

Real People. Real Possibilities.™

AGENDA

Regular Council Meeting

7:00 PM June 27, 2022

Council Members:

Andy Teater

Omar Tarazi

Les Carrier

Tina Cottone

Peggy Hale

Pete Marsh

Cynthia Vermillion

President

Vice President

Michelle Crandall, City Manager

Diane (Dee) Werbrich, Clerk of Council

City Hall, Council Chambers • 3800 Municipal Way, Hilliard, OH 43026



Hilliard City Council established the following five broad Strategic Focus Areas to guide the vision of the City. Under each of these Focus Areas is one significant goal to be prioritized during 2021-2022.

Strategic Focus Area #1 – Excellent, Innovative City Services

- Goal Statement – The City will ensure continued delivery of excellent and innovative services in the years ahead by developing a long-term financial plan focusing on fiscal resilience and sustainability.

Strategic Focus Area #2 – Family-friendly, Engaged Community

- Goal Statement – The City will focus on transparency, public trust and resident involvement by developing and implementing a community engagement and communications plan.

Strategic Focus Area #3 – Distinct, Well-Planned Community

- Goal Statement – The City is committed to implementing a strategy that includes public infrastructure maintenance and delivery of City services that support residents as they maintain properties in our older neighborhoods.

Strategic Focus Area #4 – Quality Commercial Development

- Goal Statement – The City will create and implement an economic development plan focused on the attraction, retention, growth and creation of businesses and jobs that provide a strong tax base and quality development.

Strategic Focus Area #5 – Valued Cultural and Recreational Amenities & Programs

- Goal Statement – The City will meet the community's needs for indoor recreational, health and wellness amenities and programming by engaging strategic partners to plan and build a new community center.



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I. Invocation and Pledge of Allegiance

Invocation - Pastor Joseph Chon, Cornerstone Christian Fellowship

The Pledge of Allegiance to the Flag of the United States of America – Mr. Marsh

II. Roll Call

III. Approval of Minutes

- A. June 13, 2022, Special Executive Session
- B. June 13, 2022, Regular Meeting

IV. Commission and Board Reports

Board of Zoning Appeals	Peggy Hale
Destination Hilliard	Cynthia Vermillion
Environmental Sustainability Commission	Pete Marsh
MORPC	City Manager Crandall
Planning & Zoning Commission	Peggy Hale
Public Arts Commission	Omar Tarazi
Recreation and Parks Advisory Commission	Les Carrier/Andy Teater
Shade Tree Commission	Andy Teater
Other Boards/Commissions	President and Vice President

V. Recognition and Special Guests - None

VI. Changes to the Agenda

VII. Consent Agenda - None

VIII. Public Comments (Items not on the Agenda)

Public Notice: Any member of the public addressing Council on items not on this agenda are asked to sign the speaker's sign-in form. Each speaker will contain their comments to **3 minutes** and shall conduct themselves in a professional manner.

IX. Business of the Council

A. Ordinances

Second Readings/Public Hearings

Public Notice: Any member of the public addressing Council on the Public Hearing below are asked to sign the speaker's sign-in form so the Clerk will have accurate information about your name and address. Each speaker will contain their comments to **3 minutes** and shall conduct themselves in a professional manner.

- | | |
|-------|------------------------------------------------------------------------------------------------------------------------------|
| 22-19 | APPROPRIATING FUNDS FOR THE HILLIARD EXPRESS PROGRAM AS A REQUIREMENT OF THE 5310 TRANSPORTATION GRANT RECEIVED BY THE CITY. |
| 22-20 | APPROPRIATING FUNDS FOR THE CONSTRUCTION OF THE CITY'S RECREATION AND WELLNESS CAMPUS. |



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First Readings

- 22-21 AMENDING SECTION 537.16 AND ENACTING SECTIONS 537.161, 537.162, AND 539.07 OF THE CITY'S CODIFIED ORDINANCES REGARDING THE SALE OR OTHER DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, AND ELECTRONIC SMOKING DEVICES TO PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.
- 22-22 APPROPRIATING FUNDS FOR THE HILLIARD DEVELOPMENT CORPORATION'S PURCHASE OF 3978 BROWN PARK DRIVE.

B. Resolutions

- 22-R-49 APPROVING A MODIFICATION TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR 2.465 ACRES KNOWN AS RESERVES "B" AND "C" (SUBAREAS C1 AND C2) OF THE ANDERSON MEADOWS PUD LOCATED ON THE NORTH SIDE OF ROBERTS ROAD APPROXIMATELY 1,500 FEET EAST OF ALTON DARBY ROAD TO SPECIFY USES AND DEVELOPMENT STANDARDS.
- 22-R-50 ACCEPTING THE DEDICATION OF EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE INCLUDING CROSS ACCESS EASEMENTS FOR ANDERSON MEADOWS SECTION 1 REPLAT OF RESERVES "B" & "C".
- 22-R-51 ADOPTING A TENTATIVE TAX BUDGET FOR THE CITY OF HILLIARD FOR THE FISCAL YEAR 2023.
- 22-R-52 AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE CONTRACTS FOR THE 2022 STREET MAINTENANCE AND REHABILITATION PROGRAM (SMRP); AND AUTHORIZING THE EXPENDITURE OF FUNDS.
- 22-R-53 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARCHITECTURAL GARDENS, INC FOR THE MERCHANT PARK, ROTARY LABYRINTH PROJECT (CIP RP-2).
- 22-R-54 APPOINTING MEMBERS TO THE BOARD OF TRUSTEES OF THE HILLIARD COMMUNITY AUTHORITY.

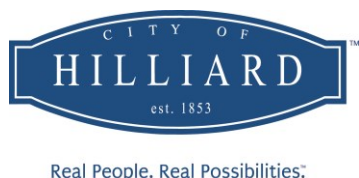
X. President's Communication

XI. Staff Reports

XII. City Manager Updates

XIII. Items for Council Discussion

Adjournment



CITY COUNCIL

June 13, 2022
Special Executive Session Minutes

CALL TO ORDER

The meeting was called to order by President Teater at 4:00 PM.

ROLL CALL OF MEMBERS

Attendee Name:	Title:	Status:
Andy Teater	President	Present
Omar Tarazi	Vice President	Late – Arrived at 4:08 PM
Les Carrier	Councilman	Present
Tina Cottone	Councilwoman	Present
Peggy Hale	Councilwoman	Present
Pete Marsh	Councilman	Present
Cynthia Vermillion	Councilwoman	Present

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, Economic Development Director David Meadows and Clerk of Council Diane Werbrich

Others Present: Steve Watham, Equity LLC

Ms. Vermillion, seconded by Ms. Cottone, moved to recess to Executive Session for matters pertaining to economic strategies (Charter Section 2.10(1)(g)).

Mr. Carrier (inaudible). Mr. Carrier asked how Council can go into Executive Session for Norwich Township when they could not a few weeks ago. He asked if Council could be informed of Executive Session topics prior to the meeting. Mr. Hartmann replied that the change is that part of the Executive Session is to specifically discuss TIFs and the economic development involved in that. Mr. Carrier stated he will have to recuse himself from that part of the Executive Session discussion since he has applied for the open Township seat. He mentioned he was unaware of what the Executive Session topics were.

Ms. Cottone asked if Mr. Carrier put in for the open Norwich Township position. Mr. Carrier replied that he is being considered.

MOVER:	Cynthia Vermillion
SECONDER:	Tina Cottone
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

EXECUTIVE SESSION

Council recessed to Executive Session at 4:04 PM.

Mr. Carrier recused himself from the Executive Session at 4:47 PM and returned at 5:02 PM.

Vice President Tarazi, seconded by Ms. Cottone, moved to end the Executive Session at 5:14 PM.

MOVER:	Omar Tarazi
SECONDER:	Tina Cottone
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

President Teater reconvened the Special/Executive Session meeting at 5:14 PM.

Minutes Acceptance: Minutes of Jun 13, 2022 4:00 PM (Approval of Minutes)

ITEMS FOR COUNCIL DISCUSSION - None

Vice President Tarazi, seconded by Mr. Marsh, moved to adjourn the meeting by Voice Vote.

MOVER:	Omar Tarazi
SECONDER:	Pete Marsh
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

ADJOURNMENT – 5:14 PM

Andy Teater, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____



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CITY COUNCIL

June 13, 2022 Regular Meeting Minutes

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Blaine, Hilliard United Methodist Church gave the Invocation.

Ms. Hale led The Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Attendee Name:	Title:	Status:
Andy Teater	President	Present
Omar Tarazi	Vice President	Present
Les Carrier	Councilman	Present
Tina Cottone	Councilwoman	Present
Peggy Hale	Councilwoman	Present
Pete Marsh	Councilman	Present
Cynthia Vermillion	Councilwoman	Present

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, Finance Director Dave Delande, City Engineer Clark Rausch, City Planner John Talentino, Recreation and Park Director Ed Merritt, Recreation and Parks Deputy Director Erin Duffee, Transportation and Mobility Director Letty Schamp, Community Relations Administrator Anna Subler and Clerk of Council Diane Werbrich

Others Present: Don McCarthy, President, McCarthy Consulting (Owners Rep)

APPROVAL OF MINUTES

President Teater asked if there were any changes or corrections to the May 23, 2022, Regular meeting minutes. Hearing none, the minutes were approved as submitted.

STATUS:	Accepted
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

COMMISSION AND BOARD REPORTS

Board of Zoning Appeals - Ms. Hale reported a meeting is scheduled for this week.

Destination Hilliard - Ms. Vermillion announced DH will be going to quarterly meetings.

Environmental Sustainability Commission - No report.

Mid-Ohio Regional Planning Commission (MORPC) - No report.

Planning and Zoning - Ms. Hale reported the Commission will be discussing chickens and bees in the City per a recommendation from the ESC

Public Arts - No report.

Recreation and Parks Advisory Commission - Mr. Carrier reported the Commission is working on the Rectangular Field Policy.

Shade Tree Commission - President Teater announced the Commission held a meeting on Tuesday, June 7, 2022. He said the group is an outstanding group of individuals who are very knowledgeable about trees and bushes and the City is lucky to have them.

Minutes Acceptance: Minutes of Jun 13, 2022 7:00 PM (Approval of Minutes)

Other Boards/Commissions - No report.

RECOGNITION AND SPECIAL GUESTS - NONE
CHANGES TO THE AGENDA - NONE

CONSENT AGENDA

President Teater asked if any member wished to move this to the Regular agenda for further questions or discussion. No one wished to move this item from the Consent Agenda.

22-R-46 ACCEPTING SANITARY SEWER PUBLIC IMPROVEMENTS FOR THE INN AT LIBRARY WAY ASSISTED LIVING AND MEMORY CARE FACILITY.

STATUS: Adopted by Voice Vote (7-0)

AYES: Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

President Teater announced 22-R-46 passed and will take effect at the earliest time allowable by law.

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

John Vance, 5628 Westbriar Drive, requested consideration of a skate park at one of the City's parks. Ms. Vermillion offered to speak with Mr. Vance about this if he would like to contact her.

Hayden Kimes, 5190 Norwich Street, stated he submitted comments regarding the short-term rentals and requested the reinstatement of the Old Hilliard Commission or creation of an Old Hilliard Task Force.

BUSINESS OF THE COUNCIL

A. Ordinances

SECOND READINGS/PUBLIC HEARINGS

Ms. Clodfelder stated that per Council's motion at the May 23, 2022, Regular meeting, the exhibit to this ordinance was amended to include all residences in the two Old Hilliard Districts. Ms. Crandall added that based on the feedback received from the Norwich Street residents and the various questions from Council, staff began reviewing examples of these types of ordinances with specific focus on the registration/application process. Assuming the majority of Council would be interested in allowing short-term rentals, staff would recommend postponing this legislation to allow time to put together a draft registration and process, which will look at addressing some of the concerns some of the residents may have. A registration/application process will allow, if there is a complaint or violation, the City to revoke the registration or not allow them to renew. Ms. Crandall apologized for the residents who attended the last Regular meeting and felt they could not speak to this ordinance. She noted Council Rules allows public comments at second readings and is something that is being reviewed as part of the Rule changes. Ms. Crandall added there used to be three readings of ordinances and public comments made sense at the second reading and it does not make sense now because members of the public should be able to speak on any item on the agenda whether it is a first reading or second. Ms. Crandall reported public notice will also be reviewed because in this particular case it affects a certain area of the City and notice should be given of first reading to those groups.

Mr. Carrier asked if notices were sent. Ms. Crandall replied that a notice was sent for this second reading/public hearing. She noted in these situations, the City should be giving notice to residents in the affected areas of first readings.

The following spoke in opposition of Ordinance 22-18:

Greg St. Clair, 4109 Main Street, was against Airbnbs in residential areas.

Colin Knell, 5180 Norwich Street.

Ben Buoni, 5199 Norwich Street, in favor of reinstating the Old Hilliard Commission.

Kim Buoni - signed up but did not speak.

Chelsea Kimes, 4095 Main Street & 5190 Norwich Street, in favor of reinstating the Old Hilliard Commission.

Erich Keller, 5137 Hamilton Road, asked several questions. President Teater offered to answer his questions after the meeting.

The following spoke in favor of Ordinance 22-18:

Andy Warnock who is contemplating an Airbnb in Old Hilliard believes the vibrancy of Old Hilliard would improve with these types of facilities.

Mr. Carrier asked if Mr. Warnock spoke to the City before investing the money in his property. Mr. Warnock replied that he did contact the City and was told that as of then it was a permitted use unless it was deemed a nuisance or had numerous complaints. He stated, as a developer and on the advice of staff, he has moved forward with this property and has spent significant money and contemplated changes to put safeguards around short-term rentals could potentially hurt his project after spending the money on a use that he could enjoy today. He stated it would be a first to have a use pulled mid project.

Ms. Hale asked if Mr. Warnock will use local cleaning or property management companies. Mr. Warnock replied they would self-manage; his corporate headquarters is four parcels down from the contemplated property at 5222 Norwich Street and all the contractors are local.

Jarod Mason, 5208 Norwich Street, he did agree with having a registration/regulations process.

Mr. Talentino stated there was some discussion regarding permitted uses and there some confusion when the City spoke to individuals about Bed and Breakfast, hotel and Airbnb uses. He explained that in the Old Hilliard Mixed Use District (Main Street and a block to either side), not including Norwich Street, which is in a Residential District, hotels are conditional uses and residential uses are permitted in both districts. Mr. Talentino reported there is confusion in some states and their supreme courts as to whether an Airbnb is a residential or commercial use. He added to make it absolutely clear and to get this discussion in this venue, staff suggested and brought forward this potential code revision so that it is absolutely clear. Bed and breakfasts are permitted in the Rural Residential District and currently not permitted in the Old Hilliard District. Mr. Talentino added the main point is to discuss what zoning districts would it be appropriate in and what provisions in the code are needed to make them happen. If it was a conditional use, what conditions would it be based on; if it is a permitted use, what standards would they have to meet for that to happen. The City's code allows for similar use provisions, which is any use that is not listed but may be similar to a use can be allowed into those circumstances. The City did not want to deal with that and is why this is a proposed ordinance to make it clear that Airbnbs and bed and breakfasts are permitted here or however Council thinks it should be changed, which could be discussed. Mr. Talentino stated it would make clear what is permitted where. He noted staff is not against a registration process but did not want to be bogged down with the amount of effort staff would need to put forth especially when this use is not being demonstrated or problematic. To his knowledge, a complaint has never been received about an Airbnb use in the City. He mentioned when checking the Airbnb or VRBO websites, there are some listed on those sites, but the City has not received a complaint or had the opportunity to go and say this use is there but not strictly listed as a permitted use in the Code. It becomes more difficult with enforcement because someone can advertise, but until a property is rented, the Code has not been violated. There is no prohibition on advertising, but on the actual use. The City does not want to have a Code that is hard to enforce because it is not easy to determine what is happening, but if this use is going to be happening, the City should get on the front end of it to make it

harmonious to the adjacent properties and similar to the comments heard this evening. Everyone wants it to be harmonious, preserve the character of Old Hilliard and to keep it vibrant. Mr. Talentino reported that this is the first step in the process, which is to make the Code change and have this discussion. He believes that it is not currently permitted in the Old Hilliard Districts, and this would make it clear whether it is or not and where and how it is permitted in those two districts.

President Teater asked if Norwich Street is part of the Old Hilliard District. Mr. Talentino replied that Norwich Street is part of the Old Hilliard Residential District, which does allow for some commercial uses (restaurants, retail, etc.). They have additional standards when adjacent to a residence in terms of landscaping requirement, setback, etc. He noted it allows for a mixture of uses, just not as many as allowed in the Mixed-Use District on Main Street.

Ms. Vermillion reiterated that just because the City has not received any complaints, that there have not been any. She mentioned the example she gave in her neighborhood, which although no one complained to the City, there was a lot of complaining among the neighbors. Mr. Talentino replied the City is aware of that and other uses that are not permitted that the City has to investigate, enforce and go through that process.

Mr. Carrier asked why Mr. Warnock thought it was allowed in the Code and Mr. Talentino said it was not. Mr. Talentino replied that the reason this came through the Planning Commission (PC) and then to Council is because, in his opinion, it is not permitted the way Mr. Warnock wants to do it. To be able to issue a zoning permit, the Code needs to be changed. If this was going to move forward the City wanted to make it relatively easy to enforce and clear whether it is permitted or not and where. The PC recommended some adjustments, and this is the result of going through that process. Mr. Carrier asked Mr. Hartmann if he had any information on whether a Homeowners Association (HOA) can limit this or have deed restrictions. Mr. Hartmann replied that he will provide follow-up but assumes that it is a possibility that they can do that. The concern would be if the City is forcing them to go through the zoning process. Mr. Talentino stated that if the City's Code allowed something, the City would have to permit the use even if something violates a deed restriction or HOA. It would be up to another mechanism to enforce the deed restriction.

Mr. Hartmann clarified that when there is a zoning code that is ambiguous on certain uses, the court will generally rule against the municipality when enforcing something. He explained a court could possibly file an Administrative Appeal that the use is allowed because the City has no written prohibition in the Code.

Mr. Carrier asked how many short-term rentals Mr. Talentino believes have already occurred even if there is nothing in the Code. Mr. Talentino replied that occasionally staff looks on the websites and the greatest number of rooms were advertised on the hotel and apartment properties. From a street view someone cannot tell if it is someone renting a hotel room or using an Airbnb, which makes it tough on the enforcement side and a lot of it has to do with what is the actual use of the building and is what the City goes by. If the right provisions are in place, then the City can hold them accountable or discern right from wrong. He noted these can be adjusted.

Mr. Carrier asked what the enforcement mechanism is if someone rents their house as an Airbnb. Mr. Talentino replied that their recommendation is to only allow them in the Old Hilliard District, which would have to be a minimum of a 1,500 square foot single family home, which limits how many the City could have. Mr. Carrier then asked if someone is renting their house as an Airbnb in Ms. Vermillion's neighborhood, what can be done about that. Mr. Talentino replied that staff could look online to see if someone is actively renting their home or go by the home to see who is there or registered to vote at that address. This is where the City starts because this is not easy to enforce. Mr. Hartmann reported that in the last month House Bill 563, where the State was going to stop local government from having any ability to stop Airbnbs, which died when the legislatures went to recess but could be proposed again. He believes that is a clear violation of home rule and this House Bill was going to stop the City from having any ability to stop Airbnbs. Mr. Talentino added this is an attempt to make it clear on what is permitted or not.

Ms. Vermillion reported that the City just cannot look on websites to see about Airbnbs in the City because the addresses are not listed.

President Teater asked what makes a short-term rental a short-term rental. Mr. Talentino replied that the definition is less than 30 consecutive days.

Michelle Buoni, 5167 Norwich Street, presented a petition of approximately 26 signatures in opposition to Ordinance 22-18. She is in favor of reinstating the Old Hilliard Commission.

President Teater asked if it is Administration's recommendation to postpone this legislation. Ms. Crandall agreed with the thought that staff would come back with a draft registration and process for Council review, along with the larger issue on how Council would like to decide on Airbnbs or short-term rentals. Ms. Cottone asked if that would include the possibility of a bed tax and a defined trial period. Ms. Crandall replied that Community Relations Director David Ball is reviewing what the process would be for a bed tax and if Council wanted to do this as a trial period/pilot program, this could be defined. Ms. Cottone mentioned the email Ms. Crandall forwarded from Mr. Combs regarding other requirements that have been used by other cities and she feels have value. For example, no parking of recreational vehicles, defined parking and not on the street, a limit on the number of people per square foot and the maximum number of rental rooms per location. She would like some of these to be reviewed as well.

Mr. Carrier asked what happened to the Old Hilliard Commission. Mr. Talentino replied that the intent was to simplify the review process for development because sometimes in Old Hilliard it would have to go to three boards/commissions. Similar standards were codified versus in the Design Guidelines book. Mr. Carrier stated the City is doing a lot of things in Old Hilliard and people who live there want to be actively involved. He challenged staff to come up with a way to balance those interests and bring it back to Council. Mr. Carrier stated that it may not be in the form of a commission but some way that the City is getting that input. There are a lot more changes coming there. He added the City pulled it off with the Crooked Can and that is what the City needs to continue to do but do it in the right way. Mr. Talentino explained that the intention was that the duties of the Old Hilliard Commission were rolled into the Planning Commission review to reduce the review for development.

Ms. Vermillion asked if there is a preliminary estimate on how much the City would benefit dollar wise from allowing these. Ms. Crandall replied that a direct benefit would be if the City charged for a permit, some minimal amount of hotel/motel tax and there could some secondary benefit to the businesses in Old Hilliard but it is hard to put an amount on it.

Ms. Vermillion reported that she visited some of the websites Mr. Combs provided and they all have a long list of issues that these permits can be denied, revoked or suspended for. She feels that the City has not given much thought to this whole issue and would like the City to delve more into some of these issues. She recognizes that it is a lot of work but that this needs to be done right to protect residents or the City does not allow them at all. Ms. Crandall replied that many of the cities listed are larger cities or tourist spots and they would have many short-term rentals, so they put in a lot more regulations. She added the City needs to find a balance between what makes sense, is not overly burdensome for someone who wants one and also protects the residents in the area for the common things that they have concerns or fears of.

Vice President Tarazi stated that whatever the City does, but if no one is watching then how can it be determined who is renting for a month, six months or a week. Is the City going to hire staff to check and if not, then this just creates a huge amount of paperwork and red tape for essentially one person who stated they were going to do this.

Ms. Hale reported that there is a house listed on Airbnb website in Old Hilliard who are a super host, have 136 reviews and rated at 4.98. She noted they have the best reviews of Hilliard and that house that she

has ever heard of. She does not see how these reviews, pictures or comments would be detracting from Old Hilliard on this one site.

Ms. Crandall asked that Council postpone Ordinance 22-18 to the July 11, 2022, Council meeting, which will give staff more time to research and bring something back to Council that is more thoughtful.

22-18 AMENDING CHAPTERS 1105, 1115 AND 1121 OF THE CITY'S CODIFIED ORDINANCES TO REGULATE SHORT-TERM RENTAL FACILITIES AND MODIFY REGULATIONS FOR BED AND BREAKFAST INNS

Mr. Carrier, seconded by Ms. Hale, moved to postpone Ordinance 22-18 to July 11, 2022, by Voice Vote.

STATUS:	Postponed to July 11, 2022
MOVER:	Les Carrier
SECONDER:	Peggy Hale
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

FIRST READINGS

22-19 APPROPRIATING FUNDS FOR THE HILLIARD EXPRESS PROGRAM AS A REQUIREMENT OF THE 5310 TRANSPORTATION GRANT RECEIVED BY THE CITY.

Mr. Merritt reported this ordinance is to appropriate additional funds for the Hilliard Express Program as a requirement for receiving the 5310 Transportation Grant from MORPC in the amount of \$64,695.00. This is a reimbursement grant and is why they are asking for additional funds to be added to the budget

STATUS:	First Reading
SPONSOR:	Cynthia Vermillion
SECONDER:	Pete Marsh
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
President Teater announced the second reading/public hearing will be June 27, 2022.	

22-20 APPROPRIATING FUNDS FOR THE CONSTRUCTION OF THE CITY'S RECREATION AND WELLNESS CAMPUS.

Mr. Tony Collins, President and CEO of the YMCA of Central Ohio, 1907 Leonard Avenue, Columbus, OH. Also in attendance is Mr. Patrick Russell, Executive Director of the Hilliard/Ray Patch YMCA and Doug Hile, Chair of the Hilliard/Ray Patch YMCA Advisory Board.

Mr. Collins stated to be responsive to the community in this difficult time, the YMCA lowered their rates and they have seen more and more people coming back to YMCA month after month. There are 7,100 members back at the YMCA and active every day. They have taught over 180 kids to swim in the first quarter and 75 kids a week registered at their full-day camps during the summer. In 2000 the YMCA was looking to expand in Central Ohio and the Hilliard Community came to the YMCA and requested locating a branch here. The Hilliard/Ray Patch YMCA opened in 2004 with the help and support of the YMCA funding of approximately \$14 million and a generous donation of land from the Patch family. Although they have enjoyed collaborating with the City, there has been no tax subsidy or support for those years. The Ray Patch/YMCA has raised and given out \$2.3 million in membership for all dollars to make sure no family or child was turned away from their programming. He understands that the community is interested in more pool space, more courts and more programming space. Mr. Collins stated that he appreciated that Council, as City leaders, are working hard to meet the needs and desires of the Hilliard community but he is disappointed that the City and the YMCA are not working together for one unified community center that would save the community money in operating and most likely construction dollars.

He is thankful for Ms. Crandall and Mr. Merritt for taking the time to meet with them in 2021 to share the path forward for the planned voter issue, park and recreation investment and community center. At that time, he asked the City to consider partnering with the Y and presented an example of their partnership with the City of Reynoldsburg with the Reynoldsburg Community Center YMCA. He stated he shared his concerns about the community center's impact on the Y. He feels strongly that community centers operated in partnership between the Y and local governments are efficient, effective and a good use of funds. For those who are not aware, like Hilliard, the City of Reynoldsburg residents passed a tax to authorize the construction of a state-of-the-art community center and that community center is operated by the YMCA with the support of the mayor, residents and City Council. The City of Reynoldsburg's YMCA serves 10,000 members and receives no tax dollar support for operations from the City. He stated that he hoped the City would consider partnering with the Y to offer the residents of Hilliard a similar opportunity. Mr. Collins reminded everyone that the Y stands here as it has for almost 20 years to support the residents of Hilliard and will continue to provide the best service to their ability, and he would be happy to join in any discussions exploring the idea of collaboration and partnership with the Y in the City of Hilliard.

Ms. Vermillion asked what Mr. Collins was envisioning with this partnership. Mr. Collins replied that originally, they talked about a collaboration between the two entities to try and create a center that would host both. When that wasn't an option, he suggested a collaboration like Reynoldsburg. Ms. Vermillion asked if the Y would move to the new location. Mr. Collins replied that they had not gotten that far since it was not an option. They talked about collaborating and making sure their communication and collaboration with programming moving forward. There are communities in the State of Ohio that have both a Y and a rec center and it is possible but typically those communities are larger. For example, in the City of Cuyahoga Falls there were 50,000 plus people back in the day and both of those facilities exist harmoniously today. In Cuyahoga Falls it is in the center of the city so there is a larger draw of people to fill that population needed so there is a typical saturation rate and both facilities were very comparable. In Hilliard it is a 20-year-old Y facility that has been working to serve the community compared to a new, state of the art facility that is being proposed and is more challenging.

Mr. Carrier asked if Mr. Collins would be willing to put forward a proposal to operate and collaborate with the City and staff on a 85,000 square foot facility with the amenities that apparently will be voted on tonight. Mr. Collins replied that he has told Ms. Crandall and Mr. Merritt that they would be willing anytime to sit down and go over numbers and a collaboration plan if that is of interest to the City. Mr. Carrier asked if he has received a response. Mr. Collins replied the City is interested in moving forward this way because they felt this is the best way to serve the residents.

Vice President Tarazi asked what Mr. Collins would change about the package that was proposed in the Committee of the Whole to make it more harmonious or does he see it has a potential problem for the Y. Mr. Collins replied that he would be very concerned because if you look at the numbers that are being proposed, the Y currently serve 7,100 people, and the City would need 7,000 to join the community center to reach the number presented earlier. That is 14,000 people out of the City of approximately 40,000, which is not typical and typical saturation is between 8-10% saturation in a community with either a YMCA or community center. Either both facilities will be at a smaller percentage, or one facility will have a larger percentage and the other a smaller percentage.

Ms. Vermillion stated that where the proposed site is located, that the community center would pull people from Plain City or Galloway to the west. Mr. Collins reported the site is approximately a half mile from their building, so they are serving the same geographic area. President Teater clarified that people are being pulled from other areas so 40,000 people is not the number being serviced. Mr. Collins replied that is entirely possible.

Vice President Tarazi asked what staff's position on collaboration with the YMCA is. Ms. Crandall replied that staff met with Mr. Collins last fall, and he proposed the Y run the community center and they did not see that as the way forward as Mr. Collins mentioned and left saying, when talking about programming, we want to be sure not to overly duplicate the unique programming that each may want to do. She told

Mr. Collins they will figure out how both survive and thrive. When looking at the number of people moving to Central Ohio, MORPC's numbers indicate that by 2050 there would be over a million more people in Central Ohio. She reported MORPC is reworking the numbers and believes it will be a million more people by 2040 or sooner.

STATUS: First Reading
SPONSOR: Pete Marsh
SECONDER: Cynthia Vermillion
AYES: Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
 President Teater announced the second reading/public hearing will be June 27, 2022.

