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Legislative Bulletin

An Official Publication of the Hilliard City Council

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ORDINANCES

The following Ordinances were passed on February 14, 2022

22-04 AMENDING SECTION 149.07 OF THE HILLIARD CODIFIED ORDINANCES REGARDING MEMBERSHIP OF THE RECREATION AND PARKS ADVISORY COMMITTEE.

WHEREAS, the Council of the City of Hilliard established code Section 149.07 and the Recreation and Parks Advisory Committee (RPAC) by Resolution No. 21-R-06 on January 25, 2021; and

WHEREAS, City Council has appointed/reappointed members to the RPAC and desires to replace Destination Hilliard representative with an additional resident appointment; and

WHEREAS, changes to section 149.07, as shown in Exhibit "A", attached hereto and incorporated herein, will ensure that the RPAC continues to consist of ten (10) volunteer members; and

WHEREAS, amending the City's Codified Ordinances, as identified in Exhibit 'A', attached hereto and incorporated herein, 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. Council finds that amending Section 149.07, as identified in Exhibit 'A', attached hereto and incorporated herein, is in the City's best interest. The changes and additions to Section 149.07, as shown in track changes in the attached Exhibit 'A', are approved and shall be incorporated in the City's Codified Ordinances.

22-04 continued:

SECTION 2. All other provisions of Section 149.07, not modified herein, remain unchanged and are in full force effect.

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

22-05 REPEALING CHAPTER 750 AND REPEALING AND REPLACING CHAPTER 753 REGULATING THE USE OF FOOD TRUCKS IN THE CITY.

WHEREAS, Chapter 750 of the Codified Ordinances regulates the licensure and permitting process for the use of vending carts, commonly referred to as pushcarts, in the City; and

WHEREAS, Chapter 753 of the Codified Ordinances regulates the licensure and permitting process for the use of food trucks in the City; and

WHEREAS, following a review by the Administration, the City finds that repealing Chapter 750 and replacing Chapter 753 with a streamlined process that covers the licensing of all mobile food vehicles will provide clarity to vendors; and

WHEREAS, repealing Chapter 750 and replacing Chapter 753, as shown on Exhibit "A" attached hereto and incorporated herein, is in the best of the City and its residents.

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22-05 continued:

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

SECTION 1. Chapter 750 of the Codified Ordinances of the City is repealed.

SECTION 2. City Council finds that repealing and replacing Chapter 753 of the City's Codified Ordinances is in the City's best interest. Chapter 753 of the Codified Ordinances of the City is enacted as rewritten herein in the attached Exhibit "A" and shall be incorporated into the City's Codified Ordinances, from and after the effective date of this Ordinance.

SECTION 3. Exhibit A of Chapter 190 is hereby revised to remove references to the Transient Vendors License and add a fee for a Mobile Food Vehicle, as shown on Exhibit "B", **attached** hereto and incorporated herein.

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

The First Reading of the following Ordinances was held on February 14, 2022. The Second Reading/Public Hearing is scheduled for February 28, 2022.

22-06 AMENDING CERTAIN SECTIONS OF PART NINE OF THE CITY'S CODIFIED ORDINANCES - THE "STREETS, UTILITIES, AND PUBLIC SERVICES CODE".

WHEREAS, due to the change in the form of government and organizational changes, the Administration has conducted a thorough review of Part Nine of the City's Codified Ordinances – the "Streets, Utilities, and Public Services Code"; and

WHEREAS, it was determined that certain amendments to the "Streets, Utilities, and Public Services Code" are needed to align with this form of government and organizational structures; and

WHEREAS, substantive changes to certain Chapter were also needed to assist with the City's enforcement of the Code; and

WHEREAS, as shown on Exhibit "A", attached hereto and incorporated herein, the amendments are 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. City Council finds that amending Part Nine of the City's Codified Ordinances – the "Streets, Utilities, and Public Services Code", as amended in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to the "Streets, Utilities, and Public Services Code", as shown and identified in track changes on the attached Exhibit "A", are approved and shall be incorporated into the City's Codified Ordinances.

SECTION 2. All other provisions of the "Streets, Utilities, and Public Services Code", not modified herein, remain unchanged and are in full force and effect.

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

22-07 AMENDING THE 2022 CAPITAL IMPROVEMENT BUDGET FOR THE PERIOD ENDING DECEMBER 31, 2022.

