Real People. Real Possibilities.™

AGENDA

Regular Council Meeting

7:00 PM February 28, 2022

Council Members:

Andy Teater	**President**
Omar Tarazi	**Vice President**
Les Carrier	
Tina Cottone	
Peggy Hale	
Pete Marsh	
Cynthia Vermillion	

Michelle Crandall, City Manager
Diane (Dee) Werbrich, Clerk of Council

City Hall, Council Chambers ŏ 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.

I. Invocation and Pledge of Allegiance

Invocation – Pastor Delcamp, Upper Arlington Lutheran Church at Mill Run

The Pledge of Allegiance to the Flag of the United States of America – Pack 672 Webelos

II. Roll Call

III. Approval of Minutes

A. February 14, 2022, Special Executive Session
B. February 14, 2022, Regular Meeting

IV. Commission and Board Reports

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

V. Recognition and Special Guests

VI. Changes to the Agenda

VII. Consent Agenda

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 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.

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.

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

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

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

FIRST READINGS

22-09 ENACTING SECTION 149.08 OF THE CITY'S CODIFIED ORDINANCES AND ESTABLISHING AN AGING-IN-PLACE ADVISORY COMMITTEE.

22-10 AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $95,000,000 OF INCOME TAX SPECIAL OBLIGATION SECURITIES FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING AND EQUIPPING A RECREATION AND WELLNESS CAMPUS FOR FITNESS, RECREATION, AND GROUP ACTIVITIES FOR SENIORS, FAMILIES, YOUTH, AND OTHERS NEAR THE INTERSECTION OF ALTON DARBY CREEK ROAD AND SCIOTO DARBY ROAD, INCLUDING LANDSCAPING AND MAKING SITE IMPROVEMENTS, ACQUIRING LAND AND INTERESTS IN LAND, AND REIMBURSING PRIOR EXPENDITURES OF THE CITY IN CONNECTION WITH THE SAME; PROVIDING FOR THE PLEDGE OF CERTAIN REVENUES FROM THE CITY'S 2.5% INCOME TAX TO SECURE THE PAYMENT OF PRINCIPAL OF AND INTEREST ON THE SECURITIES; AUTHORIZING THE USE AND DELIVERY OF AN OFFICIAL STATEMENT RELATING TO THE SECURITIES.

B. Resolutions

22-R-10 APPROVING A MODIFICATION TO THE HILLIARD CONSERVATION DISTRICT (HCD) TEXT FOR THE 343.426± ACRES KNOWN AS THE ALTON PLACE DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF ROBERTS ROAD AND ALTON DARBY ROAD TO AMEND THE ARCHITECTURAL AND FENCE REQUIREMENTS.

22-R-11 ACCEPTING THE DEDICATION OF ROADS AND EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR SECTION 1, PHASE 1 OF ALTON PLACE.

22-R-12 RE-APPOINTING MEMBERS TO THE BOARD OF TRUSTEES OF THE ALTON PLACE COMMUNITY AUTHORITY.

22-R-13 ACCEPTING THE DEDICATION OF RIGHT-OF-WAY AND EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR SECTION 5 OF THE COURTYARDS AT CARR FARMS.

22-R-14 AUTHORIZING THE CITY MANAGER TO ACCEPT A PERMANENT CONSERVATION EASEMENT FROM FERGUSON ENTERPRISES, LLC ALONG HOLCOMB DITCH, SAID EASEMENT BEING LOCATED ALONG THE WEST SIDE OF LYMAN DRIVE NORTH OF ANSMIL DRIVE.

22-R-15 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH, INC. TO PROVIDE GENERAL ENGINEERING SERVICES AND AUTHORIZING THE EXPENDITURE OF FUNDS. ($130,000).

22-R-16 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE CLEAN OHIO GREEN SPACE CONSERVATION PROGRAM FUND ADMINISTERED BY THE OHIO PUBLIC WORKS COMMISSION FOR THE CLOVER GROFF STREAM RESTORATION PROJECT, PHASE II AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

X. President's Communication

XI. Staff Reports

A. 2022 Capital Equipment Purchases

XII. City Manager Updates

XIII. Items for Council Discussion

Adjournment

CITY COUNCIL

FEBRUARY 14, 2022
SPECIAL EXECUTIVE SESSION MINUTES

CALL TO ORDER
The meeting was called to order by Vice President Omar Tarazi at 5:30 PM.