B. Resolutions

22-R-47 APPOINTING MEMBERS TO THE CITY OF HILLIARD TAX INCENTIVE REVIEW COUNCIL.

Mr. Carrier, seconded by Ms. Cottone, sponsored to adopt this legislation.

President Teater asked for an explanation of the TIRC. Mr. Meadows stated that this is a requirement of any community that has property tax abatements and TIFs. The TIRC provides recommendations as to whether the incentives are in compliance. They normally meet in August but have moved it up to a virtual meeting on June 23, 2022. The TIRC provides recommendations to Council as of the compliance of each of these programs.

President Teater, seconded by Mr. Carrier, moved to appoint Mr. Carrier and Mr. Delande to the TIRC.

STATUS: Adopted (7-0)
MOVER: Andy Teater
SECONDER: Les Carrier
AYES: Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion,
 President Teater announced 22-R-47 passed and will take effect at the earliest time allowable by law.

22-R-48 APPROVING THE STAFF RECOMMENDED PROGRAMMING OF THE RECREATION AND WELLNESS CENTER.

Vice President Tarazi stated the building construction, the design contingency and inflation were added together at \$44.8 million as to what they are intending to build or how they got the recreation aquatics building budget and on top of that adding site construction of \$3.5 million, soft costs at \$9.8 million and CM fees and contingency of \$4.7 million and the owner's contingency of \$3.6. When adding them up, the final draft program that Council is supposedly approving tonight totals \$40,434,000.00. He noted that is approximately a \$4 million difference between the proposed program and the actual budget of \$44.8 million. If there is an extra \$4 million, that could be applied to one of the categories in the program. Vice President Tarazi asked for clarification on the cost gap. Mr. McCarthy explained that this is the way the architects have packaged the budget that was created, and he does not agree with how they packaged it. He stated a project budget has four buckets of money: the construction cost, professional fees (consultants), other owner costs (insurance, furniture, equipment, branding, signage, etc.) and the owner's contingency. He explained where it is labeled owner's project contingency, that is the fourth bucket of money. The \$9.8 soft costs listed makes up the second and third buckets and then everything else listed is part of construction. That makes up the \$66 million project budget. Vice President Tarazi stated the program that is recommended is only \$40 million. Mr. McCarthy replied that Ms. Osborn stated earlier that she had taken out some contingency number, but he was not following what she was talking about when she mentioned it earlier. Vice President Tarazi remarked that he is willing to approve going to the next step but that the information is very confusing. Mr. McCarthy agreed that the way the numbers were packaged is confusing. Vice President Tarazi stated this is an interim approval since they

will be tweaking the program and asked when they will come back. Mr. McCarthy replied that would be at the end of the schematic design process, which they will absolutely do an estimate at that point, but there will be estimates along the way. He reported they would have the ability to come back to Council 30 days from now and he will package the numbers so Council will have a clear understanding of how they relate to the \$66 million. Mr. McCarthy explained that the total project budget is \$66.4 million, the construction cost is \$52.9 million or category 1, category 2 is professional service, which is \$4.8 million, category three which is all the other owner related costs is \$5.4 million and the owner contingency is \$3.1 million, which equals \$66.4 million. He has been working with Ruscilli to carve out the components on space costs and will be able to provide Council with those numbers.

Vice President Tarazi asked about phasing, phase one is everything that is being built, and there may be some room for possible growth that may or may not ever happen. Mr. McCarthy explained that the process that is used is if it is a future phase, not part of this project, provisions would be built in with a master plan of the site so that future parking, future utilities etc. would be thoughtfully put in place as part of the project. If the goal is to maximize the dollars the City has as they move through the process, and are not sure if they can buy something, they will thoughtfully put together a series of alternates that as they move through the process, if the money affords itself, they will buy more scope or more project to build whatever Council and the community feel would be a positive outcome on the financial side. Their goal is to always maximize the dollars.

Ms. Hale asked if once Council votes on this, that it is locked in. Ms. Crandall replied that is correct. The programming before Council is what they are moving forward with. If during schematic design some money was freed up that they did not anticipate, these things would be reviewed to see if there are elements like could the deck be larger in the pool or do something else in the facility that is already part of the programming. She noted a significant amount of money would have to be found to then come back to Council to add something they want. She does not foresee that with where we are with the budget right now. Mr. McCarthy added that is rare these days that you can maximize that but the other thing to be conscious of is to the extent, whatever the idea may be, forces them to redesign the building that they have already kind of designed, which becomes a problem/challenge in terms of execution of the work. They would look for opportunities where things could easily upgrade and/or added on. He noted it is going to be challenging in the current environment.

Ms. Cottone asked when they will start purchasing. Mr. McCarthy replied that the plan right now is towards the end of September when the schematic design is done, and they have their baseline cost estimate.

Vice President Tarazi asked if this could be amended to read "interim" approval. Ms. Crandall replied that this is the programming that the architect needs to move into schematic design, and it would be false to say that this is an interim programming. President Teater added the architect needs to know that Council has confidence in the path forward. Vice President Tarazi stated that he personally does not mind them moving forward but is confused by the numbers and in a month, he has every confidence that they will come back, and things will be clearer.

STATUS:	Adopted (4-3)
MOVER:	Cynthia Vermillion
SECONDER:	Pete Marsh
AYES:	Andy Teater, Tina Cottone, Pete Marsh, Cynthia Vermillion
NAYS:	Omar Tarazi, Les Carrier, Peggy Hale
President Teater announced 22-R-48 passed and will take effect at the earliest time allowable by law.	

PRESIDENT'S COMMUNICATION

President Teater reminded residents that City offices will be closed Monday, June 20, 2022, in observance of Juneteenth.

STAFF REPORTS – None
CITY MANAGER UPDATES – None
ITEMS FOR COUNCIL DISCUSSION - None

Mr. Carrier, seconded by Mr. Marsh, moved to adjourn the meeting by Voice Vote.

MOVER:	Mr. Carrier
SECONDER:	Mr. Marsh
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

ADJOURNMENT – 9:08 PM

Andy Teater, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Jun 13, 2022 7:00 PM (Approval of Minutes)

Council Memo: Legislation (22-19)

Subject: Appropriation of Funds for 5310 Transportation Grant
From: Michelle Crandall, City Manager
Initiated by: Ed Merritt, Director of Recreation & Parks
Date: June 27, 2022

Executive Summary

This legislation appropriates an additional \$64,695.00 to the City's 2022 Operating Budget to support the costs associated with the Hilliard Express (SHARE Mobility, 55+ transportation services). This total amount will be reimbursed to the City through a grant received via MORPC.

Staff Recommendation

Staff recommends that Council approve this legislation to continue the Hilliard Express services through the end of the year.

Background

In late 2020, the City of Hilliard received Federal CARES Act funding and used a portion to assist with pandemic relief for residents through a pilot program of the Hilliard Express. The Hilliard Express is a transportation program that provides residents over the age of 55 and individuals with disabilities a transportation option within the City.

The program continued into 2021 and 2022 with various funds used to operate the program, including additional CARES Act and ARPA funding.

The amount being appropriated is equal to the grant the City received through the Mid-Ohio Regional Planning Commission ("MORPC") as part of the Ohio Statewide Transportation Improvement Program (STIP) grant program. The total amount will be reimbursed to the City.

The City initially applied for and received the grant funding to help purchase a transportation vehicle for the Hilliard Express. Due to a vehicle not being available until 2023 and after considering options, the City requested to use the grant to pay for the services of operating the Hilliard Express. The City purchased a vehicle directly from SHARE Mobility to use for the Hilliard Express Transportation Program using ARPA funds. Having our own vehicle significantly lowers the hourly rate that SHARE Mobility charges the City for their service.

Financial Impacts

This grant is a reimbursable grant, meaning that the City is required to pay for the services first, then submit paperwork for MORPC to be reimbursed. By receiving this grant, the City will receive \$64,695 in funding for community transportation for those residents 55+.

Expected Benefits

This funding will help the City to continue offering the Hilliard Express through the end of the year.

Attachments

- Usage Statistics



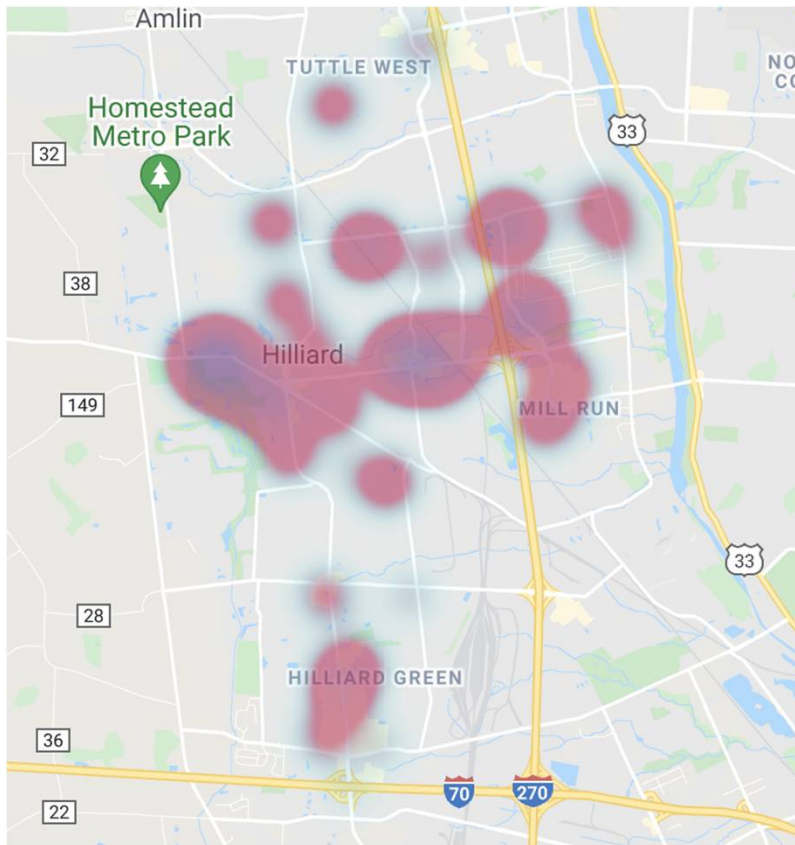
Hilliard Express – What's Next



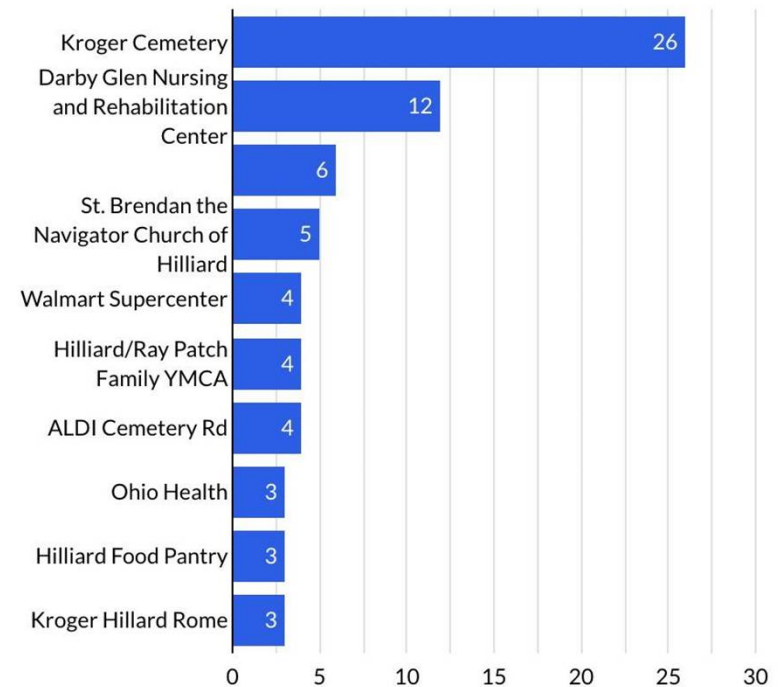
- Health and Wellness 04/26
 - Great Turn out and 9 people were interested and 2 booked already.
- Hilliard Vehicle
 - Purchase Complete and New Hourly Rate proposed to Edgar.
- March and April Invoices will need to be revised with lower Hourly rate.



Hilliard Express – Location Activity

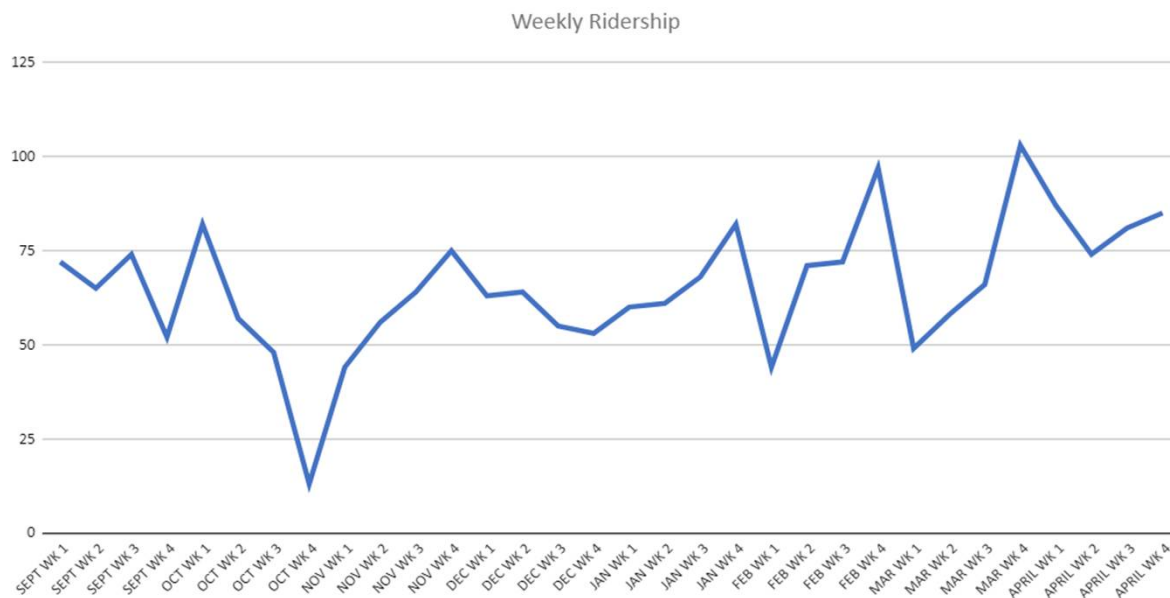


101 Unique Locations
Served Since
Program Launch





Hilliard Express



98/100 Driver Safety Score

6 rider reviews in February, all 5 stars

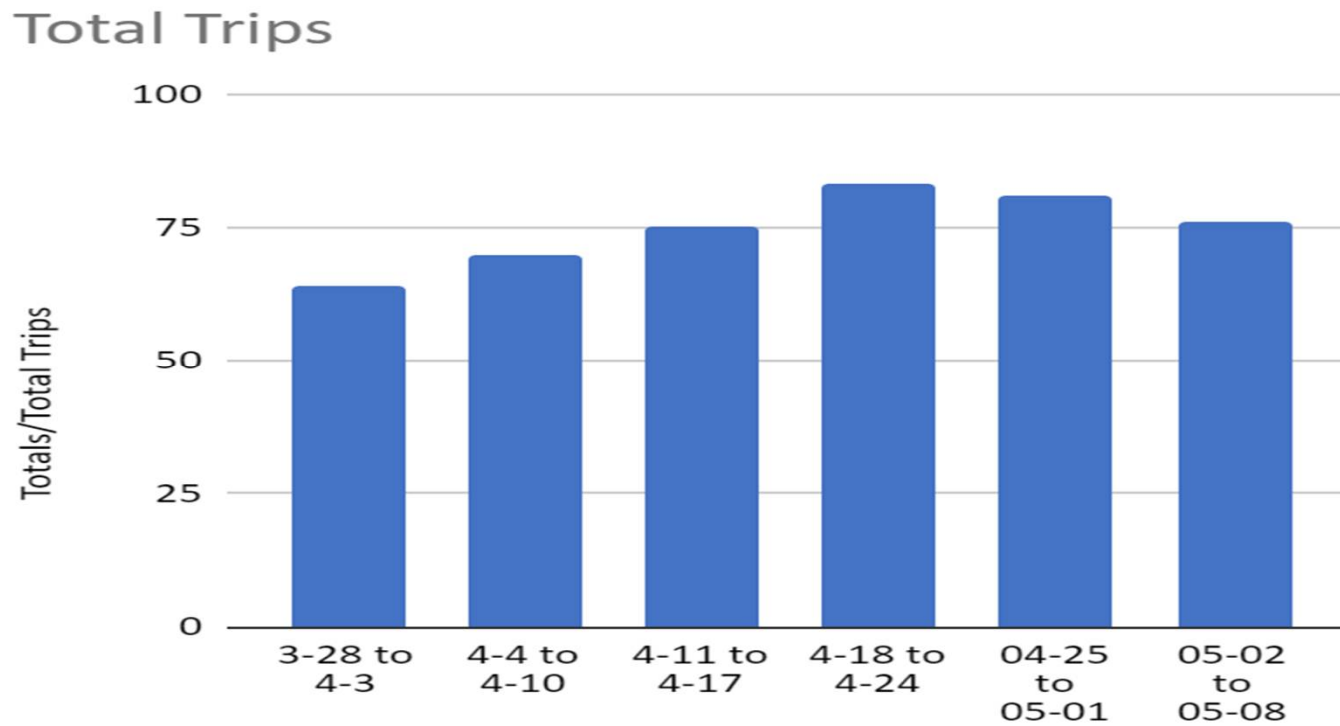
Monthly Trips

September – 211 Trips (Labor Day)
October – 245
November – 262 (Thanksgiving)
December – 272
January 2022 - 271
February 2022- 212
March 2022-276
April 2022- 327

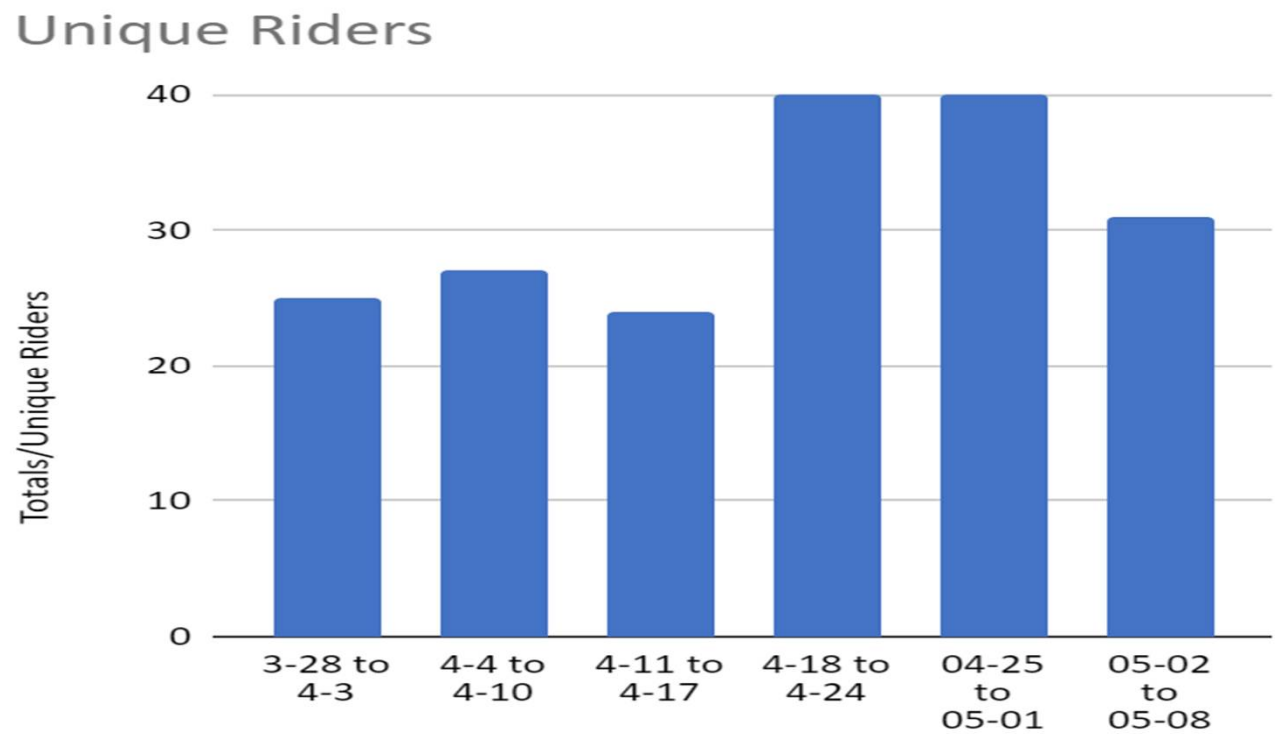
TOTAL 2076
Unique Riders 380

54 Unique Riders in April

Total Trips Per Week



Unique Riders Per Week





Ordinance: 22-19

Passed:

Page 1 of

Effective:

**APPROPRIATING FUNDS FOR THE HILLIARD EXPRESS PROGRAM AS A
REQUIREMENT OF THE 5310 TRANSPORTATION GRANT RECEIVED BY THE CITY.**

WHEREAS, the City of Hilliard ("City") offers a transportation program to residents 55+, called the Hilliard Express, operated by SHARE Mobility; and

WHEREAS, the City applied for a 5310 Transportation reimbursement grant administered by the Mid-Ohio Regional Planning Commission ("MORPC") for the Ohio Statewide Transportation Improvement Program (STIP) to help fund the Hilliard Express; and

WHEREAS, the City received a reimbursement grant for 2022 totaling \$64,695; and

WHEREAS, on November 22, 2021, City Council approved Ordinance No. 21-36 (the "2022 Operating Budget"), which approved funds for City business; and

WHEREAS, the City desires to appropriate an additional \$64,695 for the reimbursement grant from MORPC in order to continue to fund operations for the Hilliard Express this year; and

WHEREAS the City will be reimbursed for all the appropriated funds.

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

SECTION 1. An appropriation in the amount of \$64,695 is authorized from Fund 250, Object 53 for the purpose of funding the Hilliard Express.

SECTION 2. This Ordinance shall be in effect from and after the earliest time provided for by law.

ATTEST:**SIGNED:**

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

✓ Vote Record - Ordinance 22-19						
<input type="checkbox"/> Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Passed	Andy Teater		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Omar Tarazi		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Les Carrier		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Held Over	Tina Cottone		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Referred	Peggy Hale		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Pete Marsh		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading	Cynthia Vermillion		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Positive Recommendation						
<input type="checkbox"/> No Recommendation						

Council Memo: Legislation (22-20)

Subject: Initial Appropriation of Bond Funds
From: Michelle Crandall, City Manager
Date: June 27, 2022

Executive Summary

This Ordinance appropriates funds for the construction of the City's Recreation and Wellness Campus.

Staff Recommendation

Staff recommends that Council approve this piece of legislation.

Background

On November 2, 2021, residents approved increasing the City's municipal income tax by 0.5% and dedicating the resulting funds for recreation and parks, including (but not limited too) construction of the Recreation and Wellness Campus, which includes a new community center and a new athletic complex (the "Project"). Through multiple resolutions, Council has approved agreements for services related to the design and construction of the Project:

Company	Legislation	Services Provided
The Edge Group, Inc.	Resolution No. 22-R-06	Design of Athletic Fields and Landscape Architecture
Prime AE Group of America, Inc.	Resolution No. 22-R-19	Architect and Engineer for the Recreation and Wellness Center
Ruscilli Construction Co., Inc.	Resolution No. 22-R-41	Construction Manager at Risk for the Campus

On March 14, 2022, City Council also approved Ordinance No. 22-10 authorizing the issuance of up to \$95 million in bonds in order to finance the Project. The City, through its issuance, secured \$85 million (the "Bond Funds"). Due to volatility of the market and long lead times on multiple construction items (e.g. steel), the City will be required to move quickly on ordering items. As a result, it is necessary to appropriate a portion of the Bond Funds so that later in the year, when necessary, the City can seek authorization from Council and proceed with the purchase of these items in a timely manner.

Financial Impacts

This legislation appropriates \$40 million of the entire \$85 million that was secured through the issuance of bonds earlier this year.

Expected Benefits

By having this money appropriated, the City will be able to move quickly when seeking Council authorization and purchase items when needed.

Attachments

N/A



Ordinance: 22-20

Passed:

Page 1 of

Effective:

**APPROPRIATING FUNDS FOR THE CONSTRUCTION OF THE CITY'S RECREATION
AND WELLNESS CAMPUS.**

WHEREAS, on November 2, 2021, City electors approved increasing the City's municipal income tax by 0.5% and dedicating the resulting funds to recreation and parks, including the design and construction of the Recreation and Wellness Campus; and

WHEREAS, City Council has approved multiple agreements for the design and construction of the Recreation and Wellness Campus; and

WHEREAS, on March 14, 2022, City Council passed Ordinance No. 22-10 authorizing the issuance of an amount not to exceed \$95 million in bonds in order to fund the design and construction of the Hilliard Recreation and Wellness Campus; and

WHEREAS, due to the volatility of the construction market and the long lead times construction materials, the City will need to purchase items later this year and appropriating funds now will ensure that the City is able seek authorization and purchase in a timely manner; and

WHEREAS, appropriating these funds is in the best interest of the City and its residents.

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

SECTION 1. An appropriation in the amount of \$40,000,000 from Fund 103, Object 53/55 is authorized in order to initiate construction of the City's Recreation and Wellness Campus.

SECTION 2. This Ordinance shall be in effect from and after the earliest time provided for by law.

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

✓ Vote Record - Ordinance 22-20						
<input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Passed <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Held Over <input type="checkbox"/> Referred <input type="checkbox"/> Withdrawn <input type="checkbox"/> First Reading <input type="checkbox"/> Positive Recommendation <input type="checkbox"/> No Recommendation			Yes/Aye	No/Nay	Abstain	Absent
	Andy Teater		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Omar Tarazi		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Les Carrier		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tina Cottone		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Peggy Hale		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Pete Marsh		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Cynthia Vermillion		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Council Memo: Legislation (22-21)

Subject: Amending Codified Ordinances regarding Youth Possession of Vaping Devices
From: Michelle Crandall, City Manager
Initiated by: Dawn Steele, Staff Attorney/Prosecutor
Date: June 27, 2022

Executive Summary

The City of Hilliard recognizes the health and safety risks associated with youth vaping and wants to take into consideration actions that can minimize these risks. The City Administration and Division of Police have worked closely, along with the Hilliard City School District, to propose actions that will deter youth use of electronic smoking devices (commonly referred to as “vapes or vaping devices”).

Staff Recommendation

Staff recommends that Council approve this legislation.

Background

Staff was asked to explore options to better address “youth vaping” and nicotine addiction in our community. After a thorough review of the recent State tobacco law changes, discussions with Hilliard Division of Police, and consulting with Hilliard City School District, Staff suggests considering legislation that is stricter than State tobacco laws to better protect the youth of our community. The proposed legislation is one step towards better enforcement and education that will be part of a larger comprehensive plan. Staff does not feel the State legislation is strong enough to combat the vaping problems in our community. Staff suggests the following differences from State law to better protect our youth:

1. Provide a “penalty” for use, purchase, and possession under 21. The new Tobacco under 21 State Law removed all “penalties” for youth possession, and only provides penalties for those that furnish or sell it.
2. Make Falsification to obtain tobacco and electronic smoking devices an M1. All other forms of Falsification are an M1. This provides better consistency in City Code and affirms the City’s strong position against youth attempting to purchase electronic smoking devices with fake identification.
3. Adopt more inclusive language than the State and ban ALL electronic smoking devices and their component parts, and not just ones used for nicotine.
4. Because of the expanded prohibition to electronic smoking devices that deliver any substance, the City would also need to add language making it not a violation if someone works for a Medical Marijuana Dispensary or are properly enrolled in the Medical Marijuana Program. State law requires us to acknowledge and make these exceptions.

The City anticipates that the legislation will provide better leverage to enter youth offenders into a Youth Diversion Program that educates youth and parents about the dangers of vaping, addresses any underlying issues that led the youth to vaping, and provides smoking cessation and/or addiction services if the youth’s vaping has risen to the level of an addiction.

Financial Impacts

There should not be any significant cost to the City for the Youth Diversion Program needed to enforce the new legislation. The diversion process will be coordinated by the Recovery Court Coordinator position that is already in place and grant funded. Staff has consulted with the Franklin County Juvenile Court Police Initiated Diversion (PID) that became available to the City after this legislation was originally proposed. The City will be able to use the staff and resources of the PID program as needed, at no cost.

Other municipal youth diversion programs charge a fee for participation and Staff proposes implementing a \$100 fee to cover any new costs created by the youth diversion program. Participants

would generally be responsible for the cost of any other educational programs/assessments/treatment they are required to complete as part of the diversion process.

The Hilliard City School District has confirmed eligibility with a grant funded wellness program offered through the Educational Services Center (ESC) that will provide “prime for life” substance abuse education to youth and parents, at no cost to the City or participants.

Upon enactment, Staff can seek funding from ADAMH and other sources to help cover any additional costs that may arise as the program grows.

Expected Benefits

- Increased community awareness about health dangers of vaping
- Coordinated effort to inform parent/guardians if a youth is vaping and offer resources to help address the underlying reasons for vaping
- Decreased vaping use, nicotine addiction, and health issues related to using electronic smoking devices

Attachments

- Exhibits “A” through “D”



Ordinance: 22-21

Passed:

Page 1 of

Effective:

AMENDING SECTION 537.16 AND ENACTING SECTIONS 537.161, 537.162, AND 539.07 OF THE CITY'S CODIFIED ORDINANCES REGARDING THE SALE OR OTHER DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, AND ELECTRONIC SMOKING DEVICES TO PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.

