization to purchase the system 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 is authorized in an amount not to exceed \$234,650 from Fund 304, Object 55 to provide funds for the purchase of software, hardware, and related equipment, materials, and labor to implement a Traffic Management System.

SECTION 2. The City Manager is authorized to sign and execute all documents or agreements necessary to effectuate the purchase of the software, hardware, and related equipment, materials, and labor as authorized hereunder.

SECTION 3. The Director of Finance 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 4. This Resolution is effective upon its adoption.

20-R-50 AMENDING THE BOUNDARIES OF THE OLD HILLIARD DESIGNATED OUTDOOR REFRESHMENT AREA.

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 (the "Old Hilliard DORA"); and

WHEREAS, on May 26, 2020, City Council adopted Resolution No. 20-R-43 setting the dates and hours of operation for 2020; and

WHEREAS, the owner of the Abner's Casual Dinings desires to be removed from the boundaries of the Old Hilliard DORA; and

WHEREAS, to accommodate the request, the City desires to amend the boundaries of the Old Hilliard DORA, as depicted and described on Exhibit "A", attached hereto and incorporated herein.

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

SECTION 1. City Council finds that the boundary of the Old Hilliard DORA should be amended as identified in Exhibit "A" **attached** hereto and incorporated herein.

SECTION 2. The Clerk of Council shall forthwith forward a certified copy of this Resolution, along with exhibit, 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 3. This Resolution is effective upon its adoption.