ROLL CALL OF MEMBERS

Attendee Name:	Title:	Status:
Andy Teater	President	Excused
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, Finance Director Dave Delande, Economic Development Director David Meadows, Recreation and Parks Director Ed Merritt, Transportation and Mobility Director Letty Schamp and Clerk of Council Diane Werbrich

Mr. Carrier, seconded by Ms. Hale, moved to amend the Executive Session to include matters pertaining to investigation of a public employee (2.10(1)(a).

STATUS:	Defeated (3-3)
MOVER:	Les Carrier
SECONDER:	Peggy Hale
AYES:	Omar Tarazi, Les Carrier, Peggy Hale
NAYS:	Tina Cottone, Pete Marsh, Cynthia Vermillion
EXCUSED:	Andy Teater

Ms. Vermillion, seconded by Mr. Carrier, moved to recess to Executive Session for matters pertaining to the sale, lease or purchase of real estate and reviewing negotiations of bargaining sessions (2.10(1)(b) and (d)).

MOVER:	Cynthia Vermillion
SECONDER:	Les Carrier
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

EXECUTIVE SESSION
Council recessed to Executive Session at 5:32 PM.

Mr. Carrier, seconded by Ms. Vermillion, moved to end the Executive Session at 6:16 PM by Voice Vote.

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MOVER:	Les Carrier
SECONDER:	Cynthia Vermillion
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Mr. Tarazi reconvened the Special/Executive Session meeting at 6:16 pm.

ITEMS FOR COUNCIL DISCUSSION

Ms. Vermillion, seconded by Mr. Carrier, moved to refer Resolution 22-R-09 to the Regular Council meeting for consideration at tonight's meeting.

STATUS:	Approved (6-0)
MOVER:	Cynthia Vermillion
SECONDER:	Les Carrier
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Ms. Vermillion, seconded by Mr. Carrier, moved to adjourn the Special/Executive Session by Voice Vote.

MOVER:	Cynthia Vermillion
SECONDER:	Les Carrier
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

ADJOURNMENT ï 6:18 PM

Omar Tarazi, Vice President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Feb 14, 2022 5:30 PM (Approval of Minutes)

CITY COUNCIL

FEBRUARY 14, 2022
Regular Meeting Minutes

INVOCATION AND PLEDGE OF ALLEGIANCE

Father Frank Brown, St. Brendan Catholic Church, gave the invocation.

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

ROLL CALL

Attendee Name:	Title:	Status:
Andy Teater	President	Excused
Omar Tarazi	Vice President Tarazi	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, Deputy Finance Director Greg Tantari, Recreation and Parks Director Ed Merritt, City Engineer Clark Rausch, Community Relations Director David Ball, Economic Development Director David Meadows, Staff Attorney Kelly Clodfelder and Clerk of Council Diane Werbrich

APPROVAL OF MINUTES

Vice President Tarazi asked if there were any changes or corrections to the January 24, 2022, Special/Executive Session or Regular meeting minutes. Hearing none, the minutes were approved as submitted.

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

COMMISSION AND BOARD REPORTS

Vice President Tarazi stated the President Teater has realigned the Council representative boards and commissions and some Council representatives will be changing soon.

Board of Zoning Appeals - No report.

Destination Hilliard - Mr. Marsh reported that the next meeting with be February 18, 2022.

Environmental Sustainability Commission - Mr. Marsh announced the ESC is working on several items that they will be recommending to Council later in the spring.

Mid-Ohio Regional Planning Commission (MORPC) - Ms. Crandall reported the Commission meeting was held February 10, 2022, and MORPC will be hiring a full-time grant administrator. Part of the reasoning for this, with the new infrastructure bill, is to have someone on staff who understands the possible grants the cities MORPC serves could apply for, which is critical to the City and other political subdivisions in the MORPC area. Mr. Carrier asked how much money. Ms. Crandall replied that the amount is significant, and she will provide that number to Council.