WHEREAS, the City of Hilliard is dedicated to promoting and supporting the health and wellbeing of its residents; and

WHEREAS, there has been a dramatic increase in electronic vaping device use among the youth in the Hilliard community and throughout the nation; and

WHEREAS, the use of electronic vaping devices, especially in youth, include health risks such as chronic nicotine addiction, lung disease and damage, cardiovascular damage, changed brain development, and increased risk for additional substance use; and

WHEREAS, the American Journal of Respiratory and Critical Care Medicine has published research showing the components of electronic smoking devices aerosol have known pulmonary toxicity and that adolescent electronic smoking device users had increased rates of chronic bronchitic symptoms; and

WHEREAS, the American College of Cardiology reports that persons who use electronic vaping devices are significantly more likely to have a heart attack, coronary artery disease, and depression compared with those who don't use them or any tobacco product; and

WHEREAS, research confirms the prefrontal cortex of the brain, which is responsible for emotions and decision making, does not fully develop until about age 25 and nicotine, THC, and other substances affect the development of the brain and the prefrontal cortex; and

WHEREAS, JAMA Pediatrics published research showing young people who use electronic smoking devices are 3.5 times more likely to smoke marijuana later in life; and

WHEREAS, on July 18, 2019, the Ohio legislature acknowledged these health, safety, and welfare concerns and passed HB 166, which amended numerous Sections in Ohio Revised Code increasing the age from 18 to 21 at which a person may purchase, use, or possess tobacco products or other alternative nicotine products; and

WHEREAS, additionally, HB 166 defined vapor products and electronic smoking devices and incorporated them into the definition of alternative nicotine products that are prohibited under twenty-one (21) years of age; and

WHEREAS, the City of Hilliard, recognizing the dangers of smoking and the use of vapor products and/or electronic smoking devices, has determined that it is necessary to incorporate State Code into its Codified Ordinances, as well as ensure that all electronic smoking devices and their component parts cannot be purchased, used, or possessed by those under the age of twenty-one; and

WHEREAS, the City of Hilliard believes that amending Section 537.16 and enacting Sections 537.161, 537.162, and 539.07 of the City's Codified Ordinances, as shown in Exhibits "A", "B", "C", and "D",

attached hereto and incorporated herein, promotes the general health, safety and welfare of the City and its residents; and

WHEREAS, the City of Hilliard is a home-rule charter municipality pursuant to Article XVIII, Section 7 of the Ohio Constitution, which enables the City to have and exercise all powers of local self-government under the Constitution and laws of the State of Ohio.

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

SECTION 1. Council finds that amending Section 537.16, **attached** hereto as Exhibit “A” and incorporated herein, regarding the Illegal Distribution of Cigarettes, Other Tobacco Products, Alternative Nicotine Products, or Electronic Smoking Devices promotes the general health, safety and welfare of the City of Hilliard and its residents. The changes and additions to Section 537.16, as shown and identified in track changes on the attached Exhibit “A”, are approved and shall be incorporated into the City’s Codified Ordinances, from and after the effective date of this Ordinance. All other provisions of Section 537.16, not modified or deleted herein, remain unchanged and are in full force and effect.

SECTION 2. Council finds that enacting Section 537.161, **attached** hereto as Exhibit “B” promotes the general health, safety, and welfare of the City of Hilliard and its residents.

SECTION 3. Council finds that enacting Section 537.162, **attached** hereto as Exhibit “C” promotes the general health, safety, and welfare of the City of Hilliard and its residents.

SECTION 4. Council finds that enacting Section 539.07, **attached** hereto as Exhibit “D” promotes the general health, safety, and welfare of the City of Hilliard and its residents.

SECTION 5. The Council finds that all deliberations and actions of the public body relating to this Ordinance were taken in an open meeting in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 6. To the extent that grant funds, publications and/or proceeds from fines is available, the City of Hilliard may engage in a continuing program to explain and clarify the purposes and requirements of this Ordinance to persons affected by it, and to guide proprietors in their compliance with it.

SECTION 7. This Ordinance shall be in full force and effect from and after the earliest time provided for by law.

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

537.16 ILLEGAL DISTRIBUTION OF CIGARETTES, OTHER TOBACCO PRODUCTS, ~~OR~~ ALTERNATIVE ~~E~~-NICOTINE PRODUCTS, OR ELECTRONIC SMOKING DEVICES; TRANSACTION SCANS.

(a) *Illegal Distribution of Cigarettes, Other Tobacco Products, ~~or~~ Alternative Nicotine Products, or Electronic Smoking Devices.*

(1) As used in this section:

- A. "Age verification." A service provided by an independent third party (other than a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes) that compares information available from a commercially available database, or aggregate of databases, that regularly are used by government and businesses for the purpose of age and identity verification to personal information provided during an internet sale or other remote method of sale to establish that the purchaser is ~~eighteen~~ **twenty-one** years of age or older.
- B. "Alternative nicotine product."
 - 1. Subject to subsection (a)(1)B.2. of this section, an electronic **smoking device**, **vapor product** ~~cigarette~~, or any other product or device that consists of or contains nicotine that can be ingested into the body by any means, including, but not limited to, chewing, smoking, absorbing, dissolving or inhaling.
 - 2. The phrase does not include any of the following:
 - a. Any cigarette or other tobacco product;
 - b. Any product that is a "drug" as that term is defined in 21 U.S.C. 321(g)(1);
 - c. Any product that is a "device" as that term is defined in 21 U.S.C. 321(h);
 - d. Any product that is a "combination product" as described in 21 U.S.C. 353(g).
- C. "Cigarette." Includes clove cigarettes and hand-rolled cigarettes.
- D. "Distribute." means to furnish, give, or provide cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes to the ultimate consumer of the cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes.
- E. "Electronic smoking device." Means any device that can be used to deliver aerosolized or vaporized nicotine or any other substance to the person inhaling from the device including an electronic cigarette, electronic cigar, electronic hookah, vaping pen, or electronic pipe. The phrase includes any component, part, or accessory of such a device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use of the device. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321 and 353(g).
- ~~F. "Proof of age." Means a driver's license, a commercial driver's license, a military identification card, a passport, or an identification card issued under ORC 4507.50 to 4507.52 that shows that a person is eighteen years of age or older.~~
- GF.** "Tobacco product." Means any product that is made or derived from tobacco or that contains any form of nicotine, if it is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, an electronic smoking device, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. The phrase also means any component or accessory used in the

consumption of a tobacco product, such as filters, rolling papers, pipes, blunt or hemp wraps, and liquids used in electronic smoking devices, whether or not they contain nicotine. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321 and 353(g).

- H.G.** "Vapor product." Means a product, other than a cigarette or other tobacco product as defined in ORC Chapter 5743, that contains or is made or derived from nicotine and that is intended and marketed for human consumption, including by smoking, inhaling, snorting, or sniffing. The phrase includes any component, part, or additive that is intended for use in an electronic smoking device, a mechanical heating element, battery, or electronic circuit and is used to deliver the product. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. 321 and 353(g). The phrase includes any product containing nicotine, regardless of concentration.
- H.** "Vending machine." Has the same meaning as "coin machine" in ORC 2913.01.
- (2) No manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes, no agent, employee, or representative of a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes, and no other person shall do any of the following:
- A. Give, sell, or otherwise distribute cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes to any person under twenty-one years of age;
 - B. Give away, sell, or distribute cigarettes, other tobacco products, alternative nicotine products, ~~or~~ **electronic smoking devices**, or papers used to roll cigarettes in any place that does not have posted in a conspicuous place a legibly printed sign in letters at least one-half inch high stating that giving, selling, or otherwise distributing cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes to a person under twenty-one years of age is prohibited by law;
 - C. Knowingly furnish any false information regarding the name, age, or other identification of any person under twenty-one years of age with purpose to obtain cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes for that person;
 - D. Manufacture, sell, or distribute in this state any pack or other container of cigarettes containing fewer than twenty cigarettes or any package of roll-your-own tobacco containing less than six-tenths of one ounce of tobacco;
 - E. Sell cigarettes, ~~or~~ alternative nicotine products **or electronic smoking devices** in a smaller quantity than that placed in the pack or other container by the manufacturer;
 - F. Give, sell, or otherwise distribute alternative nicotine products, papers used to roll cigarettes, **electronic smoking devices**, or tobacco products other than cigarettes over the internet or through another remote method without age verification.
- (3) No person shall sell or offer to sell cigarettes, other tobacco products, ~~or~~ alternative nicotine products, **or electronic smoking devices** by or from a vending machine, except in the following locations:
- A. An area within a factory, business, office, or other place not open to the general public;
 - B. An area to which persons under twenty-one years of age are not generally permitted access;
 - C. Any other place not identified in subsection (a)(3)A. or B. of this section, upon all of the following conditions:

1. The vending machine is located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person, so that all cigarettes, other tobacco product, ~~and~~ alternative nicotine product, **electronic smoking devices** purchases from the vending machine will be readily observed by the person who owns or operates the place or an employee of that person. For the purpose of this section, a vending machine located in any unmonitored area, including an unmonitored coatroom, restroom, hallway, or outer waiting area, shall not be considered located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person.
 2. The vending machine is inaccessible to the public when the place is closed.
 3. A clearly visible notice is posted in the area where the vending machine is located that states the following in letters that are legibly printed and at least one-half inch high: "It is illegal for any person under the age of twenty-one to purchase tobacco, alternative nicotine products, **or electronic smoking devices**."
- (4) The following are affirmative defenses to a charge under subsection (a)(2)A. of this section:
- A. The person under twenty-one years of age was accompanied by a parent, spouse who is twenty-one years of age or older, or legal guardian of the person under twenty-one years of age.
 - B. The person who gave, sold, or distributed cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes to a person under twenty-one years of age under subsection (a)(2)A. of this section is a parent, spouse who is twenty-one years of age or older, or legal guardian of the person under twenty-one years of age.
- (5) It is not a violation of subsection (a)(2)A. or B. of this section for a person to give or otherwise distribute to a person under twenty-one years of age cigarettes, other tobacco products, alternative nicotine products, ~~or~~ **electronic smoking devices**, or papers used to roll cigarettes while the person under twenty-one years of age is participating in a research protocol if all of the following apply:
- A. The parent, guardian, or legal custodian of the person under twenty-one years of age has consented in writing to the person under twenty-one years of age participating in the research protocol.
 - B. An institutional human subjects protection review board, or an equivalent entity, has approved the research protocol.
 - C. The person under twenty-one years of age is participating in the research protocol at the facility or location specified in the research protocol.
- (6) It is not a violation of subsection (a)(2)A. or B. of this section for a person to give or otherwise distribute to a person under twenty-one years of age **electronic smoking devices** if that person is an approved caregiver to the person under twenty-one years of age in the Ohio Medical Marijuana Control Program, as that term is defined in Ohio R.C. Chapter 3796.
- (7) It is not a violation of subsection (a)(2)A. or B. of this section for a person to give or otherwise distribute to a person under twenty-one years of age **electronic smoking devices** if that person is employed at a properly licensed Ohio Medical Marijuana Dispensary, as that term is defined in Ohio R.C. Chapter 3796.
- (68) A. Whoever violates subsection (a)(2)A., B., D., E., or F. or (a)(3) of this section is guilty of illegal distribution of cigarettes, other tobacco products, alternative nicotine products, **or electronic smoking devices**. Except as otherwise provided in this subsection, illegal distribution of cigarettes, other tobacco products, alternative nicotine products, **or electronic smoking devices** is a misdemeanor of the fourth degree. If the offender previously has been convicted of a violation of subsection (a)(2)A., B., D., E., or F. or (a)(3) of this section or a substantially equivalent state law or municipal ordinance, illegal distribution of cigarettes, other tobacco products, alternative nicotine products, or **electronic smoking devices** is a misdemeanor of the third degree.

- B. Whoever violates subsection (a)(2)C. of this section is guilty of permitting a person under twenty-one years of age to use cigarettes, other tobacco products, ~~or~~ alternative nicotine products, ~~or~~ **electronic smoking devices**. Except as otherwise provided in this subsection, permitting a person under twenty-one years of age to use cigarettes, other tobacco products, ~~or~~ alternative nicotine products, **electronic smoking devices** is a misdemeanor of the ~~fourth~~ **first** degree. ~~If the offender previously has been convicted of a violation of subsection (a)(2)C. of this section or a substantially equivalent state law or municipal ordinance, permitting a person under twenty-one years of age to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.~~
- (7) Any cigarettes, other tobacco products, alternative nicotine products, **electronic smoking devices**, or papers used to roll cigarettes that are given, sold, or otherwise distributed to a person under twenty-one years of age in violation of this section and that are used, possessed, purchased, or received by a person under twenty-one years of age in violation of ORC 2151.87 are subject to seizure and forfeiture as contraband under ORC Chapter 2981. (ORC 2927.02)

537.161 AFFIRMATIVE DEFENSE TO CIGARETTE, TOBACCO, ALTERNATIVE NICOTINE PRODUCT, ELECTRONIC SMOKING DEVICE CHARGE.

- (a) A seller or an agent or employee of a seller may not be found guilty of a charge of a violation of 537.16 of the Hilliard Codified Ordinances in which the age of the purchaser or other recipient of cigarettes, other tobacco products, alternative nicotine products, or electronic smoking devices is an element of the alleged violation, if the seller, agent, or employee raises and proves as an affirmative defense that all of the following occurred:
 - (1) A card holder attempting to purchase or receive cigarettes, other tobacco products, alternative nicotine products, or electronic smoking devices presented a driver's or commercial driver's license or an identification card.
 - (2) A transaction scan of the driver's or commercial driver's license or identification card that the card holder presented indicated that the license or card was valid
 - (3) The cigarettes, other tobacco products, alternative nicotine products, or electronic smoking devices were sold, given away, or otherwise distributed to the card holder in reasonable reliance upon the identification presented and the completed transaction scan.
- (b) In determining whether a seller or an agent or employee of a seller has proven the affirmative defense provided by division (a) of this section, the trier of fact in the action for the alleged violation of section 537.16 of the Hilliard Codified Ordinances shall consider any written policy that the seller has adopted and implemented and that is intended to prevent violations of section 537.16 of the Hilliard Codified Ordinances. For purposes of division (a)(3) of this section, the trier of fact shall consider that reasonable reliance upon the identification presented and the completed transaction scan may require a seller or an agent or employee of a seller to exercise reasonable diligence to determine, and that the use of a transaction scan device does not excuse a seller or an agent or employee of a seller from exercising reasonable diligence to determine, the following:
 - (1) Whether a person to whom the seller or agent or employee of a seller sells, gives away, or otherwise distributes cigarettes, other tobacco products, alternative nicotine products, or electronic smoking devices is twenty-one years of age or older;
 - (2) Whether the description and picture appearing on the driver's or commercial driver's license or identification card presented by a card holder is that of the card holder.
- (c) In any criminal action in which the affirmative defense provided by division (a) of this section is raised, the registrar of motor vehicles or a deputy registrar who issued an identification card under sections 4507.50 to 4507.52 of the Revised Code shall be permitted to submit certified copies of the records of that issuance in lieu of the testimony of the personnel of or contractors with the bureau of motor vehicles in the action.

537.162 PROHIBITING PERSONS AGE EIGHTEEN TO TWENTY-ONE FROM POSSESSING, USING, PURCHASING, RECEIVING, OR FURNISHING FALSE INFORMATION TO OBTAIN TOBACCO PRODUCTS OR ELECTRONIC SMOKING DEVICES

- (a) No person who is eighteen years of age or older but younger than twenty-one years of age shall do any of the following unless accompanied by a parent, spouse, or legal guardian of the child, each of whom shall be twenty-one years of age or older:
 - (1) Use, consume, or possess tobacco products or electronic smoking devices;
 - (2) Purchase or attempt to purchase tobacco products or electronic smoking devices;
 - (3) Order, pay for, or share the cost of tobacco products or electronic smoking devices;
 - (4) Except as provided in division (c) of this section, accept or receive tobacco products or electronic smoking devices.
- (b) No person who is eighteen years of age or older but younger than twenty-one years of age shall knowingly furnish false information concerning that person's name, age, or other identification for the purpose of obtaining tobacco products or electronic smoking devices.
- (c)
 - (1) It is not a violation of division (b)(4) of this section for a person who is eighteen years of age or older but younger than twenty-one years of age to accept or receive tobacco products or electronic smoking devices, if the person is required to do so in the performance of the person's duties as an employee of that person's employer and the person's acceptance or receipt of tobacco products or electronic smoking devices occurs exclusively within the scope of the person's employment.
 - (2) It is not a violation division (b)(1), (2), (3), or (4) of this section if the person who is eighteen years of age or older but younger than twenty-one years of age possesses, purchases or attempts to purchase, orders, pays for, shares the cost of, or accepts or receives tobacco products or electronic smoking devices while participating in an inspection or compliance check conducted by a federal, state, local, or corporate entity at a location at which tobacco products or electronic smoking devices are sold or distributed.
 - (3) It is not a violation of divisions (b)(1), (2), (3), or (4) of this section if the person who is eighteen years of age or older but younger than twenty-one years of age possesses, purchases or attempts to purchase, orders, pays for, shares the cost of, or accepts or receives electronic smoking devices while an approved patient in the Ohio Medical Marijuana Control Program with an active Medical Marijuana Card, as those terms are defined in Ohio R.C. Chapter 3796, and uses the electronic smoking device in compliance with the Ohio Medical Marijuana Control Program Guidelines.
- (d)
 - (1) Whoever violates division (a) of this section is guilty of possessing, using, purchasing, or receiving tobacco products or electronic smoking devices. Possessing, using, purchasing, or receiving tobacco products or electronic smoking devices is a misdemeanor of the fourth degree.
 - (2) Whoever violates division (b) of this section is guilty of furnishing false information to obtain tobacco products or electronic smoking devices. Furnishing false information to obtain tobacco products or electronic smoking devices is a misdemeanor of the first degree.

539.07 PROHIBITING CHILD FROM POSSESSING, USING, PURCHASING OR RECEIVING CIGARETTES, OTHER TOBACCO, ALTERNATIVE NICOTINE PRODUCTS, OR ELECTRONIC SMOKING DEVICES

- (a) As used in this section:
- (1) "Tobacco product" has the same meaning as in Section 537.16 of the Hilliard Codified Ordinances.
 - (2) "Electronic Smoking Device" has the same meaning as in Section 537.16 of the Hilliard Codified Ordinances.
 - (3) "Youth smoking education program" means a private or public agency program that is related to tobacco use, prevention, and cessation, that is carried out or funded by the department of health pursuant to section 3701.84 of the Ohio Revised Code, that utilizes education methods focusing on the negative health effects of smoking and using tobacco products, and that is not more than twelve (12) hours in duration.
- (b) No child shall do any of the following unless accompanied by a parent, spouse, or legal guardian of the child, each of whom shall be twenty-one years of age or older:
- (1) Use, consume, or possess tobacco products or electronic smoking devices;
 - (2) Purchase or attempt to purchase tobacco products or electronic smoking devices;
 - (3) Order, pay for, or share the cost of tobacco products or electronic smoking devices;
 - (4) Except as provided in division (e) of this section, accept or receive tobacco products or electronic smoking devices.
- (c) No child shall knowingly furnish false information concerning that child's name, age or other identification for the purpose of obtaining tobacco products or electronic smoking devices.
- (d) A juvenile court shall not adjudicate a child a delinquent or unruly child for a violation of this section.
- (e)
- (1) It is not a violation of division (b)(4) of this section for a child to accept or receive tobacco products or electronic smoking devices, if the child is required to do so in the performance of the child's duties as an employee of that child's employer and the child's acceptance or receipt of tobacco products or electronic smoking devices occurs exclusively within the scope of the child's employment.
 - (2) It is not a violation of division (b)(1), (2), (3), or (4) of this section if the child possesses, purchases or attempts to purchase, orders, pays for, shares the cost of, or accepts or receives tobacco products or electronic smoking devices while participating in an inspection or compliance check conducted by a federal, state, local, or corporate entity at a location at which tobacco products or electronic smoking devices are sold or distributed.
 - (3) It is not a violation of divisions (b)(1), (2), (3), or (4) of this section if the child possesses, purchases or attempts to purchase, orders, pays for, shares the cost of, or accepts or receives electronic smoking devices while an approved patient in the Ohio Medical Marijuana Control Program with an active Medical Marijuana Card, as those terms are defined in Ohio R.C. Chapter 3796, and uses the electronic smoking device in compliance with the Ohio Medical Marijuana Control Program Guidelines.
- (f) If a juvenile court finds that a child violated division (b) or (c) of this section, the court shall do either or all of the following:

- (1) require the child to attend a youth smoking education program or other smoking treatment program approved by the court, if one is available;
- (2) impose a fine of not more than one hundred dollars (\$100);
- (3) require the child to perform not more than twenty hours of community service.

Council Memo: Legislation (22-22)

Subject: Appropriating Funds for HDC Purchase of 3978 Brown Park Drive
From: Michelle Crandall, City Manager
Initiated by: David Meadows, Director of Economic Development
Date: June 27, 2022

Executive Summary

The Hilliard Development Corporation (HDC) entered into a Real Estate Purchase Agreement for the acquisition of approximately 2.8 acres of land located at 3978 Brown Park Drive. This legislation would allow the City of Hilliard to appropriate funds in the amount up to \$725,000 to transfer to HDC for its acquisition of the property.

Staff Recommendation

Staff recommends City Council authorize the appropriate of \$725,000 for the acquisition of 3978 Brown Park Drive.

Background

The Hilliard Development Corporation (HDC) is the City's agency and instrumentality for industrial, commercial, distribution and research development. A primary role of HDC is to identify real estate acquisition opportunities to advance community and economic development in the City. With the announcement of significant funding to secure passenger rail sites in the region, the City and HDC identified 3978 Brown Park Drive as an important piece of real estate for passenger rail. Staff and HDC believe the investment in this property is a great opportunity for economic development purposes as commercial real estate options become more limited in the region.

Financial Impacts

This acquisition would require \$725,000 contribution from the City's capital funds.

Expected Benefits

Acquisition of this property will allow the City to compete for future passenger rail service and other economic development projects.

Attachments

N/A



Ordinance: 22-22

Passed:

Page 1 of

Effective:

**APPROPRIATING FUNDS FOR THE HILLIARD DEVELOPMENT CORPORATION'S
PURCHASE OF 3978 BROWN PARK DRIVE.**

WHEREAS, on July 13, 2020, City Council adopted Ordinance No. 20-19 (Amended) designating the Hilliard Development Corporation ("HDC") as the agency for the City of Hilliard, Franklin County, Ohio for the industrial, commercial, distribution and research development; and

WHEREAS, on March 25, 2022, the HDC entered into a purchase agreement for the acquisition of 3978 Brown Park Drive for future transit and economic development opportunities; and

WHEREAS, the City of Hilliard has determined that the acquisition of this property is necessary for community and economic development purposes; and

WHEREAS, it is necessary to appropriate \$725,000 and authorize the expenditure of these funds for HDC's acquisition of the 3978 Brown Park Drive; and

WHEREAS, following closing, HDC will transfer the Brown Park Drive Property to the City.

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

SECTION 1. An appropriation in the amount of \$725,000 from Fund 304, Object 55 is authorized in order to provide the Hilliard Development Corporation with funds for costs associated with the acquisition of the 3978 Brown Park Drive.

SECTION 2 City Council authorizes the expenditure of funds from Fund 304, Object 55 to the Hilliard Development Corporation for its acquisition of the 3978 Brown Park Drive.

SECTION 3. The City Manager is authorized to enter into any agreements or sign documents as may be necessary regarding the appropriation and expenditure of these Funds.

SECTION 4. This Ordinance shall be in effect from and after the earliest time provided for by law.

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

Council Memo: Legislation (22-R-49)

Subject: Anderson Meadows Text Modification - Subareas C1 & C2
From: Michelle Crandall, City Manager
Initiated by: Carson Combs, Planning Manager
David Meadows, Director of Economic Development June 27, 2022
Date: June 26, 2022

Executive Summary

This is a resolution to adopt changes to the approved Anderson Meadows PUD Development Standards text for Subareas C1(platted Reserve "B") and C2 (platted Reserve "C"). This is a request to add zoning standards not addressed at the time of the original zoning for Subarea C2, which includes the farmhouse at 6248 Roberts Road originally dedicated for a future "Arts Center." Text amendments will establish minimum development requirements that will allow the site to be marketed for potential users.

Staff Recommendation

Staff recommends that this resolution be adopted.

Background

The Anderson Meadows PUD development plan was approved by City Council in 2010 (Ordinance No. 10-24) and became effective on August 12, 2010. The zoning for Anderson Meadows included the dedication of 22.8 acres of land on the south side of Roberts Road that is owned and maintained by the City of Columbus as conservation land consistent with the Big Darby Accord. Section 1 of the development includes Reserves B and C and obtained final plat approval from the Planning and Zoning Commission on June 9, 2011. With the passage of Resolution No. 11-R-41, City Council accepted the public improvements on June 27, 2011.

Reserves were dedicated to the City as part of the PUD zoning: Reserve B is slightly more than 2.2 acres and includes a public path and stormwater detention for the development. Reserve C is 0.245 acres and includes a renovated farmhouse. As dedicated at the time of the zoning, the only text reference for the farmhouse limits its use to a future arts or cultural center. No development standards were included. As a currently unused building, the text modification for Subarea C2 will establish allowed uses and set basic development standards necessary to market the property for rent or sale.

Financial Impacts

There are no anticipated financial costs to the City.

Expected Benefits

The proposal will establish minimum standards for Subarea C2 (Reserve C) of the Anderson Meadows PUD will assist in making the property marketable to potential tenants or buyers.

Attachments

- Planning Commission Staff Report – Case #PZ-22-15 – May 12, 2022
- Planning Commission Record of Action – Case #PZ-22-15 – May 12, 2022
- Exhibit "A" – Anderson Meadows PUD Development Standards text

CASE 3: PZ-22-15 – Anderson Meadows PUD Modification – 6248 Roberts Road**PARCEL NUMBERS:** 050-011019 & 050-011018**APPLICANT:** City of Hilliard, 3800 Municipal Way, Hilliard, OH 43026; and Matthew LaBuhn, 35 N. Fourth Street, Suite 100, Columbus, OH 43215.**REQUEST:** Review & approval of a modification of the Anderson Meadows PUD Concept Plan and Text under the provisions of Hilliard Code Section 1117.08 to specify uses and development standards for Subareas C1 (Reserve B) and C2 (Reserve C).**BACKGROUND:**

On July 12, 2010, City Council passed Ordinance 10-24 to rezone 50.074 acres on the north side of Roberts Road to the east of Alton Darby Road from R, Rural District to PUD, Planned Unit Development District for the construction of 76 single-family lots and 208 multi-family units and 7.4 acres of parkland known as the Anderson Meadows PUD. As part of that zoning, 22.8 acres of land on the south side of Roberts Road was dedicated to the City of Columbus as off-site open space consistent with the Big Darby Accord Master Plan.

The Final Plat for Anderson Meadows Section 1 was approved by the Planning and Zoning Commission on June 9, 2011, and City Council accepted the public improvements through Resolution 11-R-41 on June 27, 2011. As part of the platting process Reserves B and C were formally accepted by City Council with the adoption of Resolution 12-R-27 on June 25, 2012. The Final Plat for Section 1 specifically denotes that Reserves B and C are to be used for the purposes of “open space, pathways and storm water runoff facilities.” Reserve C, however, was designated in the PUD development text to include an existing home (or new building) to be used as an Arts Center with ancillary structures for maintenance and storage. Proposed text modifications are intended to make the existing building on Reserve C a more viable use that has minimum development standards within the PUD.

COMMISSION ROLE:

The Commission is to make a recommendation in accordance with Hilliard Code Section 1117.08 on the proposed text modifications, which will be forwarded to City Council for final disposition.

STAFF RECOMMENDATION:

Reserve C and the building thereon was dedicated to the City of Hilliard as part of the original rezoning with the intent to establish an Arts Center. Because the text-specific use is not viable, the proposed amendments will provide for marketable uses while establishing basic development standards that are not currently included in the zoning text. Staff believes that the proposed amendments are consistent with the general intent of the Anderson Farms PUD Concept Plan and the provisions of Hilliard Code Section 1117.08. Based on these findings, staff recommends approval of the proposed text amendments.

CONSIDERATIONS:

- During the rezoning process, the former residence located on Reserve C was dedicated to the City as part of the parkland dedication requirements. Paved vehicular areas already existed at the time of conveyance to the City. The PUD development text specifically denotes the 3,752-square foot structure as a future Arts Center, which is not a viable use.
- The building was renovated by the City in 2016 to serve as a meeting space for a potential user that did not come to fruition. The proposed text modifications are intended to establish base development standards that will allow the property to be marketed and effectively used.
- The following outlines modifications that have been proposed to the PUD text:
 - 1) General Commitments (A)(6). Language referencing the Arts Center has been removed (Page 2).

- 2) Subarea C1 and C2. Subarea C2 has been separated out and address uses within Reserve B, which include open space, paths and stormwater retention (Page 11).
- 3) Subarea C2. New uses are delineated for the house that include a single-family dwelling and neighborhood office uses. Typical accessory structures and accessory uses are also included.
- 4) Setbacks. Setbacks for pavement and building have been created based on the existing conditions.
- 5) Architecture. Any modifications will match the existing building in material and design quality.
- 6) Parking. The existing lot is generally built-out; however, any addition would require supplemental parking based on the use and size of the addition.
- 7) Lighting. Any parking and security lighting must be cut-off fixtures and meet light trespass requirements. Residential style lighting is also permitted for entrances, etc.
- 8) Landscaping. Required landscape screening is based on the existing condition as of the time of this text modification.
- 9) Graphics. The text has been updated to provide a subarea map for Anderson Meadows and a detail of Reserve C.