WHEREAS, Section 6.09 of the Hilliard City Charter allows for the process of approval of the capital improvement budget to be developed and passed as City Council may establish by ordinance; and

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22-07 continued:

WHEREAS, by the passage of Ordinance No. 21-41 on December 14, 2021, Council adopted the City's 2022 Capital Improvement Budget; and

WHEREAS, due the passage of Issue 22 on November 2, 2021, the City is collecting an additional 0.5% in income tax that must be used for recreation and park uses; and

WHEREAS, the Administration desire to appropriate the funds received in order to move forward with the design, and construction of the City's Recreation and Wellness Campus; and

WHEREAS, it is also necessary to revise the City's 5-year (2022-2026) Capital Improvement Program due to the passage of Issue 22; and

WHEREAS, after reviewing the amended Capital Improvement Budget, City Council is prepared to authorize the amended 2022 Capital Budget, identified in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, after reviewing the 2022-2026 Capital Improvement Program, City Council is prepared to adopt the 5-year Capital Improvement Program, identified in Exhibit "B", attached hereto and incorporated herein.

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

SECTION 1. Ordinance No. 21-41 is amended as set forth in Exhibit "A", **attached** hereto and incorporated herein, and the sums indicated are hereby set aside and appropriated as set forth herein.

SECTION 2. City Council revises and adopts the 2022-2026 Capital Improvement Program for the City, as set forth in Exhibit "B", **attached** hereto and incorporated herein.

SECTION 3. This Ordinance shall be in full force and effect at the earliest time provided by law.

22-08 AMENDING SECTION 127.04 OF THE CITY'S CODIFIED ORDINANCES TO ADD AN ADDITIONAL NON-UNION POSITION.

WHEREAS, by the passage of Ordinance No. 21-40 on November 22, 2021, City Council approved a new classification plan for the City, codified in Section 127.04 of the City's Codified Ordinances; and

WHEREAS, the City Manager desires to amend Section 127.04 to add an additional full-time non-union position; and

WHEREAS, due to the additional position, it is necessary to appropriate additional funds; and

WHEREAS, the City Manager believes that amending Section 127.04 for this additional position and appropriating additional funds, is in the best interests of the City.

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

SECTION 1. City council finds that amending Section 127.04 of the City's Codified Ordinances, as identified in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to Section 127.04 as shown and identified in track changes on the attached Exhibit "A" are approved.

SECTION 2. All other provision of Section 127.04, not modified herein, remain unchanged and are in full force and effect.

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22-08 continued:

SECTION 3. An appropriation in the amount of \$63,500 is authorized from the following to fund the Human Resources Manager position:

- Fund 101, Object 51 \$60,000
- Fund 101, Object 52 \$2500
- Fund 101, Object 53 \$1000.

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

RESOLUTIONS

The following Resolutions were passed by Hilliard City Council on February 14, 2022.

22-R-03 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HACH COMPANY FOR 2022 SANITARY SEWER FLOW MONITORING SERVICES (CIP S-20) AND AUTHORIZING THE EXPENDITURE OF FUNDS.

WHEREAS, the City of Hilliard owns and maintains the sanitary sewer collection system in Hilliard; and

WHEREAS, the City of Hilliard is defined as a satellite community of the City of Columbus sanitary sewerage system, as defined in the Ohio Environmental Protection Agency's (OEPA) Findings and Orders, authorized in Ordinance 08-68; and

WHEREAS, the City is required, per the OEPA Findings and Orders, to conduct and submit to OEPA a Sewer System Evaluation Study (SSES); and

WHEREAS, the SSES must include a physical survey of the sewer system and location identification of the following; hydraulic deficiencies within the sewer system; material sources of infiltration and inflow (I&I) entry into the sewer system; and structural deficiencies within the sewer system that cause or contribute to sanitary sewer overflows (SSO) or water in basements (WIB); and

WHEREAS, as a means of meeting the above SSES requirements, the City has established sanitary sewer flow monitoring program with Hach Company ("Hach") to obtain real-time flows in the sanitary sewer system; and

WHEREAS, the information generated from this flow monitoring program will assist the City in both planning for future sanitary sewer service in undeveloped portions of the City, as well as in its efforts to maintain the existing sanitary sewer system; and

WHEREAS, the estimated cost for the 2022 flow monitoring services ("Project") is Sixty Thousand Dollars (\$60,000); and

WHEREAS, funds for this Project were appropriated as part of CIP Project S-20, Capacity, Management, Operations, and Maintenance (CMOM) in the 2022 Capital Improvement Budget by Ordinance No. 21-41, approved by Hilliard City Council on December 13, 2021, and pursuant to Section 3.10 of the City's Charter, authorization to fund the 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 is authorized from Fund 304 Object 55 in an amount not to exceed \$60,000 to pay the cost of the Project.