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Planning and Zoning - Ms. Vermillion reported the Commission selected Jay Muether as the new Chair and Bevan Schneck as Vice Chair at the February meeting.

Public Arts - No report.

Recreation and Parks Advisory Commission - Mr. Merritt reported the Commission received a presentation by Hilliard by Design. Mr. Carrier stated the tour of the Ohio State pool is February 24, 2022. Mr. Merritt agreed. Mr. Carrier asked if any Council members want to tour that facility, transportation will be provided. He added that he has asked for operating cost data for that facility.

Shade Tree Commission - Mr. Marsh stated in the past Council has talked about the quality of maintenance of some public spaces and announced that one of the service providers has been relieved of their duties. They are in the process of determining if the other two providers can pick up some of that work or if some would be done in house. The hope is that this will result in better esthetics in a number of areas in the City. Mr. Carrier asked if the Commission is looking at local vendors to provide this service. Mr. Marsh explained that there were three providers that had various portions of the contract and the two remaining are both local companies. One is in Hilliard and the other is just outside of Hilliard. He added they are determining what the remaining two providers can cover and what the City's maintenance crew can do.

Other Boards/Commissions - No report.

RECOGNITION AND SPECIAL GUESTS - None

CHANGES TO THE AGENDA

Mr. Marsh, seconded by Mr. Carrier, moved to amend the agenda to add 21-R-09, which was referred to this meeting from the Special/Executive Session meeting held earlier this evening.

STATUS:	Approved
MOVER:	Pete Marsh
SECONDER:	Les Carrier
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Mr. Carrier moved to have an ordinance and resolution added to the agenda for Council consideration pursuant to Charter Section 3.02. He asked Mr. Hartmann if the proposed legislation is good as to form and contains the one subject rule. Mr. Hartmann replied that they are good as to form. Mr. Carrier added per Charter Section 3.03, he requested a second to add these to the agenda for Council consideration. Vice President Tarazi stated that these can be added under Council discussion, which would not require a vote. Mr. Hartmann agreed and stated any subject can be discussed under Council Discussion on the agenda. No second was heard to add the legislation to the agenda for Council consideration.

CONSENT AGENDA - NONE

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

Ms. Amy Gonzales, Ms. Katie McQuade and James Sturm signed up to speak, but when called, declined comment.

Mr. Jared Cameron, 4220 Abbey Chase, a member of the Hilliard Lacrosse Board, spoke to Council regarding field space utilization in particular the part of Community Park (the cutout) that is significantly underutilized. He also asked if the public can be involved with the RPAC when they determine the tiers. Mr. Carrier asked how many players are involved in their lacrosse program. Mr. Cameron replied that last year there were approximately 100 players both boys and girls. Mr. Carrier then asked where they

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currently play/practice. Mr. Cameron replied that he believes that the boys are at Tharp and the girls practice at Hoffman Trails. Mr. Carrier asked is that is part of the Optimist. Mr. Cameron agreed.

Vice President Tarazi stated that Council has assigned this to the RPAC. He asked if currently the fields are not in use as they could be, and if he feels more kids could play. Mr. Cameron replied not from a lacrosse perspective but there are always opportunities to discuss contracts again. He added that this could be an opening to talk about the piece of land that is underutilized which could be used for soccer, lacrosse, field hockey or other sports. Ms. Vermillion asked where the piece of land is that Mr. Cameron is referencing. Mr. Cameron replied it is at the back entrance of Memorial Park before the baseball fields. Mr. Merritt added one of the girls teams utilized that space last year when they were looking for space.

Mr. Carrier mentioned the Sports Commission was advised by Sports Facility Advisory (SFA), which is part of the Bo Jackson Group, that lacrosse is the fastest growing sport in the Midwest.

BUSINESS OF THE COUNCIL

A. Ordinances

SECOND READINGS/PUBLIC HEARINGS
No one in attendance spoke for or against Ordinance 22-04 or 22-05 during the Public Hearings.

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

STATUS:	Adopted (6-0)
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-04 passed and would take effect at the earliest time allowable by law.

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

STATUS:	Adopted (6-0)
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-05 passed and would take effect at the earliest time allowable by law.