[END OF REPORT | PZ-22-15]

RECORD OF ACTION



Planning & Zoning Commission

City Hall • 3800 Municipal Way • Hilliard, Ohio 43026
and Live-Streaming on YouTube

Thursday, May 12, 2022 | 7:00 pm

CASE 3: PZ-22-15 – Anderson Meadows PUD modification – 6248 Roberts Road

PARCEL NUMBERS: 050-011019 & 050-011018

APPLICANT: City of Hilliard, 3800 Municipal Way, Hilliard, OH 43026; and Matthew LaBuhn, 35 N. Fourth Street, Suite 100, Columbus, OH 43215.

REQUEST: Review & approval of a modification of the Anderson Meadows PUD Development Text under the provisions of Hilliard Code Section 1117.08 to specify uses and development standards for Subareas C1 and C2.

The Planning and Zoning Commission took the following action at this meeting:

MOTION:

Ms. Nixon made a motion to approve a modification of the Anderson Meadows PUD Concept Plan and Text under the provisions of Hilliard Code Section 1117.08 to specify uses and development standards for Subareas C1 (Reserve B) and C2 (Reserve C).

Mr. Gutknecht seconded the motion.

VOTE:

Chairman Muether	Yes
Vice Chair Schneck	Yes
Mr. Gutknecht	Yes
Mr. Lewie	Yes
Ms. Nixon	Yes
Mr. Pannett	Yes
Mr. Uttley	Absent

STATUS:

Case #2: PZ-22-14 has been approved as proposed.

CERTIFICATION:

Carson Combs, Planning Manager/Acting Clerk
May 13, 2022

[END OF RECORD]

Attachment: 3 P&Z ROA (22-R-49 : Anderson Meadows Text Modification - Subareas C1 & C2)



Resolution: 22-R-49

Adopted:

Page 1 of

Effective:

APPROVING A MODIFICATION TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR 2.465 ACRES KNOWN AS RESERVES “B” AND “C” (SUBAREAS C1 AND C2) OF THE ANDERSON MEADOWS PUD LOCATED ON THE NORTH SIDE OF ROBERTS ROAD APPROXIMATELY 1,500 FEET EAST OF ALTON DARBY ROAD TO SPECIFY USES AND DEVELOPMENT STANDARDS.

WHEREAS, City Council approved a Planned Unit Development (PUD) consisting of 50.074± acres of land for the Anderson Meadows PUD by the passage of Ordinance No. 10-24, effective August 12, 2010; and

WHEREAS, a final plat for Anderson Meadows Section 1 was approved by the Planning and Zoning Commission (Case #11-0013LR) on June 9, 2011; and

WHEREAS, City Council approved Resolution No. 11-R-41 on June 27, 2011, to accept public improvements for the final plat of Section 1; and

WHEREAS, the City of Hilliard, c/o Michelle Crandall, City Manager, and Onda, LaBuhn, Rankin & Boggs Co., LPA (the "Applicant") submitted application number PZ-22-15 to the City's Planning and Zoning Commission to modify the Anderson Meadows PUD Development Standards text concerning uses, setbacks and other development standards for Subareas C1 and C2; and

WHEREAS, the proposal calls for establishing required uses, setbacks, architecture and lighting standards for the existing building on Subarea C2 (platted Reserve “C”) to create minimum standards that will ensure the marketability of the property; and

WHEREAS, staff determined that the proposed text amendments are generally consistent with development expectations and standards established at the time of zoning while not impacting the larger approved development plan; and

WHEREAS, at its regularly scheduled and advertised meeting on May 12, 2022, the City's Planning and Zoning Commission voted to forward a positive recommendation to City Council that the Anderson Meadows PUD Development Standards text be revised as proposed; and

WHEREAS, a copy of the amended development text for Anderson Meadows is attached hereto as Exhibit "A" and incorporated herein by reference ("Anderson Meadows PUD Development Standards").

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

SECTION 1. The Anderson Meadows PUD Development Standards text is amended to modify uses, building and pavement setbacks, architecture and other development standards as requested.

SECTION 2. The amended development text, **attached** hereto as Exhibit “A” and incorporated herein by reference, is approved and shall hereafter be referred to as the “Anderson Meadows PUD Development Standards.”

SECTION 3. This Resolution is effective upon its adoption.

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
 Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
 Director of Law

✓ Vote Record - Resolution 22-R-49						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Omar Tarazi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated	Les Carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled	Tina Cottone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Held Over	Peggy Hale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Pete Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Positive Recommendation	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Recommendation						
<input type="checkbox"/> Referred Back To Committee						

CERTIFICATE OF THE CLERK

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. **22-R-49** passed by the Hilliard City Council on the 27th day of June 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 27th day of June 2022.

 Diane C. Werbrich, MMC

Anderson Meadows PUD Development Standards

This PUD consists of the 47.8-acre Anderson Farms property, which is located along the east side of Alton and Darby Creek Road and along the north side of Roberts Road. Legislation accepting the annexation of the subject site into the city of Hilliard was introduced on September 14, 2009. The property was not identified or considered in the 2005 Land Use and Economic Development Master Plan due to its location outside of the planning area at that time. It is, however, located in the Darby Accord planning area. The Darby Accord Master Plan recommends that the Anderson Farms property should be developed with Residential Suburban High Density uses. The Residential Suburban High-Density classification is defined to include a density of 3 - 5 units per acre. This rezoning conforms with that recommendation.

For the purposes of this zoning the site will be divided into three subareas which are identified on the Exhibit C: Subarea Plan. Subarea A is approximately 20.9 acres in size and will be developed with multi-family residential uses and Subarea B is approximately 19.5 acres and will be developed with Single Family uses. Subareas C1 and C2 are 7.4 acres in size combined and are being proposed for parkland dedication to the City of Hilliard. The General Development commitments and specific Subarea development standards are as follows:

General Commitments: Subareas A & B

A. General Standards

1. Utilities: All utility lines internal to the development shall be placed underground, including water service, electricity, telephone, gas, and their connections or feeder lines. Provided, however, that the existing overhead transmission lines shall remain above ground. Meters, transformers, etc. may be placed above ground, but shall be screened from view. Where feasible, all above ground utility boxes shall be placed at the rear lot lines or sufficiently screened.
2. Open Space Requirement: Code requires 10% of the land as open space, or approximately 4.78 acres for Sub-Areas A, B, C1, and C2 combined. The proposed plan meets this requirement by the inclusion of approximately 13.5 acres of open space in the development. In addition, after the completion of this zoning and contemporaneously with the closing of the purchase and sale of the 47.8-acre property, a 22.82-acre parcel will be donated for stream corridor preservation and native prairie grass propagation in promotion of the preservation of the Big Darby Watershed. This land is being conveyed to Columbus at Hilliard's request because the City of Columbus will add this land to an adjacent stream restoration project already planned by Columbus.
3. Parkland Requirement: Code requires the provision of 10 acres of parkland for every 1000 people that the development will create; using a maximum density of 284 units at 2.8 people per unit for Subareas A and B combined, the proposed development is required to provide approximately 7.95 acres. Parkland dedication will be met by donation of the areas labeled on the plan as Subareas C1 and C2, which combined will total 6.1 acres (excludes proposed stormwater retention ponds). The balance of 1.85 acres of parkland dedication will be met through the value of the donation of the 22.82-acre parcel, valued in excess of \$1,100,000, and by the provision of asphalt paths installed through the dedicated park areas

as per the plan contained herein and valued in excess \$50,000. All details of the proposed dedication in lieu of land will be subject to staff approval. Language identifying the Developer/ Applicant's parkland maintenance responsibilities shall be included in the deed or plat conveying the property to the City, subject to approval by the City's Law Director.

4. The developer shall install bike paths along Roberts Rd., Alton-Darby Rd. and internal to the development as shown on Exhibit E: Development Plan. The connection from the proposed bike path along Roberts Road to the existing sidewalk to the west side of Westrock Drive shall be required only if it can be constructed within the existing public right-of-way and if all other governmental approvals are granted for the construction of same. The construction of any path on property not located within the public right-of-way, nor within this PUD shall not be required unless consent therefore is granted without payment therefore by the owner of such property.
5. The quality of the two wetlands shown on the Development Plan shall be maintained in their current category states by the developer for a period of two years after the date of completion of the horizontal development of the lots located in Subarea B and shall be restored to their current condition if quality is reduced by development activities. The current quality of the wetlands shall be established and scored by EMH&T using the Ohio Rapid Assessment Methodology (ORAM) prior to the commencement of development. The quality of the wetlands two years after the date of completion the horizontal development of the lots located in Subarea B shall be established and scored by EMH&T using ORAM.
6. ~~Arts Center:~~ The developer will convey the existing house located in Subarea C2 and will be reimbursed for the net value thereof (\$235,000) out of TIF and CDA proceeds in accordance with a developer agreement approved by Council. The City will convert the structure ~~into an arts center~~ using impact fees paid by the developer.

B. Landscape Buffering and Screening

1. Landscaping Requirements
 - a. Developer shall make reasonable good faith efforts to preserve existing healthy trees on site during construction. With the exception of the construction of underground utilities, heavy construction equipment must be kept away from trees to be preserved, and these areas shall be protected with snow fence.
 - b. A tree survey has been completed which identifies all existing tree types and sizes.
 - c. Screening of Mechanicals: No materials, supplies, equipment or products shall be stored on any portion of the parcel outside the permitted structure. Mechanical equipment or other utility hardware on the ground or buildings shall be screened from view of public streets. Screening of mechanicals on the ground shall occur with the use of plant materials and/or fencing.
 - d. All fencing must meet Hilliard Fence Code Chapter 1139, unless noted otherwise herein.
2. Planting Requirements:
 - a. All tree planting requirements specified herein will be in addition to the trees scheduled to be preserved as shown on the tree survey included.

- b. The developer shall install a combination of deciduous shade trees and evergreen trees along Alton Darby Road and Roberts Road at an interval not to exceed 50 feet on center.
 - c. The developer shall use a variety of native plants and trees for low maintenance and sustainability purposes. High maintenance landscapes that require irrigation are discouraged.
 - d. Street trees on each side of any entry drive from Roberts Road and Alton Darby Road shall be set back a minimum of 20 feet from the curb to accentuate the entry/exit points, and to accommodate the visibility triangle, as approved by the City Engineer.
 - e. Within visibility triangle areas trees shall have a clear trunk of at least five feet above the ground, and the remaining area shall be landscaped with shrubs or ground cover not to exceed two feet in height.
 - f. Mounding, when provided, shall be located outside the public right-of-way and shall not obstruct site distance at any driveways or public intersections.
3. Landscape Materials:
- a. Quality: All plant materials used in conformance with the provisions of this text shall conform to the standards of the American Nursery and Landscape Association and shall have passed any inspection required under State regulations.
 - b. Plant material shall be installed with a minimum size requirement at installation as follows:
 - 1. Deciduous trees: 2 ½ inch caliper
 - 2. Evergreen trees: 6 feet height
 - 3. Ornamental trees: 1 ½ inch caliper or 6 feet height (multi-stem)
 - 4. Evergreen shrubs used for purpose of screening: 24 inch height and spread
 - 5. All other evergreen and deciduous shrubs: 3 gallon container

C. Graphics and Signage

- 1. All graphics and signage shall conform to the City of Hilliard Planning and Zoning Code, Chapter 1191, Graphics and Sign Code, unless approved otherwise by Planning Commission at the time of final development plan.
- 2. A final signage package shall be submitted for review and approval by the Planning Commission at the time of final development plan submission for each subarea.

Subarea A

A. Permitted Uses

- 1. Residential, multi-family apartments
- 2. Recreational amenities such as a community building with an exercise room, aerobics, yoga studio, card room, business center, swimming pool, outdoor grill area, fireplace, walking trails, and more.

3. Support facilities and accessory uses, such as maintenance buildings, garages, mailbox structures, trash enclosures, and car cleaning facility.
4. Residential Units shall meet the following square footage minimums:
 - a. 1 Bedroom - 660 square feet
 - b. 2 Bedroom - 960square feet
 - c. 3 Bedroom - 1,200 square feet

(As per the building layout on Exhibit E, Development Plan, there shall be 36 one-bedroom units, 144 two-bedroom units, and 28 three-bedroom units.)

B. Development Standards

1. Unless otherwise specified in the submitted drawings or in this written text the development standards of Part 11 of the Codified Ordinances of the City of Hilliard shall apply. Basic development standards are compiled regarding the proposed density, site issues, traffic, circulation, landscape, and architectural standards. These component standards ensure consistency and quality throughout the parcel's development.

C. Density, Height, Lot and/or Setback Commitments

1. There shall be a maximum of 208 units developed in this subarea.
2. The maximum building height limit shall be 35 feet.
3. No unit entrances shall be located below ground level.
4. The minimum building setback from Alton-Darby Road and Roberts Road shall be 25 feet from the right-of-way. The minimum pavement setback from Alton-Darby Road and Roberts Road shall be 25 feet from the right-of-way.
5. The minimum perimeter yard setback for buildings and pavement from all other lot lines shall be 25 feet.
6. Patios and balconies may encroach on this 25-foot perimeter setback by a maximum of 10 feet as long as they do not include enclosed space.
7. There shall be a zero setback between individual dwelling units. The minimum separation between buildings shall be 15 feet.

D. Parking and/or Traffic Related Commitments

1. There shall be a minimum of two off-street parking spaces per unit, including garages, driveway stack spaces, and surface parking areas.
2. In addition to the minimum 2 spaces per dwelling unit, visitor parking will be provided at a rate of at least ½ space per dwelling unit (can include driveway stack spaces and community center parking areas).
3. All 90-degree parking spaces shall be a minimum of 9 feet wide by 18 feet in length. Drive aisles shall be a minimum of 22 feet wide.
4. All other roads in Subarea A shall be private and will be a minimum of 22 feet in width to accommodate two-way traffic.

E. Architectural Standards

All architecture shall be in substantial conformance with Exhibit J: Building Elevations - Subarea A. Any revised or alternative building architecture shall be reviewed and approved by Planning Commission at the time of final development plan. Architecture in this subarea shall conform to the following standards:

1. Color Palette: Earth tones, muted and natural tones are required. Trim colors may include white. Accent colors in brighter hues are permitted for building accent features only such as awnings, doors, limited trim, etc. A mixed palette on a single building should be carefully selected so that all colors are harmonious with each other.
2. Materials
 - a. Representative architecture for this subarea is set forth in Exhibit J: Building Elevations - Subarea A.
 - b. Exterior Cladding: Exterior cladding materials shall be of a warm, muted, and natural tone and color. Permitted materials shall include the following:
 1. Brick Veneer
 2. Stone/Cultured Stone or stone veneer
 3. Ohio Limestone stucco stone (equal or better than Stone Products Corporation, type: Ohio Limestone)
 4. Wood lap siding, composite lap siding and cedar shake siding (painted or stained)
 5. Vinyl siding - minimum of .042" nominal thickness
 6. Vinyl shake siding - minimum of .042" nominal thickness
 7. Stucco - per industry standards - light to medium textures
 - c. Roofs
 1. Pitched roofs with gables or hips shall have a minimum slope of 6:12. Accent elements such as porches and dormers shall have a minimum 4:12 pitched roof.
 2. Materials shall be cedar shakes, tile, slate, synthetic slate or dimensional asphalt or fiberglass shingles. Shingles to be a minimum, medium weight dimensional or dimensional-look shingles.
 3. Minimum 6-inch eave overhang and 6 inch overhangs.
 - d. Scale
 1. Structure shall be designed to harmonize with the landscape.
 2. The scale of each building may be aided through the use of articulated building elements, such as porticos, dormers, recesses, awnings and other such elements, which help break up the building mass.
 - e. Wall Articulation/Fenestration

1. Building fenestration refers to the arrangement of openings in a building facade by elements that are designed to permit the passage of air, light and people (such as doors and windows).
2. In addition to using building elements to articulate building mass, individual walls must be articulated with fenestration and pattern on each exterior elevation.
3. The amount of fenestration should be balanced with the amount of solid facade.

F. Landscape Buffering and Screening

1. Landscaping Requirements

- a. A tree survey has been completed which identifies all existing tree types and sizes. See Exhibit G: Tree Survey
- b. Tree Replacement: Section 1331.04 of the Landscape Code requires an equal amount of trees (on a caliper inch basis) be installed to replace existing trees being removed. In this subarea there are approximately 82 diameter-at-breast-height inches of trees identified which need to be removed. On Exhibit H: Landscape Master Plan, the applicant proposes to install 33 2.5-inch caliper trees as replacement.
- c. Any portion of a lot upon which a building or parking area is not constructed shall be landscaped with lawn or mulched planting areas at a minimum. For areas designated as landscape buffers, tree lawns, preservation zones, entry features or other community amenities, landscaping shall be maintained to meet the minimum standards specified in Hilliard Codified Ordinances Chapters 917, 921 and 1331.
- d. Buffering: In the area between the multi-family Subarea A and the single-family Subarea B the developer will install a buffer to screen the two uses. The buffer will consist of a minimum 4-foot earthen mound with a maximum slope of 4:1, and evergreen tree plantings to provide 100% opacity within 3 years after installation. The buffer will be installed prior to the issuance of the first certificate of occupancy that is issued in Subarea A.
- e. Parking areas visible from Alton Darby Road and/or Roberts Road shall be screened with combinations of mounding, fencing and/or landscaping, installed at a size to achieve at least a 75% opacity level within 3 years after the first certificate of occupancy is issued in this subarea.
- f. Curbs to protect screening material: Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided on those sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.

2. Planting Requirements:

- a. Parking areas shall include shade trees at a rate not less than 1 tree per 10 parking spaces. These trees may be placed in islands used to define and separate driveways and parking areas and must be at least 2.5 inches in caliper at the time of installation.

- b. Trees per square footage of building coverage will be installed per code. These trees may be distributed throughout the site to achieve an overall canopy and may include evergreen trees and ornamental trees to create interest and species diversity. See Exhibit H: Landscape Master Plan and Exhibit I: Multifamily Building Landscape Plans for required tree quantities and locations.
- c. The developer shall use a variety of native plants and trees for low maintenance and sustainability purposes. High maintenance landscapes that require irrigation are discouraged.
- d. All street trees shall have a clear trunk of at least five feet above the ground, and the remaining area shall be landscaped with shrubs, lawn, or ground cover not to exceed two feet in height.

G. Lighting and Refuse

1. Site Lighting

- a. Interior private street lighting shall not exceed 12 feet in height and shall be cut-off type fixtures.
- b. External lighting shall be cut-off type fixtures.
- c. All types of parking, pedestrian and other lighting shall be on poles or mounted on individual units and shall be cut-off and of the same type and style.
- d. Landscape and building up-lighting from a concealed source shall be permitted.
- e. All lights shall be arranged to reflect light away from any exterior street or adjacent property.
- f. No colored lights shall be used to light the exterior of the buildings.

2. Waste and Refuse:

- a. All waste and refuse storage areas shall be containerized and screened from view on three sides by a solid brick wall, wood fence, or materials compatible with the materials found on the main buildings in this subarea and at least 6 inches taller than the height of the container. The fourth side shall contain a wood or painted metal gate, which shall also be at least 6 inches taller than the height of the dumpster.
- b. Except on trash pickup day, gates must be kept in a permanently closed position. The enclosure must be sized to ensure that no open trash will be stored outside the enclosure between scheduled pickups.

H. Model Homes

Individual units may be used as models for the purpose of marketing, leasing, or sales. A manufactured modular building, and/ or the clubhouse also may be used as a site office during the development of the project and the construction of residential units therein.

Subarea B

The single-family development subarea of the PUD is located on the eastern half of the site. The development area is bounded by Roberts Road to the south, existing single-family development to the east, existing single-family development and a portion of an existing City of Hilliard School site to the north, and existing rural residential and the proposed multifamily subarea to the west.

A. Permitted Uses

1. Single Family Residential.

B. Development Standards

1. Unless otherwise specified in the submitted drawings or in this written text the development standards of Part 11 of the Codified Ordinances of the City of Hilliard shall apply. Basic development standards are compiled regarding the proposed density, site issues, traffic, circulation, landscape, and architectural standards. These component standards ensure consistency and quality throughout the parcel's development.

C. Density, Height, Lot and/or Setback Commitments

1. There shall be a maximum of 76 lots in this subarea.
2. The minimum dimension of any lot shall be 60 feet wide by 120 feet deep. Corner lots shall be a minimum of 80' wide by 120 feet deep. There will be a minimum lot area of 7200 square feet.
3. The maximum building height limit shall be 35 feet.
4. The minimum building setback from Roberts Road shall be 25 feet from the right-of-way. The minimum pavement setback from Roberts Road shall be 25 feet from the right-of-way.
5. The minimum front yard setback shall be 25 feet from the right-of-way. Corner lots shall apply a front yard setback against all adjoining street rights-of-way.
6. The minimum side yard setback shall be 5 feet.
7. The minimum rear yard setback shall be 20 feet. Variances for encroachments into the rear yard shall not be granted. A disclosure of this prohibition shall be given to each home buyer.
8. The minimum floor area of each single -family home shall be 1,300 square feet. The minimum floor area of each two-story home shall be 1,500 square feet.

D. Parking and/or Traffic Related Commitments

1. There shall be a minimum of two off-street parking spaces per unit, including garages and driveway stack spaces. All houses shall have a two-car garage.
2. Streets in this subarea shall be publicly dedicated, shall have a minimum pavement width of 24 feet, and shall be located within a 50-foot-wide right-of-way. Otherwise, street design, including pavement width, shall meet the requirements of the City Engineer.
3. So that there are two access points to Subarea B, the applicant shall either construct a road over the school property to the north so as to connect to the roads currently located on the

school property, or a road that connects into existing Windmill Road. The developer shall work with the school district and the City to obtain the school district's agreement to construct a two-way vehicular connection to the existing school drive with two-way access to Freewood Drive to the east. Vehicle connections shall meet the City Engineer's requirements for location and design.

E. Architectural Standards:

Representative architecture planned for this subarea is set forth in Exhibit K: Building Elevations: Subarea B. Additional building architecture may also be offered in this subarea in the future. Architecture in this subarea shall conform to the following standards:

1. Color Palette: Earth tones, muted and natural tones are required. Trim colors may include white. Accent colors in brighter hues are permitted for building accent features only such as awnings, doors, limited trim, etc. A mixed palette on a single building should be carefully selected so that all colors are harmonious with each other.
2. Materials:
 - a. Exterior Cladding: Exterior cladding materials shall be of a warm, muted, and natural tone and color. Permitted materials shall include the following:
 1. Brick Veneer
 2. Stone/Cultured Stone or stone veneer
 3. Ohio Limestone stucco stone (equal or better than Stone Products Corporation, type: Ohio Limestone)
 4. Wood lap siding, composite lap siding and cedar shake siding (painted or stained)
 5. Vinyl siding - minimum of .042" nominal thickness
 6. Vinyl shake siding - minimum of .042" nominal thickness
 7. Stucco - per industry standards - light to medium textures
 - b. Roofs
 1. Pitched roofs with gables or hips shall have a minimum slope of 6:12. Accent elements such as dormers shall have a minimum 4:12 pitched roof. Porches with roofs shall not be subject to this limitation.
 2. Materials shall be cedar shakes, tile, slate, synthetic slate or dimensional asphalt, dimensional look asphalt or fiberglass shingles. Shingles to be a minimum, medium weight dimensional or dimensional-look shingles.
 3. Areas with gutters shall have a minimum 6-inch overhang.

F. Landscape Buffering and Screening

1. Landscaping Requirements
 - a. Any portion of a lot upon which a building or parking area is not constructed shall be landscaped with lawn or mulched planting areas at a minimum. For areas designated as landscape buffers, tree lawns, preservation zones, entry features or other community

amenities, landscaping shall be maintained to meet the minimum standards specified in Hilliard Codified Ordinances Chapters 917,921 and 1331.

- b. Tree Replacement: Section 1331.04 of the Landscape Code requires an equal amount of trees (on a caliper inch basis) be installed to replace existing trees being removed. In this subarea there are approximately 100 diameter-at-breast-height inches of trees identified which need to be removed. On Exhibit H: Landscape Master Plan, the applicant proposes to install (40) 2.5-inch caliper trees as replacement. Any replacement trees to be located within the park land to be owned by the City of Hilliard shall be subject to the approval of the City Arborist and the Director of Parks.

2. Planting Requirements

- a. The developer shall install deciduous shade trees along internal streets at an interval not to exceed 60 feet on center. Internal street trees will be coordinated with driveway curb cuts.
- b. In addition to the trees and landscaping that will be installed at entry features and in the amenity areas, the developer shall install at least one shade tree per lot at the time of construction of each house.
- c. The developer shall use a variety of native plants and trees for low maintenance and sustainability purposes. High maintenance landscapes that require irrigation are discouraged.
- d. All street trees shall have a clear trunk of at least five feet above the ground for traffic safety purposes.
- e. Street trees on each side of any entry drive from Roberts Road shall be set back a minimum of 20 feet from the curb to accentuate the entry/exit points, and to accommodate the visibility triangle, as approved by the City Engineer.

G. Lighting

- 1. Street light poles shall not exceed 12 feet in height and shall be cut-off type fixtures and shall otherwise meet the requirements of the City Engineer.
- 2. External lighting shall be cut-off type fixtures.
- 3. Landscape lighting from a concealed source shall be permitted.
- 4. All lights shall be arranged to reflect light away from any exterior street or adjacent property.
- 5. No colored lights shall be used to light the exterior of the buildings.

H. Model Homes.

Individual homes may be used as model homes for the purpose of marketing and sales. A manufactured modular building also may be used as a sales office during the development of the project and the construction of residential units therein.

Subarea C1 ~~and C2~~ (Reserve B)

~~Permitted uses in this subarea shall include public parkland. A renovated existing building or a new building for use as an Arts Center shall also be permitted, including ancillary structures for activities such as maintenance and storage.~~

A. Permitted Uses

1. Public Parkland (including Open Space, Pathways, Stormwater Management and related open space uses and necessary ancillary structures).

Subarea C2 (Reserve C)

A. Permitted Uses

1. Single-family dwelling
2. Neighborhood office use (general, administrative or medical)
3. Ancillary/Accessory Structures and Uses in conjunction with permitted uses such as garages, sheds, pools, etc.

B. Development Standards

Development standards shall be those required by the Hilliard Zoning Code and the Hilliard Design Manual, except as specified herein or as expressly approved by the Planning and Zoning Commission and/or City Council.

1. **Setbacks.** Setbacks for Buildings and Pavement shall be as follows. Installation of accessory structures, including but not limited to decks, patios and dumpster enclosures, shall meet Code requirements.

Yard	Pavement Setback	Building Setback
Front	0 feet	30 feet
Side (west)	0 feet	15 feet
Side (east)	10 feet	15 feet
Rear	0 feet	15 feet

2. **Architecture.** Architectural modifications, new construction or additions shall provide a consistent level of quality of architectural design and exterior materials to the existing structure.
3. **Parking.** All building additions will require additional parking as required by Code based upon the use and size of the additional square footage.
4. **Lighting.** Site lighting for parking and security shall consist of cut-off type fixtures and meet light trespass requirements of the Hilliard Design Manual. Residential-style fixtures are permitted for accent lighting and entrances.
5. **Landscaping/Screening.** Landscape screening for Subarea C2 shall be provided as indicated on *Subarea C2 (Reserve C) Detail – Page 13*.

Anderson Meadows Subarea Map



Subarea C2 (Reserve C) Detail



Attachment: 1 EXHIBIT A (22-R-49 : Anderson Meadows Text Modification - Subareas C1 & C2)

Council Memo: Legislation (22-R-50)

Subject: Anderson Meadows Section 1 Replat
From: Michelle Crandall, City Manager
Initiated by: Carson Combs,
David Meadows, Director of Economic Development, Economic Development
Date: June 27, 2022

Executive Summary

This is a resolution to modify Reserves “B” and “C” on the final plat for Anderson Meadows Section 1. Specifically, Note “C” from the original plat approved in 2011 will be removed and replaced to accurately reflect the usage of both reserves owned by the City of Hilliard. The original plat specifies storm water management, open space and paths but did not address the use of Reserve C (which includes the building at 6248 Roberts Road). Proposed changes to the plat in conjunction with related text amendments to the original PUD zoning will update and eliminate conflicts between the plat and zoning text. The plat amendment includes a sanitary sewer easement necessary to service 6248 Roberts Road, which currently utilizes an on-site septic system. Additional cross-access easements are included to address vehicular and pedestrian access on the two reserves should the property be sold.

Staff Recommendation

Staff recommends that this resolution be adopted.

Background

The Anderson Meadows PUD zoning development plan was approved by City Council in 2010 (Ordinance No. 10-24) and became effective on August 12, 2010. Section 1 of the development includes Reserves B and C and obtained final plat approval from the Planning and Zoning Commission on June 9, 2011. With the passage of Resolution 11-R-41, City Council accepted the public improvements for the plat on June 27, 2011.

As part of the original zoning, Reserves B and C were dedicated to the City. Reserve B is slightly more than 2.2 acres and includes a public path and stormwater detention for the subdivision. Reserve C is 0.245 acres and includes a renovated farmhouse built in 1910. Completing a plat amendment will correctly denote the purpose of Reserve B for stormwater, open space and pathways, while clarifying that the use of Reserve C will adhere to applicable zoning. In addition to the plat, additional cross-access easements will be recorded to appropriately clarify shared vehicular and pedestrian improvements between the reserves. No changes have been made to property boundaries.