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22-R-03 continued:

SECTION 2. The City Manager is authorized to enter into a contract with Hach Company for the 2022 sanitary sewer flow monitoring services (CIP S-20) in an amount not to exceed \$60,000. This contract is subject to a one-year renewal option on the same terms and conditions.

SECTION 3. The Finance Director is authorized to make any accounting changes necessary to revise the funding source for any contract or contract modification associated with the expenditure of funds.

SECTION 4. This Resolution is effective upon its passage.

22-R-04 APPROVING THE AGREEMENT FOR THE CITY'S PURCHASE OF EXCESS OF LOSS COVERAGE INSURANCE AS REQUIRED BY THE OHIO BUREAU OF WORKERS COMPENSATION.

WHEREAS, the City of Hilliard is self-funded for purposes of providing workers compensation benefits to its employees; and

WHEREAS, the City, through its consultant, received quotes for excess of loss coverage for 2022 from certain vendors for claims exceeding \$550,000; and

WHEREAS, the City must have an excess of loss coverage policy in effect as of February 16, 2022, in order to comply with the regulations of the Bureau of Workers Compensation's self-insurance program; and

WHEREAS, funding for insurance in the amount of \$110,712 was provided in the 2022 Municipal Operating Budget in operating Funds including 101 and other Special Revenue Funds by Ordinance No. 21-36 effective January 1, 2022, 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. The City Manager is hereby authorized and directed to enter into a one-year contract with Midwest Employers Casualty at an annual premium cost of \$110,826 for the period from February 16, 2022, to February 15, 2023, on such terms and conditions consistent with the recommendations provided by the City's consultant. This contract is subject to a one-year renewal option on the same terms and conditions.

SECTION 2. All monies paid under this contract will be allocated to the various personnel appropriations (Object 51) in the City's 2022 Operating Budget as passed by City Council.

SECTION 3. This Resolution is effective upon its adoption.

22-R-05 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WILLIS TOWERS WATSON TO PROVIDE PROPERTY AND CASUALTY INSURANCE AND AUTHORIZING AN EXPENDITURE.

WHEREAS, the City of Hilliard presently receives property and casualty insurance through its broker Willis Towers Watson; and

WHEREAS, the agreement with Willis Towers Watson for the provision of property and casualty insurance has a one-year term which expires February 15, 2022; and

WHEREAS, Willis Towers Watson has proposed new agreements for the provision of property and casualty insurance coverage; and

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22-R-05 continued:

WHEREAS, funding for insurance in the amount of \$221,712 was provided in the 2022 Municipal Operating Budget in Fund 101 and Fund 304 by Ordinance No. 21-36 effective January 1, 2022, and pursuant to Section 3.10 of the Charter of the City, authorization for this contract may be established by resolution of Council; and

WHEREAS, it is to the interest and benefit to the City of Hilliard and the public at-large that the property and casualty insurance contracts be approved.

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

SECTION 1. An expenditure in an amount not to exceed \$ 221,712 is authorized from Fund 101 General Government and Fund 304 Capital Improvement to fund the property and casualty insurance contract.

SECTION 2. The City Manager is hereby authorized to enter into a contract with Zurich American Insurance Company through its broker Willis Towers Watson, to provide property and casualty insurance at an annual premium cost not to exceed \$ 221,712 for the period from February 16, 2022 to February 15, 2023, on such terms and conditions consistent with the recommendations provided by the City's consultant.

SECTION 3. This Resolution is effective upon its adoption.

22-R-06 AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH THE EDGE GROUP, INC. FOR DESIGN PURPOSES OF THE CITY'S NEW FACILITIES ON THE JERMAN PROPERTY.