Financial Impacts

Adoption will result in applicable recording fees with Franklin County for the plat and easements.

Expected Benefits

Proposed changes will accurately reflect the use of both reserves. The proposed plat amendment and cross-access easements will allow Reserve C and the structure at 6248 Roberts Road to be marketable as a stand-alone parcel.

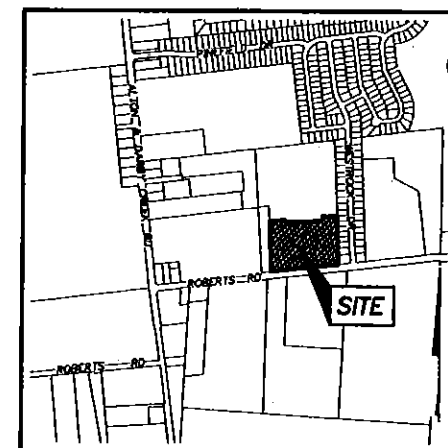
Attachments

- Anderson Meadows Section 1 (existing plat)
- Planning Commission Staff Report – Case #PZ-22-14 – May 12, 2022
- Planning Commission Record of Action – Case #PZ-22-14 – May 12, 2022
- Exhibit “A” – Anderson Meadows Section 1 Replat of Reserves “B” and “C”
- Exhibit “B” – Easements

ANDERSON MEADOWS

SECTION 1

PLAT BOOK 114 PG 71



LOCATION MAP AND BACKGROUND DRAWING

SCALE: 1" = 1000'

Situated in the State of Ohio, County of Franklin, City of Hilliard and in Virginia Military Survey Number 6642, containing 9.589 acres of land, more or less, said 9.589 acres being part of that tract of land conveyed to SCHOTTENSTEIN HOMES, LLC by deed of record in Instrument Number 201012200172862, Recorder's Office, Franklin County, Ohio.

The undersigned, SCHOTTENSTEIN HOMES, LLC, an Ohio limited liability company ("Grantor"), by PAUL S. COPPEL, Executive Vice President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "ANDERSON MEADOWS SECTION 1", a subdivision containing Lots numbered 1 to 26, both inclusive, and those areas designated and delineated as Reserve "A", Reserve "B" and Reserve "C", does hereby accept this plat of same and dedicates to public use, as such, all of the Road, Drive and Lane, shown hereon and not heretofore dedicated.

Grantor hereby grants to the City of Hilliard, Ohio, its successors and assigns, easements in, over and under areas designated on this plat as "Easements" or "Storm Water Management Easements" (SWME). Each of the aforementioned designated Easements permits the construction, operation and maintenance of all public and quasi public utilities and television cable facilities above, beneath and on the surface of ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands, and for storm water drainage. Grantor hereby grants to the City of Hilliard, Ohio, its successors and assigns, an additional easement in, over and through the areas designated on this plat as "Storm Water Management Easements", for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No altering of grades and no above grade structures, dams, or other obstructions to the flow of storm water runoff are permitted within the Storm Water Management Easement areas as delineated on this plat unless approved by the Hilliard City Engineer.

In Witness Whereof, PAUL S. COPPEL, Executive Vice President of said SCHOTTENSTEIN HOMES, LLC, has hereunto set his hand this 18 day of September 2011.

Signed and Acknowledged
In the presence of:

SCHOTTENSTEIN HOMES, LLC
By PAUL S. COPPEL
Executive Vice President

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared PAUL S. COPPEL, Executive Vice President of said SCHOTTENSTEIN HOMES, LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said SCHOTTENSTEIN HOMES, LLC, for the uses and purposes expressed herein.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this 18 day of September 2011.

My commission expires 8/1/2015 Christina Jamich
Notary Public, State of Ohio



Christina Jamich
Notary Public, State of Ohio
My Commission Expires 08-01-2015

CITY OF HILLIARD

Approved this 27th day of June
2011, by the Planning and Zoning
Commission

Paul S. Coppel
Chairman, Planning and Zoning
Commission,
Hilliard, Ohio

Approved this 28th day of Oct
2011.

Clayton R. Seibert
City Engineer,
Hilliard, Ohio

Approved and accepted this 27th day of June, 2011, by Resolution No. 11-R-41 wherein all of the Road, Drive and Lane shown dedicated hereon and the easements shown granted hereon are accepted, as such by the Council for the City of Hilliard, Ohio.

Lynne M. Jassone
Council Clerk,
Hilliard, Ohio

Ohio

Transferred this 2nd day of Nov
2011.

Clarence C. Minco II
Auditor,
Franklin County, Ohio

Filed for record this 2nd day of Nov
2011 at 1:55 P M. Fee \$ 172.80

Daphne Hawk
Recorder,
Franklin County, Ohio

File No. 20111020141347

Recorded this 2nd day of Nov
2011.

Tom Woodyard
Deputy Recorder, Franklin County, Ohio

Plat Book 114, Pages 71-72

TRANSFERRED

NOV 02 2011

NOTARY
PUBLIC
FRANKLIN COUNTY, OHIO

SURVEYED & PLATTED
BY

EMHT
Edward J. Meacham, Harrison & Meacham, Inc.
Engineers • Surveyors • Planners • Architects
2500 New Albany Road, Columbus, OH 43204
Phone: (614) 773-4500 Fax: (614) 773-3400
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

- = Iron Pin (See Survey Data)
- = MAG Nail to be set
- = Permanent Marker (See Survey Data)

By Edward J. Meacham
Professional Surveyor No. 8250

Date 9/14/11

NOTE "A": No vehicular access to be in effect until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "B": RESERVE "A" - Reserve "A", as designated and delineated hereon, shall be conveyed to, owned and maintained by the Anderson Meadows Home Owners Association. The Articles of Incorporation and the by-laws for the homeowners association shall contain a provision stating that if the association fails to fulfill its maintenance obligations with respect to the Reserve "A", and it becomes necessary for the City of Hilliard to enter upon the reserve area to perform necessary maintenance, upon submission of an invoice for the amount of the City's cost and expense, the association shall make payments in full when due, and if necessary shall assess their respective members to pay such cost and expenses, and if the association fails to pay such costs and expenses, the City of Hilliard, as a beneficiary under this provision, shall be entitled to step into the shoes of the association and impose the assessments directly against each lot as if the city were the association itself. Prior to filing either the articles of incorporation or the by-laws for the homeowners association, the party responsible for the filing shall deliver a draft of each document to the Law Director for the City for confirmation that the documents contain the language set forth above.

NOTE "C": RESERVE "B" AND RESERVE "C" - Reserve "B" and Reserve "C", as designated and delineated hereon, shall be conveyed to, owned and maintained by the City of Hilliard, Ohio for the purpose of open space, pathways and storm water runoff facilities.

NOTE "D" - ACREAGE BREAKDOWN:

Total acreage:	9.589
Acreage in rights-of-way:	2.053
Acreage in Reserve "A", Reserve "B" and Reserve "C"	2.706
Acreage in remaining lots:	4.830

NOTE "E": At the time of platting, all of the land hereby being platted as Anderson Meadows Section 1 is in Zone X (Areas determined to be outside of the 0.2% annual chance flood plain) as designated and delineated on the FEMA Flood Insurance Map for Franklin County, Ohio, and Incorporated Areas, map number 39049C0143K with effective date of June 17, 2008.

NOTE "F" - ACREAGE BREAKDOWN: Anderson Meadows Section 1 is comprised of the following Franklin County Parcel Numbers:

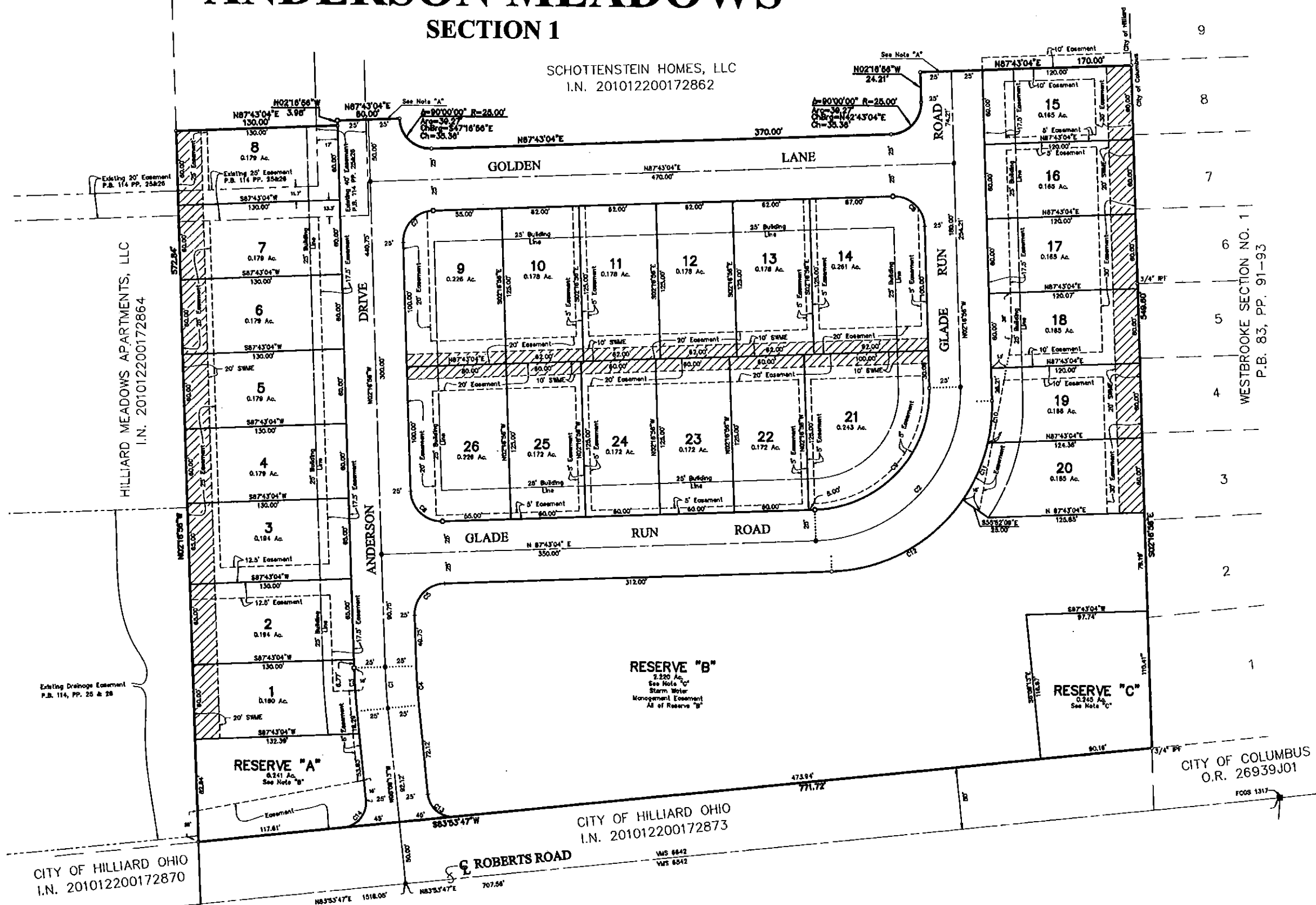
Parcel Number 050-010949 9.589 Ac.

ANDERSON MEADOWS

SECTION 1

PLAT BOOK 114 PG 72

SCHOTTENSTEIN HOMES, LLC
I.N. 201012200172862



CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	248°17'	600.00'	33.30'	N 84°11'34" W	33.30'
C2	80°00'00"	120.00'	188.50'	N 42°43'04" E	168.71'
C3	348°17'	823.00'	38.02'	S 04°11'34" E	38.01'
C4	348°17'	475.00'	31.88'	N 04°11'34" W	31.87'
C5	80°00'00"	28.00'	38.27'	N 42°43'04" E	38.36'
C6	80°00'00"	25.00'	38.27'	N 42°43'04" E	38.36'
C7	80°00'00"	25.00'	38.27'	N 42°43'04" E	38.36'
C8	80°00'00"	25.00'	38.27'	S 47°18'50" E	45.36'
C9	80°00'00"	25.00'	38.27'	S 47°18'50" E	45.36'
C10	14°43'04"	133.00'	25.18'	N 05°04'36" E	34.07'
C11	14°43'04"	133.00'	25.18'	N 05°04'36" E	34.07'
C12	53°33'13"	133.00'	124.30'	N 40°53'58" E	118.81'
C13	80°00'00"	20.00'	31.42'	N 81°08'13" E	28.28'
C14	80°00'00"	20.00'	31.42'	N 81°08'13" E	28.28'

CASE 2: PZ-22-14 – Anderson Meadows Final Plat Amendment – 6248 Roberts Road**PARCEL NUMBERS:** 050-011019 & 050-011018**APPLICANT:** City of Hilliard, 3800 Municipal Way, Hilliard, OH 43026; and Matthew LaBuhn, 35 N. Fourth Street, Suite 100, Columbus, OH 43215.**REQUEST:** Review & approval of an amended Final Plat under the provisions of Hilliard Code Section 1188.05 and the Anderson Meadows PUD Concept Plan for Reserves “B” and “C.”**BACKGROUND:**

On July 12, 2010, City Council passed Ordinance 10-24 to rezone 50.074 acres on the north side of Roberts Road to the east of Alton Darby Road from R, Rural District to PUD, Planned Unit Development District for the construction of 76 single-family lots and 208 multi-family units and 7.4 acres of parkland known as the Anderson Meadows PUD. As part of that zoning, 22.8 acres of land on the south side of Roberts Road was dedicated to the City of Columbus as off-site open space consistent with the Big Darby Accord Master Plan.

The Final Plat for Anderson Meadows Section 1 was approved by the Planning and Zoning Commission on June 9, 2011, and City Council accepted the public improvements through Resolution 11-R-41 on June 27, 2011. As part of the platting process, general warranty deeds for Reserves B and C were accepted by City Council with the adoption of Resolution 12-R-27 on June 25, 2012. The recorded plat for Section 1 specifically denotes that Reserves B and C are to be used for the purposes of “open space, pathways and storm water runoff facilities.” Reserve C, however, was designated in the approved Anderson Meadows PUD Text to include an existing home to be used as an arts and cultural center.

COMMISSION ROLE:

This is a proposed amendment to Anderson Meadows Section 1 to replat Reserves B and C. The Commission is to review the amended plat for conformance to the provisions of the Anderson Meadows PUD Concept Plan and Hilliard Code Section 1188.05.

STAFF RECOMMENDATION:

Staff finds that the proposed final plat amendment is generally consistent with the intent of the original Anderson Farms PUD Concept Plan and Code Section 1188.05 and would allow viable options for the existing structure in Subarea C. Based on these findings, staff recommends approval of the proposed plat amendment with the following two conditions:

- 1) That necessary access easements be provided and recorded in conjunction with the plat modification, subject to review and approval by the City Engineer; and
- 2) That the plat modifications meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

CONSIDERATIONS:

- During the zoning process, the existing residence located on Reserve C was dedicated to the City as part of the parkland requirement for Anderson Meadows. The adopted PUD text specifically denotes the existing structure or a replacement building would serve as an *Arts Center*.

- Note C on the current Section 1 plat indicates that Reserves “B” and “C” are to be used for the purpose of “open space, pathways and storm water runoff facilities.” The plat note does not account for the use of the existing structure on Reserve C.
- The modified plat includes a new Note C [*New Reserve “B” as designated and delineated hereon shall be owned and maintained by the City of Hilliard, Ohio for storm water runoff, pathways and open space. New Reserve “C” as designated and delineated hereon, may be used as permitted by applicable zoning.*] Applicable zoning is addressed with text modifications proposed for Case #PZ-22-15.
- The plat modification includes a sanitary sewer easement from Glade Run Road to the back of the property. The purchaser of Reserve C shall be responsible for installing an approved sanitary line and discontinuing use of the on-site septic system.
- Access easements are being created to address the off-site vehicular access for Reserve C, portions of the public path system that cut across the corner of Reserve C and portions of the accessible walkway at the rear of Reserve C that access the public path. A water tap has also been approved and the purchaser of Reserve C will be responsible for connecting to municipal service.

[END OF REPORT | PZ-22-14]

RECORD OF ACTION



Planning & Zoning Commission

City Hall • 3800 Municipal Way • Hilliard, Ohio 43026
and Live-Streaming on YouTube

Thursday, May 12, 2022 | 7:00 pm

CASE 2: PZ-22-14 – Anderson Meadows Final Plat amendment – 6248 Roberts Road

PARCEL NUMBERS: 050-011019 & 050-011018

APPLICANT: City of Hilliard, 3800 Municipal Way, Hilliard, OH 43026; and Matthew LaBuhn, 35 N. Fourth Street, Suite 100, Columbus, OH 43215.

REQUEST: Review & approval of an amended Final Plat under the provisions of Hilliard Code Section 1188.05 and the Anderson Meadows PUD Concept Plan to update Plat Note “C”.

The Planning and Zoning Commission took the following action at this meeting:

MOTION:

Mr. Gutknecht made a motion to approve made a motion to approve an amended Final Plat under the provisions of Hilliard Code Section 1188.05 and the Anderson Meadows PUD Concept Plan for Reserves “B” and “C” with the following two conditions:

- 1) That necessary access easements be provided and recorded in conjunction with the plat modification, subject to review and approval by the City Engineer; and
- 2) That the plat modifications meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

Mr. Pannett seconded the motion.

VOTE:

Chairman Muether	Yes
Vice Chair Schneck	Yes
Mr. Gutknecht	Yes
Mr. Lewie	Yes
Ms. Nixon	Yes
Mr. Pannett	Yes
Mr. Uttley	Absent

STATUS:

Case #2: PZ-22-14 has been approved with conditions.

CERTIFICATION:

Carson Combs, Planning Manager/Acting Clerk
May 13, 2022

[END OF RECORD]



Resolution: 22-R-50

Adopted:

Page 1 of

Effective:

ACCEPTING THE DEDICATION OF EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE INCLUDING CROSS ACCESS EASEMENTS FOR ANDERSON MEADOWS SECTION 1 REPLAT OF RESERVES "B" & "C"

WHEREAS, City Council approved a Planned Unit Development (PUD) consisting of 50.074± acres of land for the Anderson Meadows PUD by the passage of Ordinance No. 10-24, effective August 12, 2010; and

WHEREAS, a final plat for Anderson Meadows Section 1 was approved by the Planning and Zoning Commission (Case #11-0013LR) on June 9, 2011; and

WHEREAS, City Council approved Resolution No. 11-R-41 on June 27, 2011, to accept public improvements for the final plat of Section 1; and

WHEREAS, upon application by the City of Hilliard, c/o Michelle Crandall, City Manager and Onda, LaBuhn, Rankin & Boggs Co., LPA (collectively, the "Owner"), on May 12, 2022, at its regularly scheduled public meeting, the City's Planning and Zoning Commission approved the final plat amendment ("Replat") for Section 1 Reserves "B" and "C" of Anderson Meadows for open space uses, stormwater and additional uses as specified by applicable zoning on 2.465± acres of land (the "Property"); and

WHEREAS, the Owner has offered to dedicate to the City of Hilliard easements for the construction, operation, and maintenance of all public and private utilities, including cable television, above and beneath the surface of the ground, for the construction, operation, and where necessary, easements for the construction operation, and maintenance of service connections, and for storm water drainage in, to, and over certain real property described in the Final Plat, attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, the Owner has offered to dedicate to the City of Hilliard additional access easements within Reserves "B" and "C," attached hereto as Exhibit "B" and incorporated herein; and

WHEREAS, this offer of dedication has been made by the Owner in support of the development of the Property depicted on Exhibit "A"; and

WHEREAS, it is to the interest and benefit of the City of Hilliard, its residents and the public at large that the dedications proposed 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 the dedication of easements for public and private utilities, cable television, service connections and storm water drainage within Reserves B and C of Anderson Meadows Section 1, as shown on Exhibit "A", and related easements within Reserves B and C of Anderson Meadows Section 1, as shown on Exhibit "B", **attached** hereto and incorporated by reference herein.

SECTION 2. The City Engineer is authorized to approve any necessary administrative changes to affect the proper recording of the Final Plat amendment identified on Exhibit "A" and is authorized to provide the Clerk of Council with a final recorded copy of said plat.

SECTION 3. The City Engineer is authorized to approve any necessary administrative changes to affect the proper recording of additional related easements identified on Exhibit "B" and is authorized to provide the Clerk of Council with a final recorded copy of said easements.

SECTION 4. The Clerk of Council, Chairman of the Planning and Zoning Commission and City Engineer are authorized to do all acts and to execute all instruments appropriate or necessary to carrying out the terms of the dedication and recording of the Final Plat amendment and related easements.

SECTION 5. This Resolution is effective upon its adoption.

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

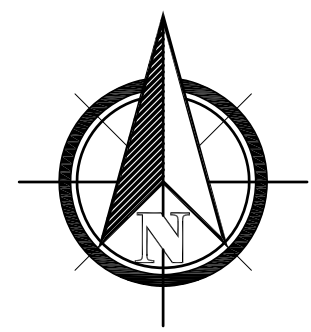
✓ Vote Record - Resolution 22-R-50						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Omar Tarazi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated	Les Carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled	Tina Cottone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Held Over	Peggy Hale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Pete Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Positive Recommendation	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Recommendation						
<input type="checkbox"/> Referred Back To Committee						

CERTIFICATE OF THE CLERK

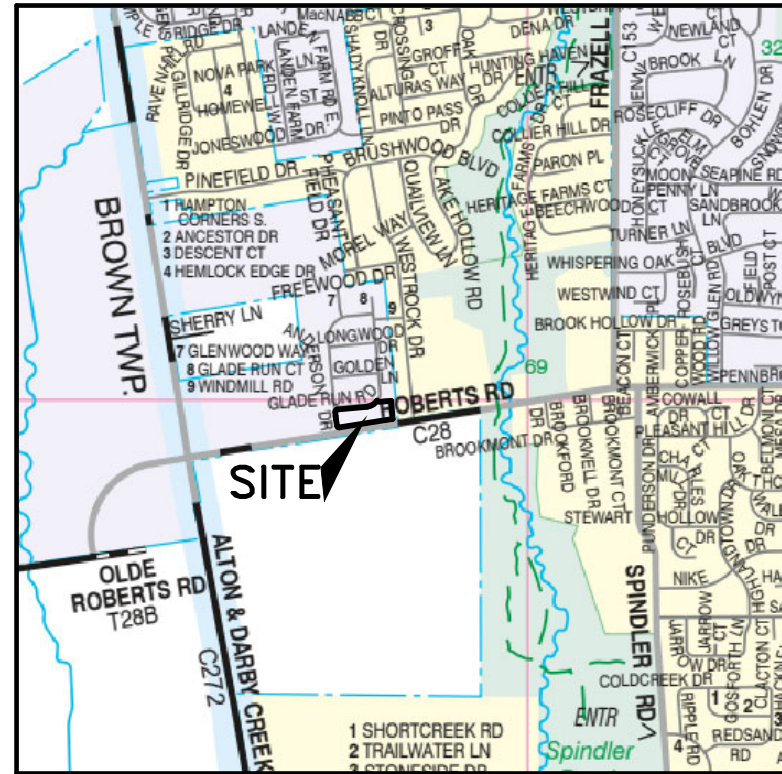
I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. **22-R-50** passed by the Hilliard City Council on the 27th day of June 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 27th day of June 2022.

Diane C. Werbrich, MMC



GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.



LOCATION MAP
1"=2000' +/-

Situated in the State of Ohio, County of Franklin, City of Hilliard, Virginia Military Survey Number 6642, being all of Reserve "B" (2.220 acres) and all of Reserve "C" (0.245 acres) of Anderson Meadows Section 1, a subdivision of record in Plat Book 114, Pages 71 & 72, said Reserves being conveyed to the City of Hilliard Ohio by deeds of record in Instrument Number 201208240124736 and Instrument Number 201208240124735, respectively, all references being to the records of the Recorder's Office, Franklin County, Ohio.

The undersigned, the City of Hilliard Ohio, by Michelle Crandall, City Manager, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "Anderson Meadows Section 1, Replat of Reserves B & C", and does hereby accept this plat of same.

Note "C" on the plat for Anderson Meadows Section 1, Plat Book 114, Pages 71 & 72 is deleted in its entirety and replaced with the following: Note "C" - New Reserve "B", as designated and delineated hereon, shall be owned and maintained by the City of Hilliard, Ohio for storm water runoff, pathways and open space. New Reserve "C", as designated and delineated hereon, may be used as permitted by applicable zoning.

The easement shown hereon labeled "Sanitary Service Lateral" will be considered private in nature and will be an integral part of New Reserve "C". All current and future owners of New Reserve "C" will have exclusive rights to this easement for sanitary sewer purposes only, including maintenance.

In Witness Whereof, Michelle Crandall, City Manager of the City of Hilliard Ohio, has hereunto set her hand this _____ day of _____ 2022.

Signed and Acknowledged
in the presence of: City of Hilliard Ohio

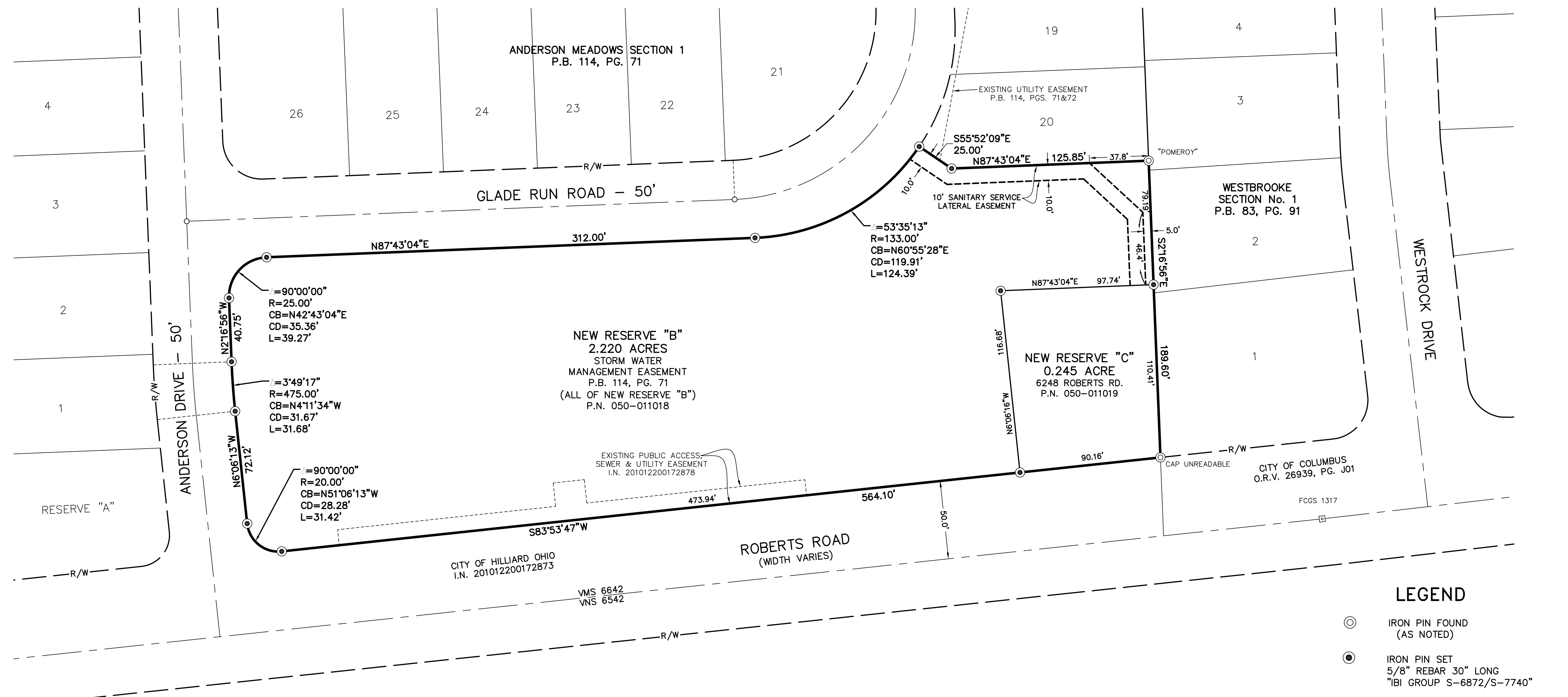
by: _____
Michelle Crandall
City Manager

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared Michelle Crandall, City Manager of the City of Hilliard Ohio, who acknowledged the signing of the foregoing instrument to be her voluntary act and deed and the voluntary act and deed of the City of Hilliard Ohio for the uses and purposes expressed therein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 2022.

My commission expires _____
Notary Public
State of Ohio



LEGEND

- ⊙ IRON PIN FOUND (AS NOTED)
- IRON PIN SET 5/8" REBAR 30" LONG "IBI GROUP S-6872/S-7740"
- MAG NAIL FOUND
- ⊠ FRANKLIN COUNTY MONUMENT FOUND

CITY OF HILLIARD

Approved this ____ day of ____ 2022, by the Planning and Zoning Commission

Chairman, Planning and Zoning Commission
Hilliard, Ohio

Approved this ____ day of ____ 2022
City Engineer, Hilliard, Ohio

Approved and accepted this ____ day of _____, 2022, by Resolution No. _____ wherein the easement shown granted hereon is accepted, as such by the Council for the City of Hilliard, Ohio.

Council Clerk, Hilliard, Ohio

Transferred this ____ day of ____ 2022

Auditor, Franklin County, Ohio

Deputy Auditor, Franklin County, Ohio

Filed for record this ____ day of ____ 2022 at ____ M. Fee \$ _____ Recorder, Franklin County, Ohio

File No. _____

Recorded this ____ day of ____ 2022 Deputy Recorder, Franklin County, Ohio

Plat Book _____, Page _____

SURVEY DATA:

BASIS OF BEARING: BEARINGS HEREIN ARE BASED ON THOSE OF THE REFERENCED PLAT "ANDERSON MEADOWS SECTION 1" OF RECORD IN PLAT BOOK 114, PAGES 71 & 72.

IRON PINS: IRON PINS WHERE INDICATED HEREON, UNLESS OTHERWISE NOTED, ARE TO BE SET AND ARE REBAR 5/8" IN DIAMETER AND ARE 30" LONG WITH A PLASTIC CAP INSCRIBED "IBI GROUP S-6872/S-7740".

FLOOD NOTE

RESERVES "B" & "C" SHOWN HEREON ARE LOCATED IN FLOOD ZONE "X" ACCORDING TO FEMA MAP No. 39049C0143 K WITH A EFFECTIVE DATE OF JUNE 17, 2008.

We do hereby certify that we have surveyed the above premises, prepared the attached plat and that said plat is correct. All dimensions are in feet and decimal parts thereof.

BY _____
Robert S. Wynd
Registered Surveyor No. 6872

Date _____

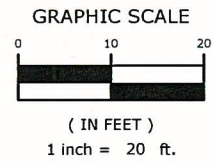


IBI GROUP
8101 North High Street, Suite 100
Columbus OH 43235 USA
tel 614 818 4900 fax 614 818 4901
ibigroup.com

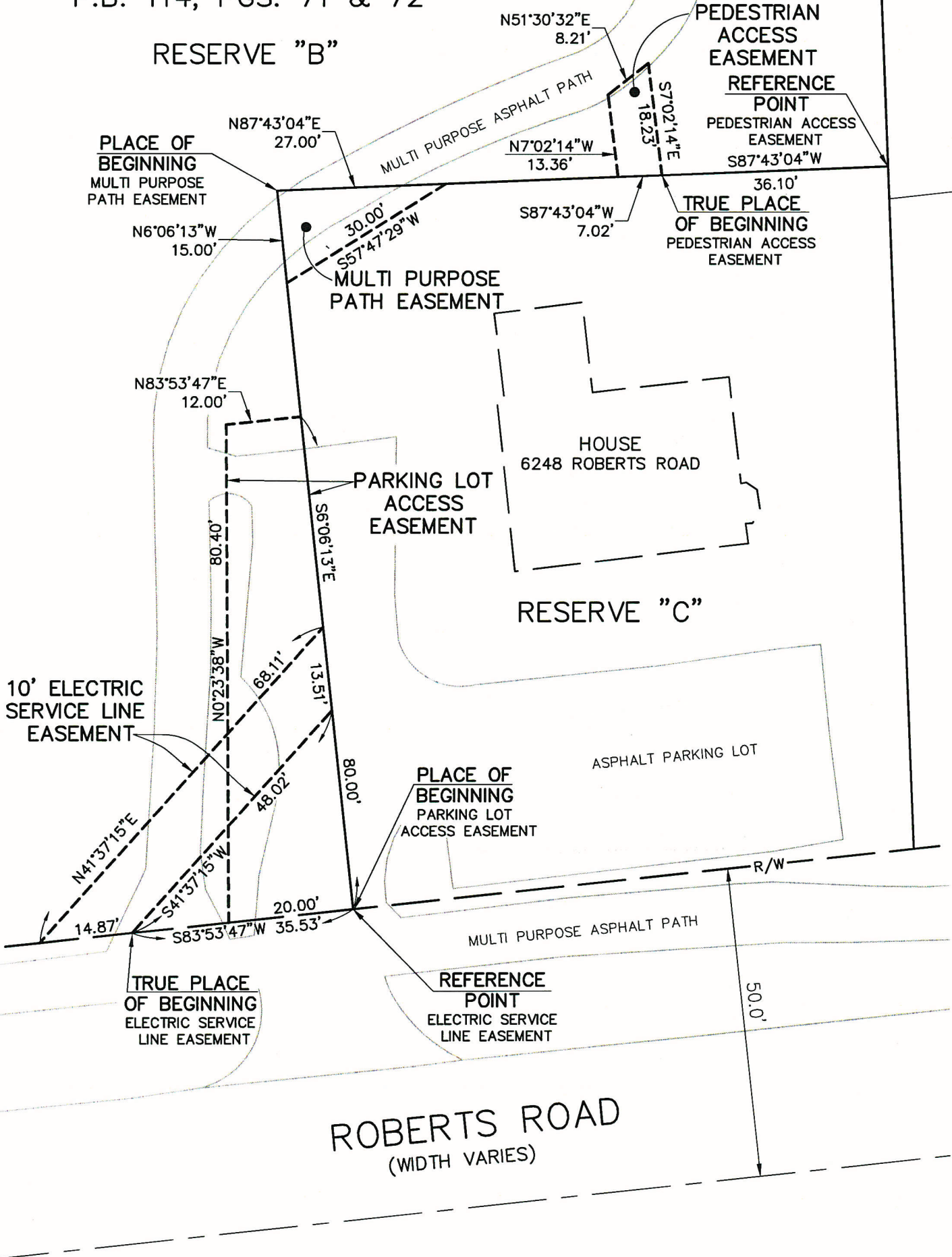


IBI GROUP
8101 North High Street, Suite 100
Columbus OH 43235 USA
tel 614 818 4900 fax 614 818 4901
ibigroup.com

EASEMENT EXHIBIT ROBERTS ROAD HILLIARD, OHIO



ANDERSON MEADOWS
SECTION 1
P.B. 114, PGS. 71 & 72
RESERVE "B"



Attachment: 2 EXHIBIT B easements (22-R-50 : Anderson Meadows Section 1 Replat)

PARKING LOT ACCESS EASEMENT
RESERVE "B"
ANDERSON MEADOWS SECTION 1
HILLIARD, OHIO

Situated in the State of Ohio, County of Franklin, City of Hilliard, being an area located within Reserve "B" of Anderson Meadows Section 1, a subdivision of record in Plat Book 114, Pages 71 & 72, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a southeasterly corner of Reserve "B", the southwesterly corner of Reserve "C" and in the northerly right-of-way line of Roberts Road, 50 feet from centerline;

Thence South $83^{\circ}53'47''$ West, along said right-of-way line, a distance of 20.00 feet to a point;

Thence North $0^{\circ}23'38''$ West, into Reserve "B", a distance of 80.40 feet to a point;

Thence North $83^{\circ}53'47''$ East, continuing through Reserve "B", a distance of 12.00 feet to a point in the line between Reserve "B" and Reserve "C";

Thence South $6^{\circ}06'13''$ East, along said line, a distance of 80.00 feet to the place of beginning.

Bearings herein conform to those of the referenced plat.

This description prepared by IBI Group Survey based on records of the Recorder's Office and field surveys.

Attachment: 2 EXHIBIT B easements (22-R-50 : Anderson Meadows Section 1 Replat)

PEDESTRIAN ACCESS EASEMENT
RESERVE "B"
ANDERSON MEADOWS SECTION 1
HILLIARD, OHIO

Situated in the State of Ohio, County of Franklin, City of Hilliard, being an area located within Reserve "B" of Anderson Meadows Section 1, a subdivision of record in Plat Book 114, Pages 71 & 72, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning **FOR REFERENCE** at a southeasterly corner of Reserve "B" and the northeasterly corner of Reserve "C"; thence South $87^{\circ}43'04''$ West, along the line between Reserve "B" and Reserve "C", a distance of 36.10 feet to the **TRUE PLACE OF BEGINNING**;

Thence South $87^{\circ}43'04''$ West, continuing along said line, a distance of 7.02 feet to a point;

Thence North $7^{\circ}02'14''$ West, into Reserve "B", a distance of 13.36 feet to a point;

Thence North $51^{\circ}30'32''$ East, continuing through Reserve "B", a distance of 8.21 feet to a point;

Thence South $7^{\circ}02'14''$ East, continuing through Reserve "B", a distance of 18.23 feet to the **TRUE PLACE OF BEGINNING**.

Bearings herein conform to those of the referenced plat.

This description prepared by IBI Group Survey based on records of the Recorder's Office and field surveys.

MULTI PURPOSE PATH EASEMENT
RESERVE "C"
ANDERSON MEADOWS SECTION 1
HILLIARD, OHIO

Situated in the State of Ohio, County of Franklin, City of Hilliard, being an area located within Reserve "C" of Anderson Meadows Section 1, a subdivision of record in Plat Book 114, Pages 71 & 72, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

- Beginning at the northwesterly corner of Reserve "C";
- Thence North 87°43'04" East, along the line between Reserve "C" and Reserve "B", a distance of 27.00 feet to a point;
- Thence South 57°47'29" West, crossing Reserve "C", a distance of 30.00 feet to a point in the westerly line of same, an easterly line of Reserve "B";
- Thence North 6°06'13" West, along the line between Reserve "C" and Reserve "B", a distance of 15.00 feet to the place of beginning;

Bearings herein conform to those of the referenced plat.

This description prepared by IBI Group Survey based on records of the Recorder's Office and field surveys.

ELECTRIC SERVICE LINE EASEMENT
RESERVE "B"
ANDERSON MEADOWS SECTION 1
HILLIARD, OHIO

Situated in the State of Ohio, County of Franklin, City of Hilliard, being an area located within Reserve "B" of Anderson Meadows Section 1, a subdivision of record in Plat Book 114, Pages 71 & 72, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning **FOR REFERENCE** at a southeasterly corner of Reserve "B", the southwesterly corner of Reserve "C" and in the northerly right-of-way line of Roberts Road, 50 feet from centerline; thence South $83^{\circ}53'47''$ West, along said right-of-way line, a distance of 35.53 feet to the **TRUE PLACE OF BEGINNING**;

Thence South $83^{\circ}53'47''$ West, continuing along said right-of-way line, a distance of 14.87 feet to a point;

Thence North $41^{\circ}37'15''$ East, crossing Reserve "B", a distance of 68.11 feet to a point in the line between Reserve "B" and Reserve "C";

Thence South $6^{\circ}06'13''$ East, along said line, a distance of 13.51 feet to a point;

Thence South $41^{\circ}37'15''$ West, again crossing Reserve "B", a distance of 48.02 feet to the **TRUE PLACE OF BEGINNING**.

Bearings herein conform to those of the referenced plat.

This description prepared by IBI Group Survey based on records of the Recorder's Office and field surveys.

Council Memo: Legislation (22-R-51)

Subject: 2023 Tentative Tax Budget
From: Michelle Crandall, City Manager
Initiated by: Greg Tantari, Deputy Finance Director
Date: June 27, 2022

Executive Summary

The proposed legislation would adopt a tentative tax budget for the City of Hilliard for the fiscal year 2023 as required by Article VI of the Hilliard City Charter and Section 5705.30 of the Ohio Revised Code.

Staff Recommendation

Staff recommends that Council adoption of this resolution.

Background

Section 5705.30 of the Ohio Revised Code requires City Council to adopt a tentative tax budget of the City of Hilliard and file a copy with the Office of the Franklin County Auditor by July 20, 2022.

Financial Impacts

There are no anticipated financial impacts.

Attachments

Exhibit A



Resolution: 22-R-51

Adopted:

Page 1 of

Effective:

ADOPTING A TENTATIVE TAX BUDGET FOR THE CITY OF HILLIARD FOR THE FISCAL YEAR 2023.

WHEREAS, the City Manager and the Director of Finance have prepared and submitted to City Council a tentative tax budget for the fiscal year 2023, 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, 2022; and

WHEREAS, a copy of the tentative tax budget for the fiscal year 2023 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 2023, 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 2023, as identified in Exhibit A, to the Office of the Franklin County Auditor no later than July 20, 2022.

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

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-51

		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Omar Tarazi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Les Carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Tina Cottone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Held Over	Peggy Hale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Pete Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Positive Recommendation	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Recommendation					
<input type="checkbox"/> Referred Back To Committee					

CERTIFICATE OF THE CLERK

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. **22-R-51** passed by the Hilliard City Council on the 27th day of June 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 27th day of June 2022.

Diane C. Werbrich, MMC

Revised County Auditor's Form No. Aud 622 Rev. 4-88
 Prepare in Triplicate
 On or before July 20th, two copies of this Budget
 must be submitted to the County Auditor

CITY OF HILLIARD, OHIO

Franklin County, Ohio

Date: _____

This Budget must be adopted by the Council or other legislative body on or before July 15th, and two copies must be submitted to the County Auditor on or before July 20th. FAILURE TO COMPLY WITH SEC.5705.28 r.c. SHALL RESULT IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

To the Auditor of said County:

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

Signed _____

Title _____

SCHEDULE A

**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 (Include only those funds which are requesting general property tax revenue)	BUDGET YEAR AMOUNT REQUESTED OF BUDGET COMMISSION INSIDE/OUTSIDE	BUDGET YEAR AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	BUDGET YEAR TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED	
				INSIDE 10 M. LIMIT BUDGET YEAR	OUTSIDE 10 M. LIMIT BUDGET YEAR
	Column 1	Column 2	Column 3	4	5
GOVERNMENTAL FUNDS	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
GENERAL FUND					
PROPRIETARY FUNDS	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
FIDUCIARY FUNDS	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
TOTAL ALL FUNDS					

**RESOLUTION 22-R-
 EXHIBIT A**

DESCRIPTION (1)	FOR 2020 ACTUAL (2)	FOR 2021 ACTUAL (3)	CURRENT YEAR ESTIMATED FOR 2022 (4)	CURRENT YEAR ESTIMATED FOR 2023 (5)
REVENUES				
Local Taxes				
General Property Tax - Real Estate	1,571,111	1,848,173	2,097,529	2,097,529
Tangible Personal Property Tax	0	0	0	0
Municipal Income Tax	20,002,095	26,013,989	19,817,927	20,214,286
Other Local Taxes --- Motel Tax	1,250	1,250	152,000	152,000
Total Local Taxes	21,574,456	27,863,411	22,067,456	22,463,815
Intergovernmental Revenues				
State Shared Taxes and Permits				0
Local Government	512,613	655,215	520,000	520,000
Estate Tax	0	1,671	0	0
Cigarette Tax	559	578	900	900
License Tax				0
Liquor and Beer Permits	37,972	29,797	20,000	20,000
Gasoline Tax				0
Library and Local Government Support Fund				0
Property Tax Allocation --- Rollback	169,856	204,273	220,000	220,000
Other State Shared Taxes and Permits	0	0	1,000	1,000
Total State Shared Taxes and Permits	721,000	891,533	761,900	761,900
Federal Grants or Aid				
State Grants or Aid --- COPS	6,000	7,150	0	0
Other Grants or Aid --- ODNR	0	0	0	0
Total Intergovernmental Revenues	727,000	898,683	761,900	761,900
Special Assessments				
Charges for Services	110,300	927,131	0	0
Fines, Licenses, and Permits	743,827	864,144	1,127,500	1,161,325
Miscellaneous	3,559,759	3,871,089	5,330,117	5,330,117
Other Financing Sources:				0
Proceeds from Sale of Debt				0
Transfers	0	0	0	0
Advances				0
Other Sources	767,762	-408,369	703,000	703,000
TOTAL REVENUE	27,483,104	34,016,090	29,989,973	30,420,157

FUND NAME: GENERAL FUND
FUND TYPE/CLASSIFICATION: GOVERNMENTAL-GENERAL

EXHIBIT I

This Exhibit is to be used for the General Fund Only

DESCRIPTION (1)	FOR 2020 ACTUAL (2)	FOR 2021 ACTUAL (3)	CURRENT YEAR ESTIMATED FOR 2022 (4)	CURRENT YEAR ESTIMATED FOR 2023 (5)
EXPENDITURES				
Security of Persons and Property				
Personal Services	9,632,496	10,521,265	11,540,433	11,771,242
Travel Transportation	878	2,782	7,000	7,000
Contractual Services	1,035,182	1,064,325	1,126,400	1,126,400
Supplies and Materials	203,813	302,018	327,600	327,600
Capital Outlay	0	0	0	0
Total Security of Persons and Property	10,872,369	11,890,390	13,001,433	13,232,242
Public Health Services				
Personal Services				
Travel Transportation				
Contractual Services	360,497	370,000	381,000	381,000
Supplies and Materials				
Capital Outlay				
Total Public Health Services	360,497	370,000	381,000	381,000
Leisure Time Activities				
Personal Services	1,822,830	2,562,120	0	0
Other Uses	181,097	280,599	0	0
Contractual Services	150,861	282,060	0	0
Supplies and Materials	235,754	439,332	0	0
Hilliard Convention Bureau	0	0	0	0
Total Leisure Time Activities	2,390,542	3,564,110	0	0
Community Environment				
Personal Services	1,280,340	1,308,586	1,656,816	1,689,952
Travel Transportation	1,216	584	16,700	16,700
Contractual Services	166,281	302,504	227,250	227,250
Supplies and Materials	37,960	36,251	54,450	54,450
Capital Outlay			0	0
Total Community Environment	1,485,796	1,647,925	1,955,216	1,988,352
Basic Utility Services				
Personal Services	304,981	271,091	330,240	336,845
Travel Transportation	0	0	0	0
Contractual Services	2,645,741	2,682,158	3,019,000	3,019,000
Supplies and Materials	31,595	38,345	43,800	43,800
Capital Outlay		0		0
Total Basic Utility Services	2,982,316	2,991,595	3,393,040	3,399,645

Attachment: Exhibit A.2023 Tentative Tax Budget (22-R-51 : 2023 Tentative Tax Budget)

FUND NAME: GENERAL FUND

EXHIBIT I

FUND TYPE/CLASSIFICATION: GOVERNMENTAL-GENERAL

DESCRIPTION (1)	FOR 2020 ACTUAL (2)	FOR 2021 ACTUAL (3)	CURRENT YEAR ESTIMATED FOR 2022 (4)	CURRENT YEAR ESTIMATED FOR 2023 (5)
Transportation				
Personal Services				
Travel Transportation				
Contractual Services				
Supplies and Materials				
Capital Outlay				
Total Transportation	0	0	0	0
General Government				
Personal Services	2,923,325	3,394,840	4,087,309	4,087,309
Travel Transportation / Refunds	55,921	8,217	126,000	126,000
Contractual Services	1,118,536	1,345,320	2,565,190	2,565,190
Supplies and Materials	232,713	306,532	527,350	527,350
Capital Outlay			0	0
Total General Government	4,330,496	5,054,908	7,305,849	7,305,849
Debt Service				
Redemption of Principal				
Interest				
Other Debt Service				
Total Debt Service			0	0
Other Uses of Funds				
Transfers --- Debt	0	0	0	0
Advances	0	0		0
Contingencies --- Abatements	142,208	37,013	150,000	150,000
Other Uses of Funds -Tax Refunds/Emerg.	1,609,878	1,093,873	1,320,000	1,320,000
Total Other Uses of Funds	1,752,087	1,130,886	1,470,000	1,470,000
TOTAL EXPENDITURES	24,174,103	26,649,815	27,506,538	27,777,088
Revenues over (under) expenditures	3,309,000	7,366,275	2,483,435	2,643,069
Beginning Unencumbered Balance	28,754,032	32,063,032	39,429,307	41,912,742
Ending Cash Fund Balance	32,063,032	39,429,307	41,912,742	44,555,811
Estimates Encumbrances (outstanding yr. end)	2,243,955	2,939,765	2,243,955	2,243,955
Estimated Ending Unencumbered Fund Bal.	29,819,077	36,489,542	39,668,787	42,311,856

Attachment: Exhibit A-2023 Tentative Tax Budget (22-R-51 : 2023 Tentative Tax Budget)

FUND List all funds individually unless on Exhibit I or II	ESTIMATED UNENCUMBERED FUND BALANCE 1/1/2022	BUDGET YEAR ESTIMATED RECEIPTS	TOTAL AVAILABLE FOR EXPENDITURES	BUDGET YEAR EXPENDITURES AND ENCUMBRANCES			ESTIMATED UNENCUMBERED BALANCE 12/31/2022
				PERSONAL SERVICES	OTHER	TOTAL	
GOVERNMENTAL:							
SPECIAL SERVICE:							
Recreation & Parks	0	110,950,808	110,950,808	2,863,484	17,780,608	20,644,091	90,306,717
Street CMR	1,706,527	2,275,000	3,981,527	1,235,118	1,816,968	3,052,086	929,440
MVT	1,101,085	507,000	1,608,085	0	220,000	220,000	1,388,085
Street Cap. Imp.	2,799,624	3,381,490	6,181,114	0	3,904,591	3,904,591	2,276,523
Park Cap. Imp.	203,525	390,000	593,525	0	120,000	120,000	473,525
Water M & R	141,125	1,050,000	1,191,125	719,126	371,501	1,090,626	100,499
Sewer M & R	107,265	1,105,500	1,212,765	719,126	483,175	1,202,300	10,465
Sewer Cap. & Bene.	109,498	280,000	389,498	0	150,000	150,000	239,498
Storm Water Utility Surchagre	1,388,248	1,330,000	2,718,248	719,126	1,027,000	1,746,126	972,123
Const. Insp.	85,797	655,000	740,797	372,177	357,500	729,677	11,120
Enf. Trust	176,705	30,000	206,705	0	0	0	206,705
Enf. & Education	17,340	4,000	21,340	0	0	0	21,340
Mand. Drug Fines	10,340	2,000	12,340	0	2,000	2,000	10,340
Seizure Acct.	2,544	2,050	4,594	0	2,000	2,000	2,594
Franklin Cty - Prog. Grant	42,333	50,000	92,333	0	50,000	50,000	42,333
Tax increment Finanacing	2,810,590	10,320,000	13,130,590		6,294,552	6,294,552	6,836,037
Mayor's Court Comp.	27,610	25,000	52,610	0	50,000	50,000	2,610
Hilliard Recovery Court	10,903	240,000	250,903	0	146,732	146,732	104,171
Dog Park	100	0	100	0	0	0	100
TOTAL SPECIAL REVENUE FUNDS	10,741,158	132,597,847	143,339,005	6,628,155	32,776,626	39,404,781	103,934,224
DEBT SERVICE FUNDS							
General Bond Ret.	0	0	0	0	0	0	0
Special Asses.	0	0	0		0	0	0
TOTAL DEBT SERVICE FUNDS	0	0	0	0	0	0	0
CAPITAL PROJECT FUNDS							
Cap. Imp. Fund	16,392,373	14,675,280	31,067,653	0	26,959,770	26,959,770	4,107,883
HR Road	0	0	0	0	0	0	0
Ballfields				0			
Britton Road	0		0			0	0
Leap Rd. Eng.							
CAPITAL PROJECT FUNDS	16,392,373	14,675,280	31,067,653	0	26,959,770	26,959,770	4,107,883

EXHIBIT IV

STATEMENT OF PERMANENT IMPROVEMENTS

(Do not include expense to be paid from bond issues)

Section 5705.29 Revised Code

Description	Estimated Cost of Permanent Improvement	Amount to be Budgeted During Current Year	Name of Paying Fund
Sewer Improvements (sanitary)	2,303,325	2,303,325	Sewer & Capital Improvement Fund
Transportation Improvements	2,554,591	2,554,591	Street & Capital Improvement Fund
Transportation Improvements	5,750,268	5,750,268	Capital Improvement Fund
Park Improvements	7,360,713	7,360,713	Park Capital Improvement Fund
General City Improvements	17,823,921	17,823,921	Capital Improvement Fund
TOTAL	35,792,818	35,792,818	

For the year being budgeted, list each contemplated disbursement for permanent improvement, exclusive of any expenses to be paid from bond issues, by the fund from which the expenditures are to be made. Examples for describing the permanent improvements are: window replacement, vehicle purchase, furnishing offices, appliances for the fire department kitchen.

EXHIBIT VI

BUDGET YEAR

PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 Mill Limit *	Date of Issue	Date Due	Ordinance or Resolution	Serial or Term	Rate of Interest	Amounts of Bonds and Notes Outstanding at beginning of budgeted year Jan 1, 2022	Amount Required for Principal and Interest 1/1/2022 to 12/31/2022	Amount Receivable from Other Sources to Meet Debt Payments 1/1/22 to 12/31/22
Payable from Bond Retirement Fund: INSIDE 10 MILL LIMIT:									
							0	0	0
Various Purpose and Refunding Bonds, Series 2012		6/28/2012	12/1/2032	12-15		3%-5%	3,780,000	1,183,500	1,183,500
Various Purpose and Refunding Bonds, Series 2013		4/30/2013	12/1/2033	13-15		1%-3.5%	3,225,000	993,231	993,231
Various Purpose and Refunding Bonds, Series 2014		4/28/2014	12/1/2034	14-04		2%-4%	3,110,000	589,750	589,750
Various Purpose and Refunding Bonds, Series 2015		4/23/2015	12/1/2035	15-04		4.00%	7,140,000	535,600	535,600
Various Purpose and Refunding Bonds, Series 2016		4/21/2016	12/1/2036	16-07		2%-4%	8,215,000	1,558,600	1,558,600
Various Purpose Bonds, Series 2017		4/11/2017	12/1/2037	17-04		2%-4%	3,745,000	334,800	334,800
Various Purpose Bonds, Series 2019		5/9/2019	12/1/2039	19-04		2%-4%	9,125,000	624,619	624,619
Various Purpose Bonds, Series 2020		10/28/2020	12/1/2040	20-21		2%-4%	7,135,000	714,050	714,050
Ohio Public Works Commission				13-15			2,730,423	109,217	109,217
Ohio Public Works Commission				16-29			5,407,500	270,375	270,375
TOTAL							53,612,923	6,913,742	6,913,742
OUTSIDE 10 MILL LIMIT:									
Income Tax Special Obligation Bonds, Series 2022	Yes	4/28/2022	12/1/2058	22-10		2%-4.5%	85,000,000	2,500,000	2,500,000
*The Bonds were issued pursuant to Home Rule Power under Article XVIII, section 3 of the Ohio Constitution.									
TOTAL							85,000,000	2,500,000	2,500,000

* If the levy is outside the 10 mill limit by vote enter the words "by vote" and the date of 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.

Council Memo: Legislation (22-R-52)

Subject: 2022 Street Maintenance and Rehabilitation Program (SMRP)
From: Michelle Crandall, City Manager
Initiated by: Larry Lester, Operations Director
Date: June 27, 2022

Executive Summary

This memorandum provides a bid summary of the 2022 Street Maintenance and Rehabilitation Program (SMRP). The engineer's estimate for base bid items is \$1,476,748.00. The estimated costs for alternates are \$571,877.00. The bid opening for this project was held on June 16, 2022.

Staff Recommendation

Two bids were received for this project. Strawser Paving Company submitted the lowest and best bid at \$1,436,301.25 for base bid items. Decker Construction Company's bid for base bid items was \$1,614,057.25. Staff recommends awarding the project to Strawser Paving Company.

Background

Base Bid Streets	Subdivision	Current PCI
Alley East of Columbia (Center St. to Norwich St.)	Old Hilliard	15
Alley East of Main (Norwich St. to North St.)	Old Hilliard	14
Alley East of Main (North St. to Alley N. of North St.)	Old Hilliard	19
Alley East of Main (Center St. to Norwich St.)	Old Hilliard	23
Alley North of Center (Alley E. of Main St. to Columbia St.)	Old Hilliard	12
Alley North of Center (Alley E. of Grant St. to Wayne St.)	Old Hilliard	14
Alley North of Center (Columbia St. to Grove St.)	Old Hilliard	25
Ashview St. (Barnhurst Ln. to Huntwicke Dr.)	Britton Farms	22
Ashview Ct. (W. End (Cul-De-Sac) to Barnhurst Ln.)	Britton Farms	33
Brickwood Dr. (Claymill Dr. to N. End (Cul-De-Sac)	Hampton Oaks	29
Cornbury Ln. (Old Creek Ln. to Hyde Park Dr.)	Hyde Park	26
Elm Grove Ct. (Honeysuckle Ln. to S. E. End (Cul-De-Sac)	Brookfield Village	22
Hyde Park Ct. (Hyde Park Dr. to N. End (Cul-De-Sac)	Hyde Park	29
Midlane Dr. (Hillcrest St. to Hillcrest St. E.)	Hilliard Heights	23
Mill Run Dr. (Mill Meadow Dr. to Woods Mill Dr.)	Mill Run	34
Old Creek Ln. (Groff Pl. to Stouenburgh Dr.)	Hyde Park	20
Patcon Wy. (Vintage Woods Dr. to Vintage Woods Dr.)	Darby Glen	29
Serpentine Dr. (Hyde Park Dr. to Stouenburgh Dr.)	Hyde Park	25
Shineystone Wy. (Dayspring Dr. to Pleasantbrook Dr.)	River Run	20
Vintage Woods Dr. (Patcon Wy. To Paycon Wy.)	Darby Glen	28
Average PCI		23.1

Alternate Bid Streets	Subdivision	Current PCI
1A Fern Trail Dr. (Kriggsby Blvd. to Darby Glen Blvd.)	Darby Glen	32
1A Garrison Ct. (Fern Trail Dr. to S. End (Cul-De-Sac)	Darby Glen	33
1A Olde Vintage Dr. (Hyde Park Dr. to Serpentine Dr.)	Hyde Park	29
2A Claymill Dr. (Dixon Dr. to Brickwood Dr.)	Hampton Oaks	30
2A Claymill Ct. (Claymill Dr. to N. End (Cul-De-Sac)	Hampton Oaks	32
2A Nadine Park Dr. (Pavement Change to Laferre Ln.)	E Hoffman Farms	32
3A Sutter Home Rd. (Mondavi Ln. to Hilliard Rome Rd.)	Sutton Place	33
3A Beringer Dr. (Wynneleaf St. to Sutter Home Rd.)	Sutton Place	32
3A Mondavi Ln. (Beringer Dr. to Mondavi Ct.)	Sutton Place	31
4A Kerr Dr. (Dexter Ave. to Packard Dr.)	Avery	32

4A Huntwicke Ct. (Britton Farms Dr. to N.E. End (Cul-De-Sac)	Britton Farms	30
4A Grandon Ct. (Grandon Dr. to N. End (Cul-De-Sac)	Williamsburg	33
5A Nightspring Ct. (Coolbrook Dr. to E. End (Cul-De-Sac)	River Landings	33
5A River Landings Ct. (S. End) to River Landings Blvd.)	River Landings	33
5A Aigin Ct. (S. End (Cul-De-Sac) to Wynnleaf St.)	Brookfield Village	34
6A Incentive Payment (Complete program in 90 days or less)		
Average PCI		31.9

Financial Impacts

This annual program was budgeted at \$1,800,00 in Funds 203 and 206 of the 2022 capital budget. The 2022 capital budget was approved by City Council on December 13, 2022, by Ordinance No. 21-41 effective January 13, 2022. The funding breakdown for this program is as follows:

Funding Source	Budget Amount
T-121	1,700,000.00
T-122	100,000.00
Total Project Funding	1,800,000.00

	Project Amount
2022 SMRP	
Base Bid	1,436,301.25
10% Contingency Base Bid	143,630.13
Alternate 5A	56,603.82
Alternate 6A - Incentive Payment	5,000.00
10% Contingency Alternates	6,160.38
Staff Inspection 2%	28,726.03
Contract Administration 2%	28,726.03
 Total Project	 1,705,147.63
Balance	94,852.37
 FCEO Hayden Run Rd.	 94,852.37
 Project Balance	 0.00

Expected Benefits

This program will increase the City's overall network pavement condition index (PCI) from 70 to 71, with no street sections in the serious or very poor condition categories. Staff's long-term goal is to maintain an overall pavement network PCI above 80. The City is getting closer to meeting this goal.