WHEREAS, on November 2, 2021, City electors approved increasing the City's municipal income tax by 0.5% and dedicating the resulting funds for recreation and parks, including (but not limited to) construction of a community center and new athletic complex; and

WHEREAS, in order to move forward with the construction of a community center, wellness campus and athletic complex (the "Project"), it is necessary to engage a "Landscape Architecture Firm", which will help design and assist the City with the Project; and

WHEREAS, the City desires to engage The EDGE Group, Inc. ("EDGE"), which has offered a proposal, attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, funding for the entire Project will be appropriated in a concurrent Ordinance updating the City's Capital Improvement Budget, RP – 7; and

WHEREAS, initial funding for the Project was appropriated by Ordinance No. 21-36, and pursuant to Section 3.10 of the Charter, authorization for funding this Project may be established by resolution of Council.

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

SECTION 1. An expenditure is authorized from Fund 101, Object 53 in the amount not to exceed \$49,000 in order to initiate the Professional Services Agreement with The EDGE Group, Inc.

SECTION 2. Upon the appropriation of the remainder of the funds for this Agreement, an expenditure is authorized from Fund 103, Object 55.

SECTION 3. The City Manager is hereby authorized to enter into a professional services agreement with The EDGE Group, Inc. in substantially the same form as the on attached hereto as Exhibit "B" and incorporated herein, in an amount

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22-R-06 continued:

not to exceed \$738,325. The City Manager is authorized to make such changes to the Agreement that are not inconsistent with this Resolution and not adverse to the City.

SECTION 4. The Finance Director is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds provided herein.

SECTION 5. This Resolution is effective upon its adoption.

22-R-07 APPOINTING MEMBERS TO THE HILLIARD DEVELOPMENT CORPORATION BOARD OF DIRECTORS.

WHEREAS, the Hilliard Development Corporation (HDC) is a not-for-profit corporation established to advance, encourage and promote civic, economic, commercial and industrial development within the City of Hilliard; and

WHEREAS, pursuant to Ordinance No. 20-19, HDC is the City's agent for industrial, commercial, distribution and research development; and

WHEREAS, as a result, City Council desires to appoint three (3) members to HDC's Board of Directors; and

WHEREAS, the City recommends appointing City Manager Michelle Crandall, Finance Director Dave Delande, and Councilmember Les Carrier to one-year terms.

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

SECTION 1. Hilliard City Council hereby appoints Michelle L. Crandall, Dave Delande, and Council Member Les Carrier to the Hilliard Development Corporation Board of Directors for a term ending one year from the date of adoption of this resolution

SECTION 2. This Resolution is effective upon its adoption.

22-R-08 ADOPTING DATES AND HOURS OF OPERATION FOR THE DESIGNATED OUTDOOR REFRESHMENT AREA.

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

WHEREAS, the city desires to provide opportunities to its residents to enjoy the City's businesses and amenities in Old Hilliard; and

WHEREAS, to provide these opportunities, the City desires to permit the DORA to the public every Monday through Sunday starting March 1, 2022, annually; and

WHEREAS, the DORA will operate from 12 p.m. to 9 p.m. each day; and

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

WHEREAS, City Council finds that permitting the DORA to operate daily will further the City's goal of providing outdoor entertainment activities in Old Hilliard.

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22-R-08 continued:

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

SECTION 1. Beginning March 1, 2022, City Council hereby permits the DORA to operate every day of the year, from 12 p.m. to 9 p.m. City Council may amend the dates and times on an as needed basis.

SECTION 2. City Council finds that the boundary of the DORA should remain the same, as identified in **Exhibit "A"**, attached hereto and incorporated herein. City Council may amend the boundaries of the DORA on an as needed basis.

SECTION 3. This Resolution is effective upon its adoption.

22-R-09 AUTHORIZING THE CITY TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO-CLC.

WHEREAS, the collective bargaining agreement between the City and the United Steel Workers, now known as the AFL-CIO-CLC, expired on December 31, 2021; and

WHEREAS, through the course of negotiations, the parties were able to arrive at a tentative agreement for the three-year period, commencing January 1, 2022, and ending on December 31, 2024; and

WHEREAS, on January 26, 2022, the City Administration was notified that the Union membership had voted to accept the proposed agreement; and

WHEREAS, the Administration recommends that the proposed agreement be approved as being in the best interest of the City.

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

SECTION 1. The City Manager is hereby authorized and directed to execute an agreement with the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (formerly known as the United Steel Workers) (the "USW"), pursuant to the tentative agreement reached between the City and the USW in accordance with the terms and conditions **attached** hereto as Exhibit "A".

SECTION 2. This Resolution is effective upon its adoption.

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