Partnership with FCEO

The City will partner with the Franklin County Engineer's Office to resurface Hayden Run Road west of Avery Road within the Hilliard section. This project includes two drainage fixes as well as full depth pavement repairs over the existing box culvert within the project limits. The funding for this project is estimated in an amount not to exceed \$94,852.37. The City will benefit from the economies of scale associated with FCEO's larger annual road resurfacing program.

Attachments

Bid Tabulation

Item	Quantity	Strawser Paving Company			Decker Construction Company		
		Price	Labor	Extension	Price	Labor	Extension
BID SCHEDULE							
202.0 - Sidewalk Removed - SF	6,216.3000	\$0.00	\$2.50	\$15,540.75	\$0.00	\$3.63	\$22,565.17
202.0 - Curb and Gutter Removed - LF	6,326.0000	\$0.00	\$5.50	\$34,793.00	\$0.00	\$11.59	\$73,318.34
251.0 - Partial Depth Pavement Replacement - SY	500.0000	\$16.25	\$23.75	\$20,000.00	\$8.69	\$41.31	\$25,000.00
252.0 - Full Depth Pavement Replacement - SY	500.0000	\$28.74	\$46.26	\$37,500.00	\$44.20	\$57.44	\$50,820.00
254.0 - Pavement Planing, Asphalt Concrete - SY	29,882.9000	\$0.00	\$2.50	\$74,707.25	\$0.00	\$2.30	\$68,730.67
404LVT - Asphalt Concrete - CY	924.0000	\$192.39	\$78.11	\$249,942.00	\$160.50	\$68.54	\$211,632.96
407.0 - Tack Coat, Trackless Tack, Intermediate Course - GAL	2,310.6000	\$3.40	\$1.00	\$10,166.64	\$3.30	\$1.00	\$9,935.58
423.0 - Crack Seal, Hot Applied (COLS 413) - SY	5,000.0000	\$1.00	\$1.05	\$10,250.00	\$1.00	\$1.06	\$10,300.00
441.0 - Asphalt Concrete - CY	426.2000	\$165.41	\$56.59	\$94,616.40	\$156.50	\$68.54	\$95,912.05
604.0 - Curb Inlet Reconstruction - EACH	20.0000	\$250.00	\$250.00	\$10,000.00	\$42.50	\$798.36	\$16,817.20
608.0 - Concrete Sidewalk, Remove and Replace - SF	5,729.0000	\$3.00	\$4.50	\$42,967.50	\$3.10	\$5.20	\$47,550.70
608.0 - Curb Ramp, Complete, Residential Area - EACH	64.0000	\$500.00	\$500.00	\$64,000.00	\$670.00	\$996.45	\$106,652.80
608.0 - Curb Ramp, Complete, Arterial or Collector Area - EACH	10.0000	\$650.00	\$650.00	\$13,000.00	\$1,505.20	\$1,943.52	\$34,487.20
608.0 - Detectable Warning Strip for Curb Ramp, Armor Tile or Equal - EACH	74.0000	\$90.00	\$50.00	\$10,360.00	\$225.00	\$33.75	\$19,147.50
609.0 - Straight Curb or Combination Curb and Gutter, Replace - LF	6,340.0000	\$10.00	\$15.00	\$158,500.00	\$11.67	\$28.55	\$254,994.80
642.0 - Center Line - MILE	15.0000	\$550.00	\$550.00	\$16,500.00	\$1,056.00	\$123.35	\$17,690.25
642.0 - Edge/Lane Line - MILE	8.0000	\$350.00	\$350.00	\$5,600.00	\$528.00	\$218.75	\$5,974.00
642.0 - Channeling Line - LF	2,500.0000	\$0.40	\$0.55	\$2,375.00	\$0.50	\$0.48	\$2,450.00
659.0 - Hydroseeding - SY	300.0000	\$0.50	\$0.50	\$300.00	\$1.00	\$4.00	\$1,500.00
1541.0 - Heat Weld - SF	500.0000	\$4.00	\$3.20	\$3,600.00	\$0.50	\$6.00	\$3,250.00
SPECIAL - Rejuvenator - SY	28,882.9000	\$0.50	\$0.60	\$31,771.19	\$0.65	\$0.46	\$32,060.02
SPECIAL - Ramp Patch - EACH	74.0000	\$18.35	\$81.65	\$7,400.00	\$100.00	\$100.00	\$14,800.00
SPECIAL - Traffic Control, Entire Project - LUMP	1.0000	\$0.00	\$77,700.00	\$77,700.00	\$6,420.00	\$18,685.00	\$25,105.00
202.0 - 1A Sidewalk Removed - SF	634.0000	\$0.00	\$2.50	\$1,585.00	\$0.00	\$3.63	\$2,301.42
202.0 - 1A Curb and Gutter Removed - LF	285.0000	\$0.00	\$5.50	\$1,567.50	\$0.00	\$11.59	\$3,303.15
254.0 - 1A Pavement Planing, Asphalt Concrete - SY	4,703.9000	\$0.00	\$2.50	\$11,759.75	\$0.00	\$2.30	\$10,818.97
404LVT - 1A Asphalt Concrete - CY	163.4000	\$192.39	\$78.11	\$44,199.70	\$160.50	\$108.92	\$44,023.23
407.0 - 1A Tack Coat, Trackless Tack, Intermediate Course - GAL	376.3000	\$3.40	\$1.00	\$1,655.72	\$3.30	\$1.00	\$1,618.09
608.0 - 1A Concrete Sidewalk, Remove and Replace - SF	349.0000	\$3.00	\$4.50	\$2,617.50	\$3.10	\$5.20	\$2,896.70
608.0 - 1A Curb Ramp, Complete, Residential Area - EACH	4.0000	\$500.00	\$500.00	\$4,000.00	\$670.00	\$996.45	\$6,665.80
608.0 - 1A Detectable Warning Strip for Curb Ramp, Armor Tile or Equal - EACH	4.0000	\$90.00	\$50.00	\$560.00	\$225.00	\$33.75	\$1,035.00
609.0 - 1A Straight Curb or Combination Curb and Gutter, Replace - LF	285.0000	\$10.00	\$15.00	\$7,125.00	\$11.67	\$28.55	\$11,462.70
SPECIAL - 1A Rejuvenator - SY	4,703.9000	\$0.50	\$0.60	\$5,174.29	\$0.65	\$0.46	\$5,221.33
202.0 - 2A Sidewalk Removed - SF	302.0000	\$0.00	\$2.50	\$755.00	\$0.00	\$3.63	\$1,096.26
202.0 - 2A Curb and Gutter Removed - LF	70.0000	\$0.00	\$5.50	\$385.00	\$0.00	\$11.59	\$811.30
254.0 - 2A Pavement Planing, Asphalt Concrete - SY	7,495.2000	\$0.00	\$2.50	\$18,738.00	\$0.00	\$2.30	\$17,238.96
404LVT - 2A Asphalt Concrete - CY	260.3000	\$192.39	\$78.11	\$70,411.15	\$160.50	\$71.76	\$60,457.28
407.0 - 2A Tack Coat, Trackless Tack, Intermediate Course - GAL	599.6000	\$3.40	\$1.00	\$2,638.24	\$3.40	\$1.00	\$2,638.24
608.0 - 2A Concrete Sidewalk, Remove and Replace - SF	144.0000	\$3.00	\$4.50	\$1,080.00	\$3.10	\$5.20	\$1,195.20
608.0 - 2A Curb Ramp, Complete, Residential Area - EACH	4.0000	\$500.00	\$500.00	\$4,000.00	\$670.00	\$996.45	\$6,665.80
608.0 - 2A Detectable Warning Strip for Curb Ramp, Armor Tile or Equal - EACH	4.0000	\$90.00	\$50.00	\$560.00	\$225.00	\$33.75	\$1,035.00
609.0 - 2A Straight Curb or Combination Curb and Gutter, Replace - LF	70.0000	\$10.00	\$15.00	\$1,750.00	\$11.67	\$28.55	\$2,815.40
SPECIAL - 2A Rejuvenator - SY	7,495.2000	\$0.50	\$0.60	\$8,244.72	\$0.65	\$0.46	\$8,319.67
202.0 - 3A Sidewalk Removed - SF	976.5000	\$0.00	\$2.50	\$2,441.25	\$0.00	\$3.63	\$3,544.70
202.0 - 3A Curb and Gutter Removed - LF	118.0000	\$0.00	\$5.50	\$649.00	\$0.00	\$11.59	\$1,367.62
254.0 - 3A Pavement Planing, Asphalt Concrete - SY	6,613.7000	\$0.00	\$2.50	\$16,534.25	\$0.00	\$2.30	\$15,211.51
404LVT - 3A Asphalt Concrete - CY	229.7000	\$192.39	\$78.11	\$62,133.85	\$160.50	\$74.70	\$54,025.44
407.0 - 3A Tack Coat, Trackless Tack, Intermediate Course - GAL	529.0000	\$3.40	\$1.00	\$2,327.60	\$3.30	\$1.00	\$2,274.70
608.0 - 3A Concrete Sidewalk, Remove and Replace - SF	699.0000	\$3.00	\$4.50	\$5,242.50	\$3.10	\$5.20	\$5,801.70
608.0 - 3A Curb Ramp, Complete, Residential Area - EACH	8.0000	\$500.00	\$500.00	\$8,000.00	\$670.00	\$996.45	\$13,331.60

608.0 - 3A Detectable Warning Strip for Curb Ramp, Armor Tile or Equal - EACH	8.0000	\$90.00	\$50.00	\$1,120.00	\$225.00	\$33.75	\$2,070.00
609.0 - 3A Straight Curb or Combination Curb and Gutter, Replace - LF	118.0000	\$10.00	\$15.00	\$2,950.00	\$11.67	\$28.55	\$4,745.96
SPECIAL - 3A Rejuvenator - SY	6,613.7000	\$0.50	\$0.60	\$7,275.07	\$0.65	\$0.46	\$7,341.21
202.0 - 4A Curb and Gutter Removed - LF	372.0000	\$0.00	\$5.50	\$2,046.00	\$0.00	\$11.59	\$4,311.48
254.0 - 4A Pavement Planing, Asphalt Concrete - SY	5,565.3000	\$0.00	\$2.50	\$13,913.25	\$0.00	\$2.30	\$12,800.19
404LVT - 4A Asphalt Concrete - CY	193.3000	\$192.38	\$78.12	\$52,287.65	\$160.50	\$82.76	\$47,022.16
407.0 - 4A Tack Coat, Trackless Tack, Intermediate Course - GAL	445.2000	\$3.40	\$1.00	\$1,958.88	\$3.30	\$1.00	\$1,914.36
609.0 - 4A Straight Curb or Combination Curb and Gutter, Replace - LF	372.0000	\$10.00	\$15.00	\$9,300.00	\$11.67	\$28.55	\$14,961.84
SPECIAL - 4A Rejuvenator - SY	5,565.3000	\$0.50	\$0.60	\$6,121.83	\$0.65	\$0.46	\$6,177.48
202.0 - 5A Sidewalk Removed - SF	499.8000	\$0.00	\$2.50	\$1,249.50	\$0.00	\$3.63	\$1,814.27
202.0 - 5A Curb and Gutter Removed - LF	90.0000	\$0.00	\$5.50	\$495.00	\$0.00	\$11.59	\$1,043.10
254.0 - 5A Pavement Planing, Asphalt Concrete - SY	3,405.6000	\$0.00	\$2.50	\$8,514.00	\$0.00	\$2.30	\$7,832.88
404LVT - 5A Asphalt Concrete - CY	118.2000	\$192.38	\$78.12	\$31,973.10	\$160.50	\$135.46	\$34,982.47
407.0 - 5A Tack Coat, Trackless Tack, Intermediate Course - GAL	272.4000	\$3.40	\$1.00	\$1,198.56	\$3.30	\$1.00	\$1,171.32
608.0 - 5A Concrete Sidewalk, Remove and Replace - SF	349.0000	\$3.00	\$4.50	\$2,617.50	\$3.10	\$5.20	\$2,896.70
608.0 - 5A Curb Ramp, Complete, Residential Area - EACH	4.0000	\$500.00	\$500.00	\$4,000.00	\$670.00	\$996.45	\$6,665.80
608.0 - 5A Detectable Warning Strip for Curb Ramp, Armor Tile or Equal - EACH	4.0000	\$90.00	\$50.00	\$560.00	\$225.00	\$33.75	\$1,035.00
609.0 - 5A Straight Curb or Combination Curb and Gutter, Replace - LF	90.0000	\$10.00	\$15.00	\$2,250.00	\$11.67	\$28.55	\$3,619.80
SPECIAL - 5A Rejuvenator - SY	3,405.6000	\$0.50	\$0.60	\$3,746.16	\$0.65	\$0.46	\$3,780.22
SPECIAL - 6A Incentive Payment to Complete the Entire Program in 90 - LUMP	1.0000	\$0.00	\$5,000.00	\$5,000.00	\$0.00	\$10,000.00	\$10,000.00
70 Items				\$1,436,301.25			\$1,614,057.25
Totals				\$444,711.52			\$463,363.01
Alternate Items Total							



Resolution: 22-R-52

Adopted:

Page 1 of

Effective:

**AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE CONTRACTS
FOR THE 2022 STREET MAINTENANCE AND REHABILITATION PROGRAM
(SMRP); AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

WHEREAS, the City conducted its annual inspection of streets, alleys, sidewalks, and curb ramps identified those needing repair and maintenance; and

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

WHEREAS, the Project is identified as a Level One Capital Improvement Project for 2022, 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 \$1,476,748.00 and the estimated cost of Alternates are \$571.877.00; and

WHEREAS, after having been duly advertised for two consecutive weeks as required by law, bids for the contract were opened electronically on Bid Express at 2:00 p.m., June 16, 2022, and Strawser Paving Company, which submitted a base bid in the amount of \$1,436,301.25, was determined to be the lowest and best bidder on the base bid ("Contractor"); and

WHEREAS, the City has elected to award the following alternates to Strawser Paving Company:

- Alternate Five - \$56,603.82;
- Alternate Six - \$5,000; and

WHEREAS, a contingency in the amount of \$149,790.51 is available to cover approved change orders; and

WHEREAS, the Franklin County Engineer's Office (FCEO) planned for the resurfacing of Hayden Run Road west of Avery Road as part of its annual street maintenance program; and

WHEREAS, the City of Hilliard desires to include the section of Hayden Run Road between Avery Road and Hilliard corporation limit to improve its pavement condition rating and to allow for continuity in lane widths along the multi-jurisdictional corridor (hereinafter, "the Project"); and

WHEREAS, unused funds of the 2022 SMRP in the amount of \$94,852.37 will be encumbered to FCEO for this purpose; and

WHEREAS, funds for the Project, totaling \$1,800,000, were appropriated in the 2022 Capital Improvement Budget by Ordinance No. 21-41, passed by City Council on December 14, 2021, 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 and T-122 is authorized in an amount not to exceed \$1,800,00 from Fund 206, Object 55.

SECTION 2. The City Manager is authorized to enter into a contract with Strawser Paving Company, for the 2022 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$1,436,301.25, with authorization to approve change orders in an amount not to exceed \$143,630.13.

SECTION 3. The City Manager is authorized to enter into a contract(s) with Strawser Paving Company for Alternates Five and Six of the 2022 Street Maintenance and Rehabilitation Program (SMRP), in a contract amount not to exceed \$67,764.20, which includes a 10% contingency for approved changes orders for each Alternate.

SECTION 4. The City Manager is authorized to pay the Franklin County Engineer's Office (FCEO) to perform work for the Project for the City of Hilliard's portion of Hayden Run Road resurfacing in an amount not to exceed \$94,852.37.

SECTION 5. 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 \$28,726.03.

SECTION 6. 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 \$28,726.03.

SECTION 7. 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 8. This Resolution is effective upon its adoption.

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-52						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Omar Tarazi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated	Les Carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled	Tina Cottone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Held Over	Peggy Hale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Pete Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Positive Recommendation	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Recommendation						
<input type="checkbox"/> Referred Back To Committee						

CERTIFICATE OF THE CLERK

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. **22-R-52** passed by the Hilliard City Council on the 27th day of June 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 27th day of June 2022.

Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-53)

Subject: Merchant Park, Rotary Labyrinth Project (CIP RP-2)
From: Michelle Crandall, City Manager
Initiated by: Ed Merritt, Director of Recreation & Parks
Date: June 27, 2022

Executive Summary

This Resolution authorizes the City Manager to enter into a contract with Architectural Gardens, Inc. for the Merchant Park, Rotary Labyrinth Project (CIP RP-2).

Staff Recommendation

Staff recommends that Council adopt this Resolution.

Background

The Hilliard Rotary Club approached the City of Hilliard about collaborating on a project in 2021. Several different ideas were discussed, and eventually both parties decided to move forward with a meditation and wellness feature that will be located in Merchant Park (the "Project").

Staff and Rotary leadership contacted Schieber and Associates, Landscape Architect, and agreed to split design fees in the amount of \$4,150. On September 20, 2021, the contract was signed for design services for the Project. Plans were created and reviewed by the Rotary club as well as City staff. The City took the plans and received an estimate of \$68,000 for the project. The Rotary Club has agreed to donate \$20,000 for the Project.

Following advertisement, on June 6, 2022, the City received one bid for this Project, via the Bid Express website. That bid came in lower than the 10 % threshold of the budgeted amount, at \$74,401.82. After reviewing the submission, the City recommends awarding the Project to Architectural Gardens, Inc.

Financial Impacts

Staff is requesting Council authorizes an expenditure not to exceed \$75,576.82, which includes funds to perform the Alternate along with a ten percent contingency for any approved change orders. Funds from the 2022 Capital Improvement Budget, RP-2 will be used for this project, along with the donation from the Hilliard Rotary Club. Sufficient funds remain in this account to fully cover the costs.

Expected Benefits

The expected benefit of this project includes the development and beautification of Merchant Park, adding additional features for participants, as well as providing a space for residents to meditate and work on mental wellbeing.

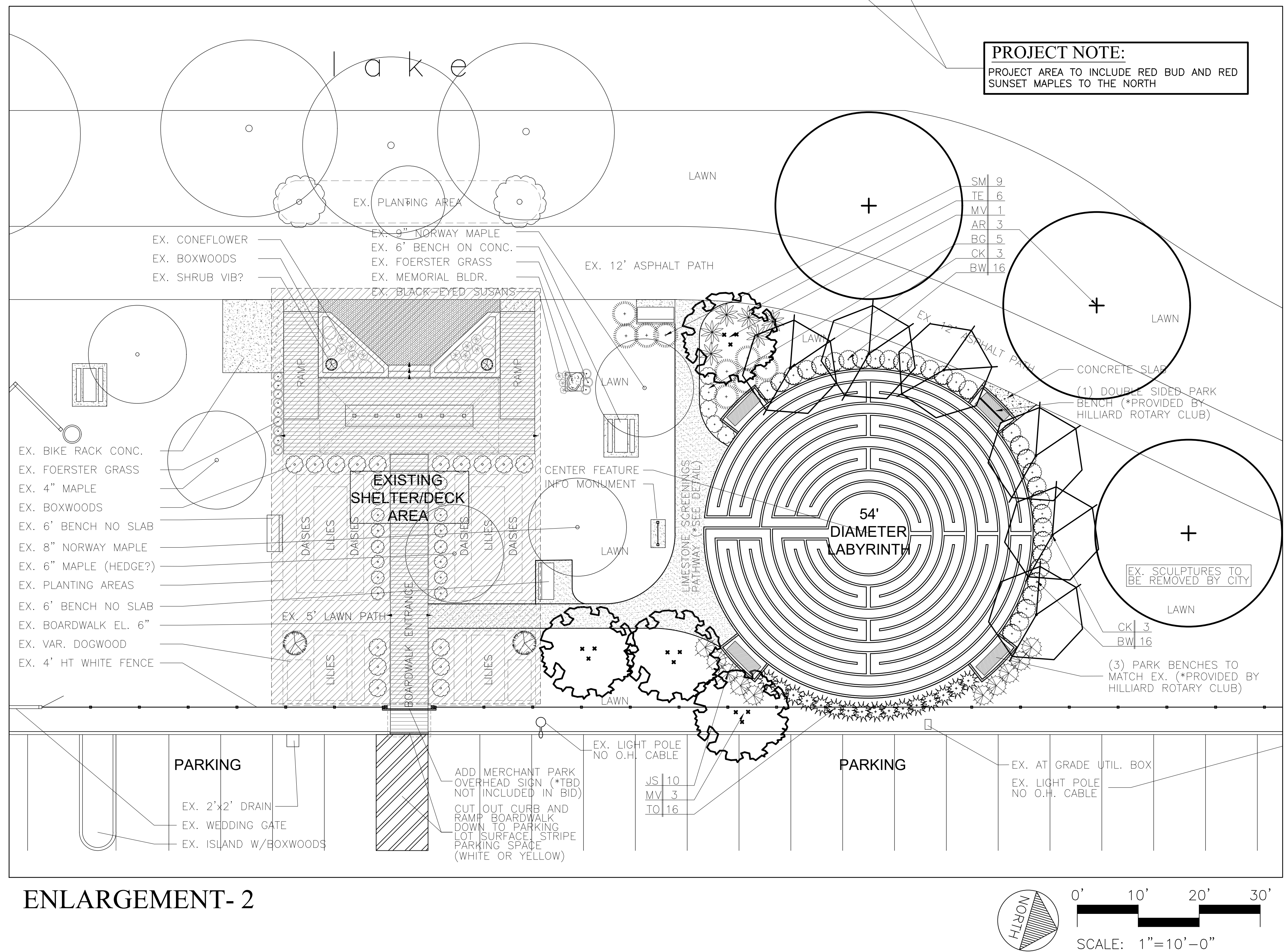
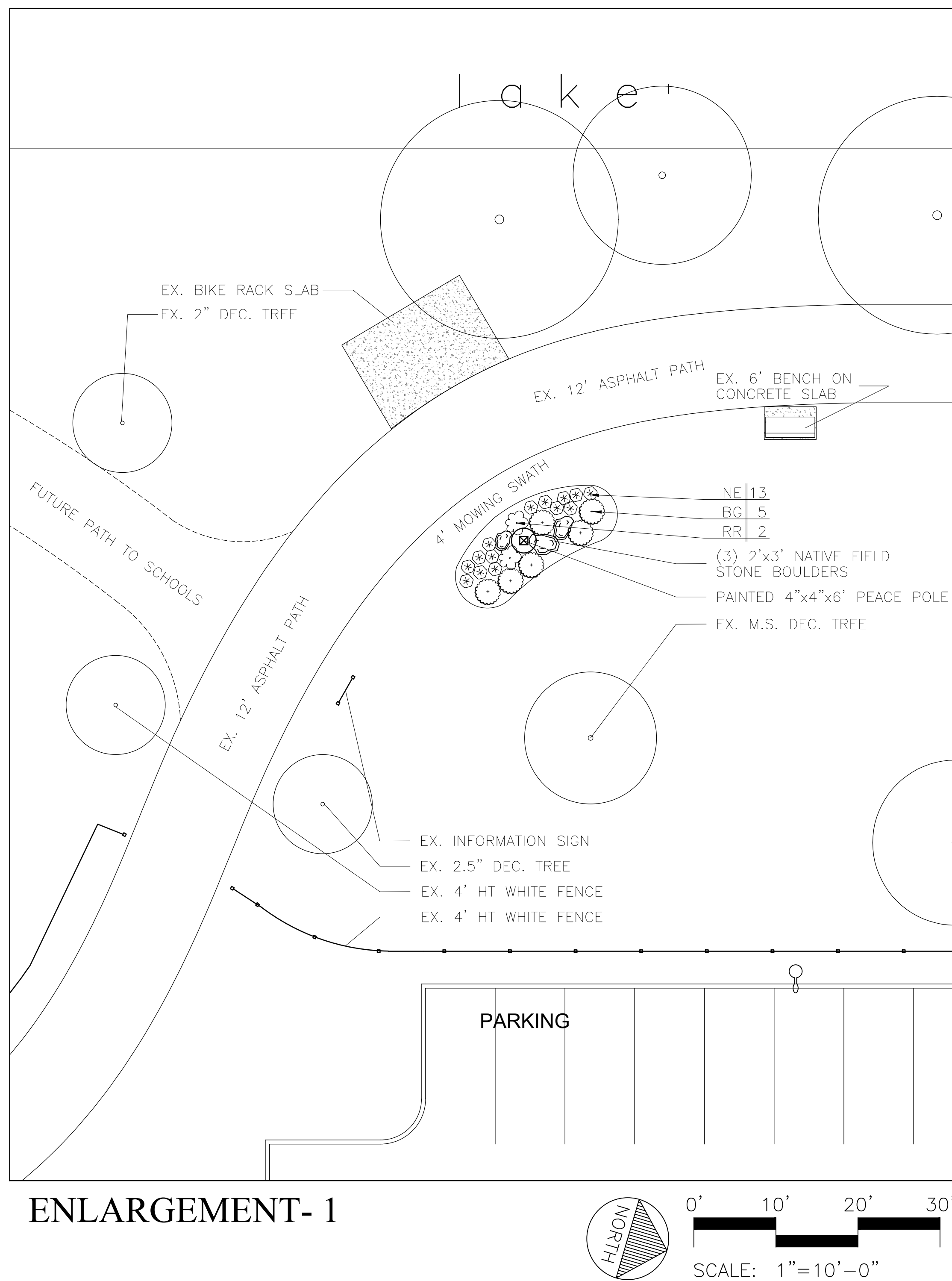
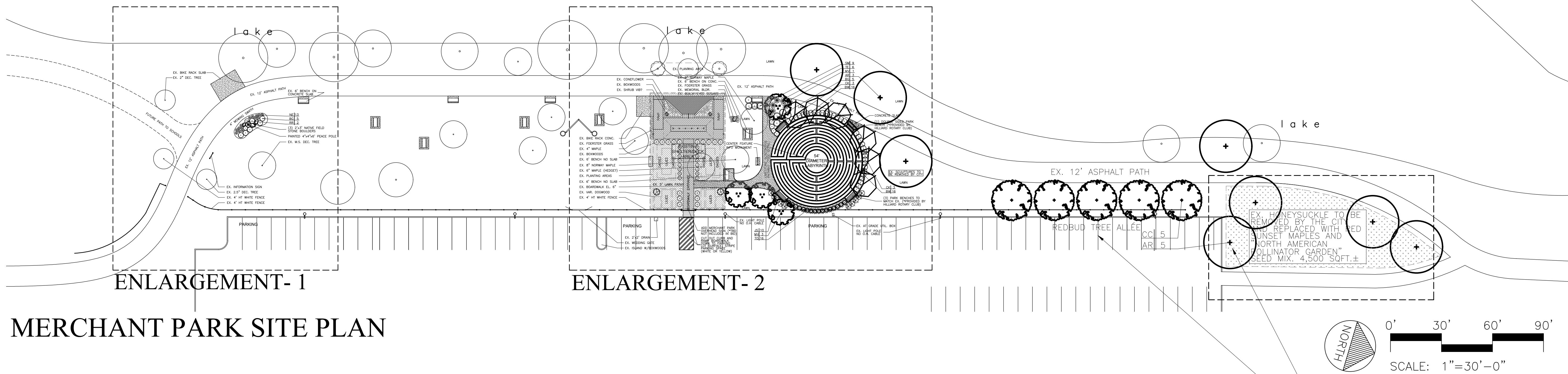
Attachments

1. Project Plans
2. Digital Renderings
3. Bid Tabulation

Submitted Bids

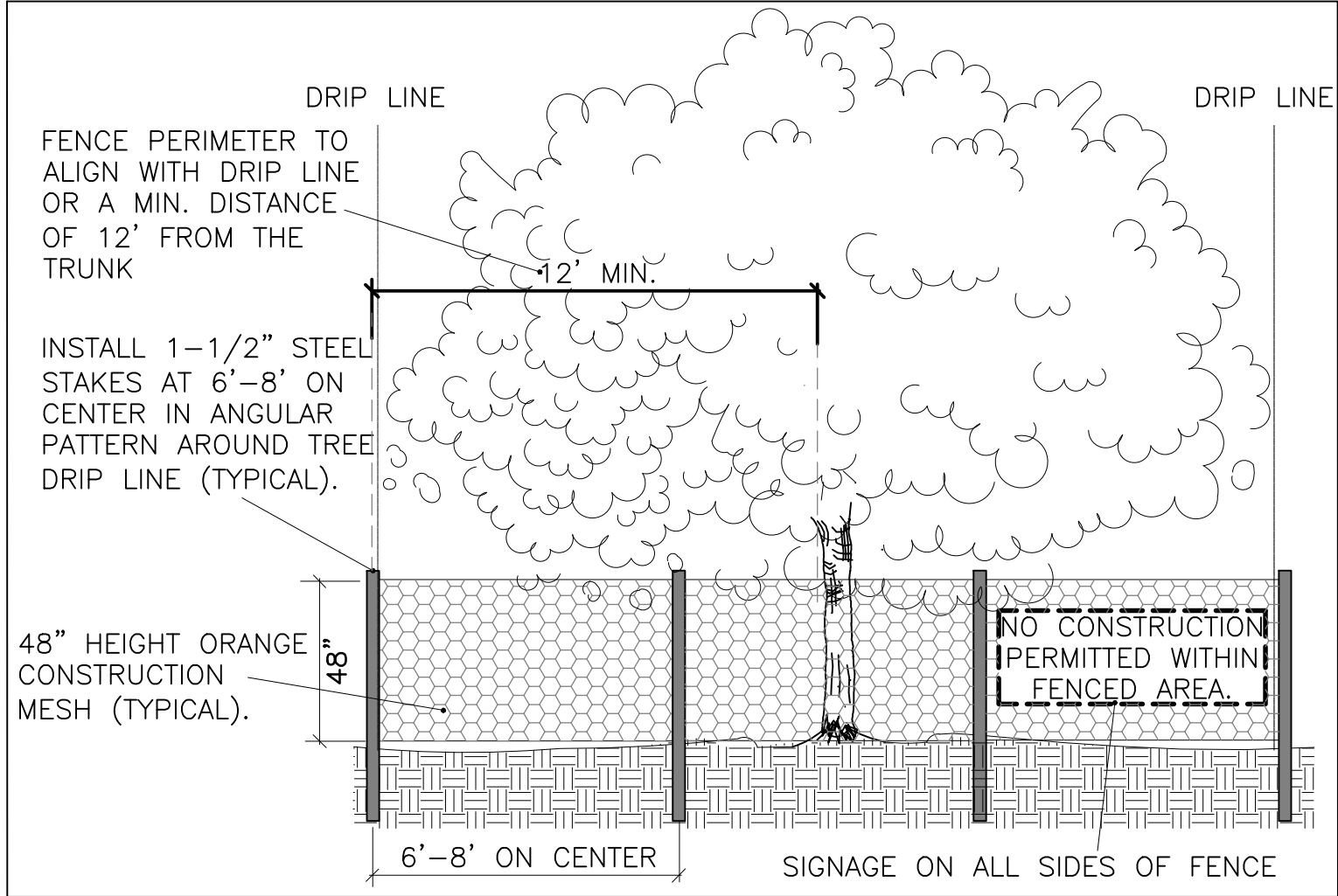
Business	Opened at	Status	Bid Alternate Total
Architectural Gardens	2022-06-06 18:00:40 UTC	Responsive	\$1,175.00

Bid Total	Submitted at	Signed by
\$74,401.82	2022-06-06 15:37:51 UTC	Alena Leidheiser

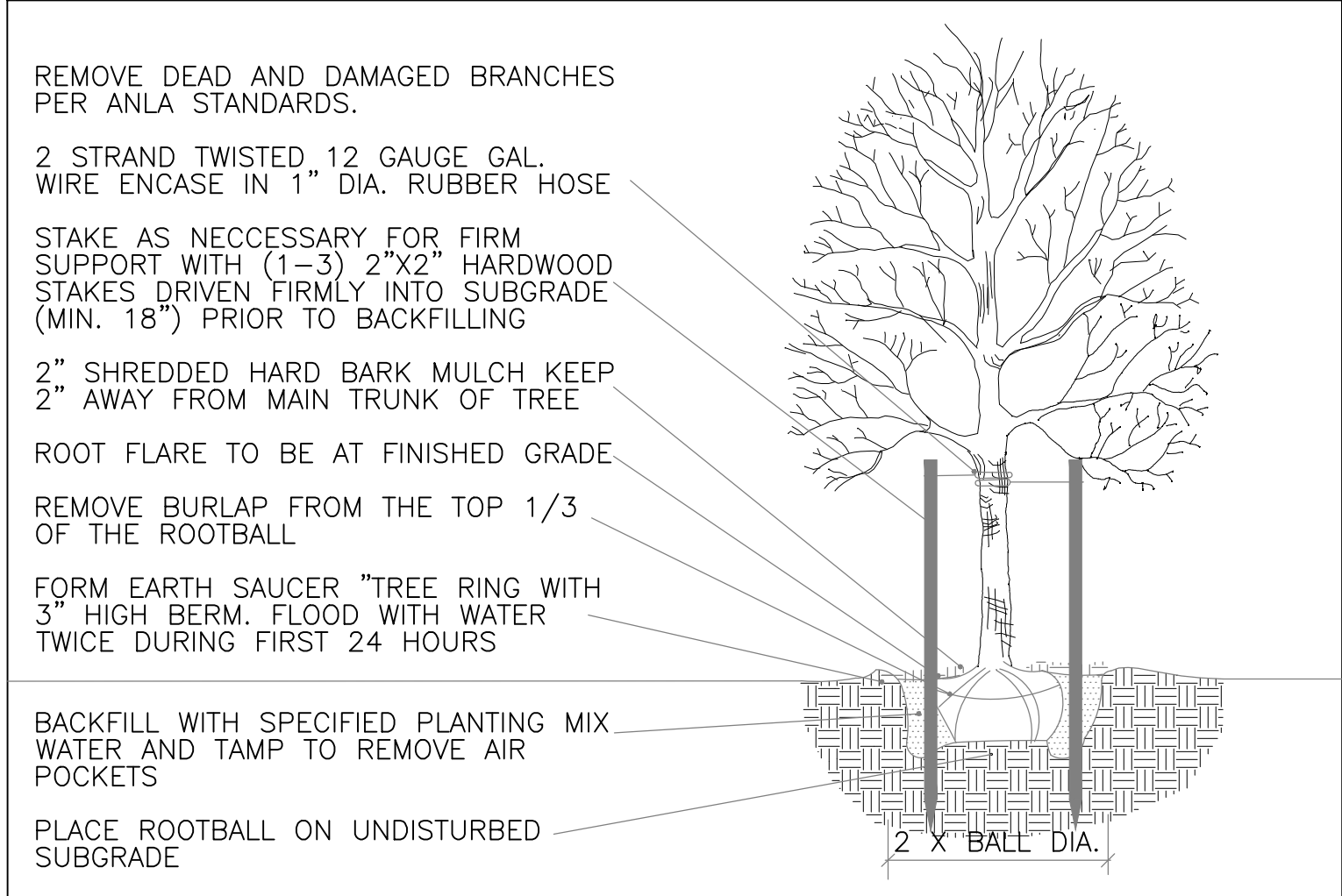


Attachment: Merchant Park L-1 2021-09-15 (1) (22-R-53 : Merchant Park, Rotary Labyrinth Project (CIP RP-2))

PLANTING DETAILS:



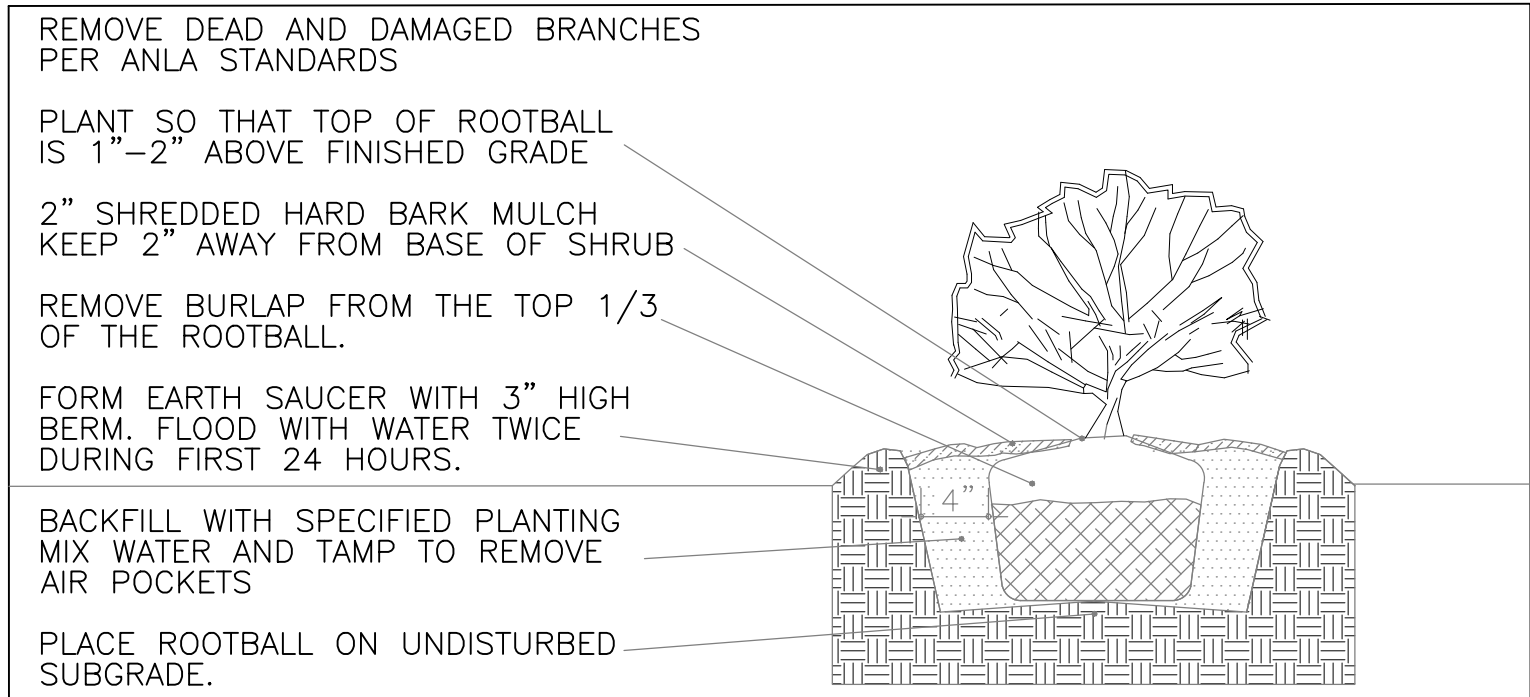
A TREE PROTECTION DETAIL



B TREE PLANTING DETAIL

TREE PLANTING NOTE:

INSTALL DEER GUARD AROUND ALL 2" TREE TRUNKS



C SHRUB PLANTING DETAIL

LABYRINTH PAVER NOTE:

OBERFIELDS:
VINTAGE WASHINGTON CONCRETE PAVERS FOR THE FIELD
VINTAGE CANYON CREEK BLEND OR EARTH BLEND
SIZES A,B,C
USE SIZE "D" FOR THE INNER CIRCLE

ALTERNATE:
VINTAGE CHARCOAL BLEND OR A RED TUMBLED
CONCRETE PAVER

TREE PLANTING NOTE:

INSTALL DEER GUARD AROUND ALL 2" TREE TRUNKS

UNDERGROUND UTILITIES
TWO WORKING DAYS
BEFORE YOU DIG
CALL 1-800-362-2764 (TOLL FREE)
OHIO UTILITIES PROTECTION SERVICE
NON-MEMBERS
MUST BE CALLED DIRECTLY

GENERAL NOTES:

ALL PLANT MATERIALS TO COMPLY WITH THE LATEST EDITION OF AMERICAN STANDARD FOR NURSERY STOCK BY AMERICAN NURSERY AND LANDSCAPE ASSOCIATION, AND BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR FROM INSTALLATION DATE.

MULTI-STEM TREES PLANTED IN WINDY CONDITIONS SHALL BE STAKED TO THE LARGEST BRANCHES WITH 2 OR 3 STAKES WITH WIRE AND RUBBER HOSE OR APPROVED MATERIALS.

LANDSCAPE CONTRACTOR IS TO VERIFY LOCATION OF ALL UNDERGROUND UTILITIES AND RECEIVE APPROVAL FROM GC OR SITE SUPERVISOR, IF NECESSARY, TO MAKE CHANGES IN PLANT LOCATIONS.

MINOR ADJUSTMENTS TO THE PLANT LOCATIONS ARE TO BE MADE IN THE CASE OF ANY CONFLICTS WITH PROPOSED UTILITIES.

LANDSCAPE CONTRACTOR MUST COORDINATE WITH GENERAL CONTRACTOR AND OTHER SITE OPERATIONS.

PLANTING BEDS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE APPLIED AT PRODUCT SPECIFIED RATE UNLESS OTHERWISE NOTED.

BED EDGE SHALL BE SMOOTH, CONSISTENT 4-1/2" DEEP AND HAND CUT. EDGES TO BE LOCATED BETWEEN ALL BEDS (INCL. TREES) AND LAWN AREAS.

GENERAL CONTRACTOR IS RESPONSIBLE FOR FINISHED GRADES. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FINE GRADING AND TO PROVIDE 4" OF AMENDED TOPSOIL FOR PLANTING BEDS.

BEDS ARE TO BE GRADED SMOOTH AND FREE OF SOIL CLODS AND STONES. ALL PLANTING BEDS AND FREE STANDING TREES TO BE MULCHED WITH 2" HARDWOOD MULCH.

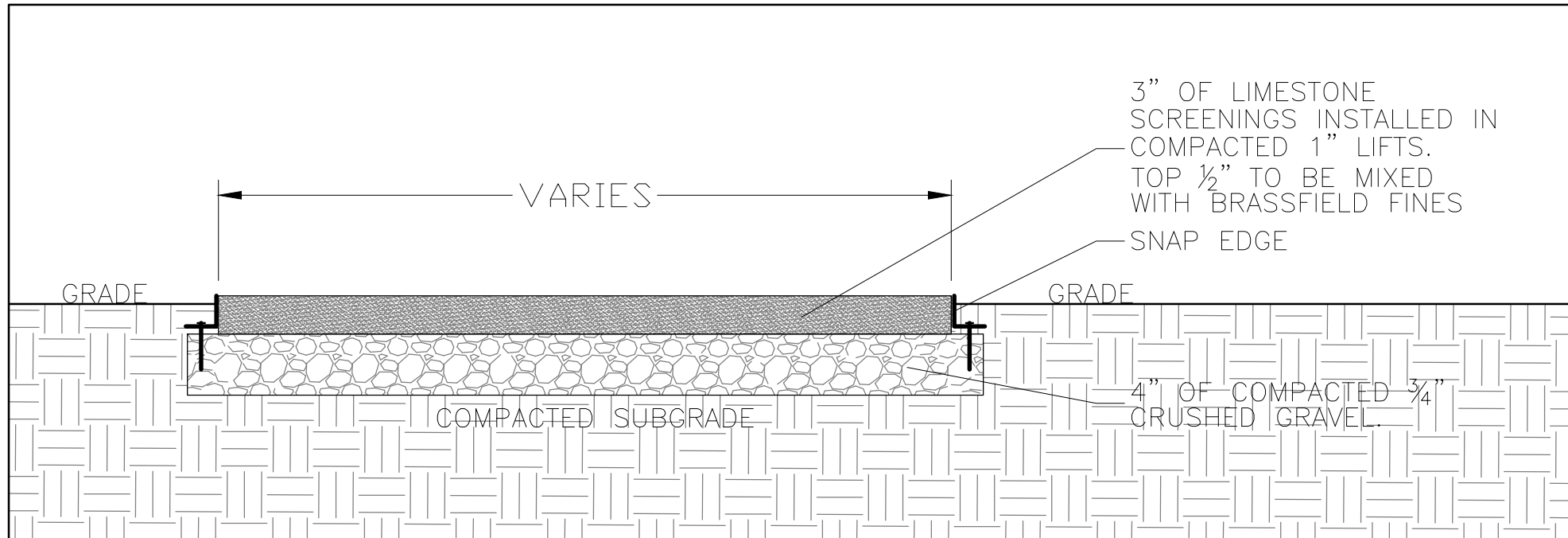
PLANT QUANTITIES HAVE BEEN PROVIDED FOR CONVENIENCE ONLY; THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR HIS OWN "TAKE OFFS".

ALL PLANTS ARE TO BE REMOVED FROM CONTAINERS, CAGES, AND NON-BIODEGRADABLE MATERIALS. ALL TREES TO BE STAKED AND WRAPPED WITH ASPHALTIC WRINKLE KRAFT TREE WRAP.

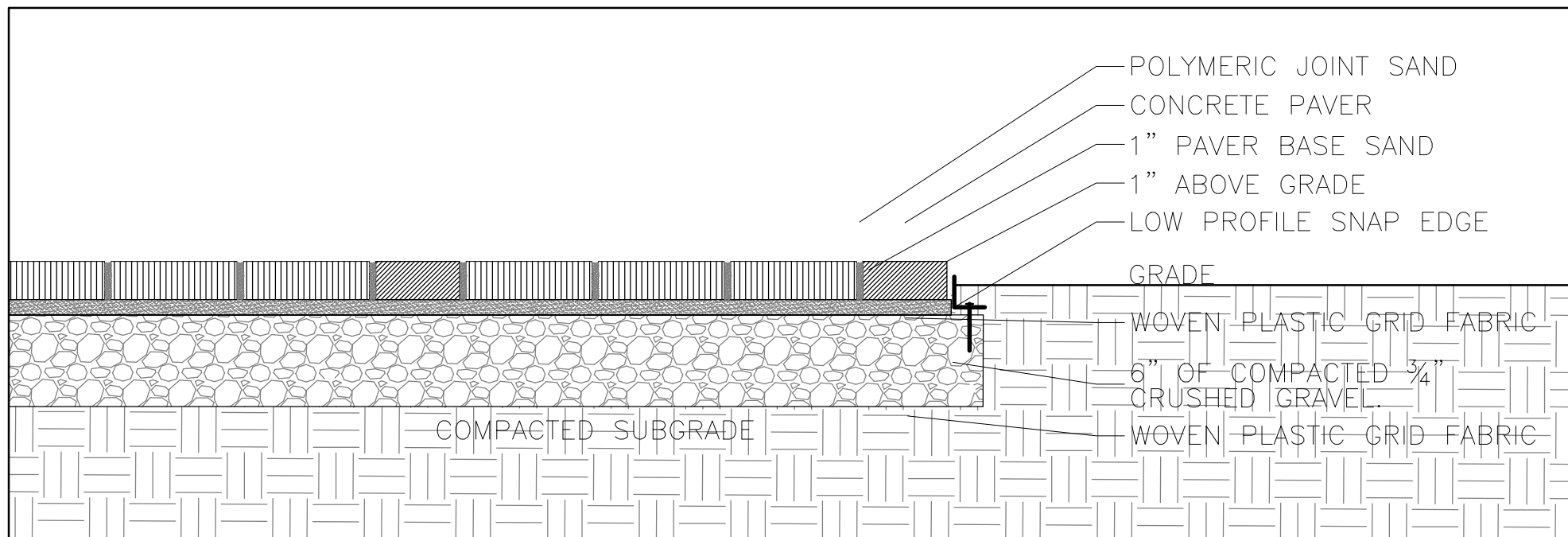
PLANTINGS SHALL BE FERTILIZED UPON INSTALLATION. RECOMMENDED FERTILIZER IS TO BE MIXED WITH BACKFILL AT PRODUCT SPECIFIED RATE.

ALL ORGANIC MATTER AND DEBRIS ARE TO BE REMOVED FROM THE SITE BY THE LANDSCAPE CONTRACTOR. LAWN AREAS AND BEDS SHOULD BE FREE OF STONES GREATER THAN 2".

THE LANDSCAPE CONTRACTOR SHALL SUBMIT A ONE (1) YEAR MAINTENANCE CONTRACT FOR CONSIDERATION BY THE OWNER. CONTRACT SHALL BE SEPARATE FROM THE INSTALLATION CONTRACT.



D LIMESTONE SCREENINGS WALKWAY DETAIL



E LABYRINTH CONCRETE PAVER DETAIL

PLANT SCHEDULE:

KEY	PLANT NAME	COMMON NAME	D/E	QTY	SIZE	REMARKS/COMMENTS
	<i>DECIDUOUS TREES</i>					
AR	ACER RUBREM 'FRANKSRED'	RED SUNSET MAPLE	D	8	2"	B&B OR CONTAINER
CC	CERCIS CANADENSIS	EASTERN REDBUD	D	5	2"	B&B OR CONTAINER
CK	CORNUS KOUSA	KOUSA DOGWOOD	D	6	2"	B&B OR CONTAINER
MV	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	D	4	6'-M.S.	B&B OR CONTAINER
	<i>EVERGREENS</i>					
BG	BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	E	10	24"	B&B OR CONTAINER
BW	BUXUS 'WINTER GEM'	WINTER GEM BOXWOOD	E	32	30"	PLANT 30" ON CENTER
JS	JUNIPERUS SCOPULORUM 'SKYROCKET'	SKYROCKET JUNIPER	E	10	6'	B&B OR CONTAINER
TE	TAXUS MEDIA 'EVERLOW'	EVERLOW YEW	E	6	24"	B&B OR CONTAINER
TO	THUJA OCCIDENTALIS 'SMARAGD'	EMERALD GREEN ARBORVITAE	E	16	6'	PLANT 30" ON CENTER
	<i>DECIDUOUS SHRUBS</i>					
RR	ROSA KNOCKOUT	WHITE KNOCKOUT ROSE	D	2	3 GAL.	CONTAINER (PEACE POLE)
SM	SYRINGA MEYERI	DWARF KOREAN LILAC	D	9	24"	B&B OR CONTAINER
	<i>PERENNIALS/GRASSES</i>					
NE	NEPETA FAASSENII 'WALKER'S LOW'	WALKER'S LOW CATMINT	D	13	3 GAL.	CONTAINER (PEACE POLE)
	NORTH AMERICAN POLLINATOR GARDEN SEED MIX				4,500 SQFT	
	<i>OTHER</i>					
	2'x3' NATIVE FIELD STONE BOULDERS				3	AROUND PEACE POLE
	LIMESTONE SCREENINGS PATHWAYS WITH BRASSFIELD FINES				550 SQFT	
	CONCRETE PAD FOR DOUBLE BENCH AREA				24 SQFT	DOUBLE BENCH AREA

PROJECT START DATE: xx/xx/xxxx

APPROVAL DATE:

CONSTRUCTION ISSUE DATE:

REVISIONS

1.-

2.-

MARK A. SCHIEBER ASSOCIATES, LLC.
A Studio of Landscape Architecture & Horticulture

600 Morrison Rd.
Gahanna, Ohio 43230
Mobile (614) 496-1303

MERCHANT PARK

5467 CENTER STREET
HILLIARD, OHIO

DETAILS, NOTES
&
PLANT SCHEDULE

DATE: 09/15/21

SEAL:

PROJ. NO: 21-07C014

L2 of 2

9.B.5.d



Attachment: Merchant Rotary

9.B.5.e

Attachment: Merchant Rotary





Resolution: 22-R-53

Adopted:

Page 1 of

Effective:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARCHITECTURAL GARDENS, INC FOR THE MERCHANT PARK, ROTARY LABYRINTH PROJECT (CIP RP-2).

WHEREAS, the Hilliard Rotary Club approached the City about collaborating on a park project, several ideas were discussed and the Merchant Park Labyrinth was chosen to move forward with; and

WHEREAS, following the development of plans by Schieber and Associates, Landscape Architects, an Estimate for the Bid was \$68,000; and

WHEREAS, after having been duly advertised for over two consecutive weeks as required by law, bids for the Project were received at 2:00 pm on June 6, 2022; and

WHEREAS, the City desires to perform the base project along with the alternate, which consist of the construction of a labyrinth along with benches and pathway to include extensive plantings surrounding the border of the labyrinth. The total amount (including the alternate) is \$75,576.82, was determined to be the lowest and best bidder ("Contractor"); and

WHEREAS, funds for the Project were appropriated in the 2022 Capital Improvement Budget, and pursuant to Section 3.10 of the Charter, authorization for fund this Project 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 in the amount of \$75,576.82 is authorized from the unencumbered balance of Fund 304, Object 55 for the construction of the Project.

SECTION 2. The City Manager is authorized to enter into a contract with Architectural Gardens, Inc. for Merchant Park - Rotary Labyrinth Project (CIP RP-2) in an amount not to exceed \$75,576.82, which includes a ten percent contingency to pay for approved change orders.

SECTION 3. This Resolution is effective upon its adoption.

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-53						
<input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Held Over <input type="checkbox"/> Withdrawn <input type="checkbox"/> Positive Recommendation <input type="checkbox"/> No Recommendation <input type="checkbox"/> Referred Back To Committee			Yes/Aye	No/Nay	Abstain	Absent
	Andy Teater		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Omar Tarazi		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Les Carrier		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tina Cottone		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Peggy Hale		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Pete Marsh		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Cynthia Vermillion		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CERTIFICATE OF THE CLERK

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. **22-R-53** passed by the Hilliard City Council on the 27th day of June 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 27th day of June 2022.

Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-54)

Subject: Appointments to the Hilliard Community Authority
From: Michelle Crandall, City Manager
Initiated by: Kelly Clodfelder, Staff Attorney
Date: June 27, 2022

Executive Summary

This legislation approves appointments to the Hilliard Community Authority (HCA).

Staff Recommendation

Staff recommends that Council approval this legislation.

Background

In late 2017 and early 2018, Hilliard City Council approved the creation of the HCA, which encompasses multiple development within the City. By the passage of Resolution No. 21-R-07, the City appointed and re-appointed members to the Board of Trustees of the Authority, which included representatives from multiple developers.

The current members of the Boards had terms that expired on January 27, 2022, and all have expressed a desire to be re-appointed. Additionally, by the passage of Resolution No. 22-R-35, the City approved the petition of M/I Homes of Central Ohio, LLC ("M/I") to add the Hill Farm Property to the HCA. Therefore, M/I is appointing its Developer Representative. Additionally, now that the Carr Farms property is being developed by Epcon Carr Farms, LLC, it is also appointing its Developer Representative.

Financial Impacts

There are no anticipated financial impacts.

Expected Benefits

N/A

Attachments

N/A



Resolution: 22-R-54

Adopted:

Page 1 of

Effective:

**APPOINTING MEMBERS TO THE BOARD OF TRUSTEES OF THE HILLIARD
COMMUNITY AUTHORITY.**

WHEREAS, City Council is required to appoint members Board of Trustees of the Hilliard Community Authority (the "Board"); and

WHEREAS, terms of the current board members expired on January 27, 2022; and

WHEREAS, the Administration desires to re-appoint the members for new 2-year terms; and

WHEREAS, due to the addition of the Hill Farm Property to the HCA by the passage of Resolution No. 22-R-35, M/I Homes of Central Ohio, LLC desires to have Andrew Gottesman appointed as its Developer Member; and

WHEREAS, due to the development of the Carr Farm Property by Epcon Carr Farms, LLC, it desires to have Jason Coffee appointed as its Developer Member; and

WHEREAS, all have expressed a desire and willingness to serve as Trustee and to accept appointments to the Board.

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

SECTION 1. Hilliard City Council appoints the following members to the Board of Trustees of the Hilliard Community Authority, each in the position and for the term indicated beside such member's name:

Sarah Schregardus	Citizen Member	Term: January 28, 2022 – January 27, 2024
Kim Toth	Citizen Member	Term: January 28, 2022 – January 27, 2024
Terry Steele	Citizen Member	Term: January 28, 2022 – January 27, 2024
Greg Tantari	Local Government Rep.	Term: January 28, 2022 – January 27, 2024
Robert Yoakum, Jr.	Developer Member	Term: January 28, 2022 – January 27, 2024
Andrew Gottesman	Developer Member	Term: June 13, 2022 – June 12, 2024
Jason Coffee	Developer Member	Term: June 13, 2022 – June 12, 2024

SECTION 2. This Resolution is effective upon its adoption.

ATTEST:

SIGNED:

Diane C. Werbrich, MMC
Clerk of Council

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-54						
<input type="checkbox"/> Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted as Amended	Andy Teater		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Omar Tarazi		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Les Carrier		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Held Over	Tina Cottone		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Peggy Hale		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Positive Recommendation	Pete Marsh		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Recommendation	Cynthia Vermillion		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Referred Back To Committee						

CERTIFICATE OF THE CLERK

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. **22-R-54** passed by the Hilliard City Council on the 27th day of June 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 27th day of June 2022.

Diane C. Werbrich, MMC