FIRST READINGS

22-06 **AMENDING CERTAIN SECTIONS OF PART NINE OF THE CITYÕS CODIFIED ORDINANCES - THE ñSTREETS, UTILITIES, AND PUBLIC SERVICES CODEò.**

Ms. Clodfelder explained that Council has seen several similar ordinances over the last year changing certain code sections to be consistent with the new form of government.

Ms. Vermillion asked about the definition of a weed and is concerned about the promotion of sustainable gardening in the City and some of these would not be a positive for that. She asked if the definition of weed could be amended. Ms. Clodfelder replied that it could be a discussion among Council and that this is the staff recommendation. She added there is nothing that is against sustainable gardening but there is a balancing act between maintenance and what people do in their yards is appropriate and regulated somewhat by the City. As a background, the City came to this definition after doing a survey of codified ordinances throughout Central Ohio, in consultation with the City Forester and property inspectors. This definition makes sure it is specific and the inspectors can enforce the weed chapter. Ms. Clodfelder

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added that some of these may be needed and a way to work them into the code but there needs to be a standard. Ms. Vermillion asked if she wanted to grow iron weed in her yard, why is that wrong. Ms. Clodfelder replied she will defer these specific questions to the City Forester, who will attend the second reading. Ms. Clodfelder reported that iron weed, if not maintained very well, spreads rapidly. It is not only controlling weeds but the ability to make sure everything is cut to six inches, which is why the mowing and maintenance is included. Ms. Crandall stated the City Forester will attend the next meeting and Ms. Vermillion can ask him about her specific concerns. Mr. Marsh mentioned that one thing that may want to be considered due to a specific property is the cultivation aspect. He noted iron weed is a good example and there is quite a bit of it in Heritage Preserve and, in that setting, is quite desirable and is being maintained through annual mowing of that area. Mr. Marsh believes working through how things get maintained might address the problems.

Ms. Vermillion asked on average how many weed violations does the zoning inspector handle. Ms. Clodfelder replied that she does not have that information but will provide it to Council.

Ms. Vermillion asked if 921.039(A) included the removal of trees on personal property or just in public rights-of-way. Mr. Marsh replied it is referring to City right-of-way. Ms. Crandall added the tree lawn is generally the area between the sidewalk and the road.

Ms. Vermillion stated 945.04 references City water service and since the City uses the City of Columbus water, some of the points in this section sound like the Hilliard is delivering water. Ms. Clodfelder replied that there is a section that is not in the exhibit provided to Council because nothing needed to be changed. She noted 945.01 speaks to who is responsible for enforcing the water regulations within the City. This gives the City of Hilliard and the City of Columbus the responsibility because the City of Columbus needs to rely on the jurisdiction that may be having a water issue so that it can be cited or enforced and, in an emergency, the City of Hilliard may be able to use it.

Ms. Vermillion asked how many City properties, if any, are on private sewage disposal. Mr. Rausch replied there are some properties in the City still on private sewage and can provide that number to Council. Ms. Vermillion asked if they are on private sewage because there is no way to connect these properties in. Mr. Rausch replied some of it is because of that and some have chosen not to connect. He added City Code states if someone is within 100 feet of a City sewer, they need to connect and there are some within that 100 feet that have chosen not to connect. Ms. Vermillion asked who would pay for that connection if someone were within the 100 feet. Ms. Clodfelder replied it is the property owner's responsibility for the connection to the public sewer.

Ms. Vermillion asked if City business owners know what they can and cannot discharge into the sewer. Mr. Rausch replied most businesses know what they can and cannot release into the sewer. Ms. Vermillion asked if the City communicates with new business owners so they understand what they are not supposed to be putting into the sewer system. Mr. Rausch replied that currently the City is going through a fats, oils and grease program with restaurants and have done one mailing to date to those restaurants. He is not aware of communications with other businesses. Ms. Clodfelder added a lot of this is under the purview of the Franklin County Health Department, which may handle some of that information. Ms. Vermillion asked if there are any manufacturing companies that may be putting lethal discharge into the sewer. Mr. Rausch replied that he is unaware of any. He recalled that several years ago a company was discharging into the sewer and the City of Columbus was involved who required them to put in a pre-treatment at their business to treat the sewage before it was released. Ms. Vermillion asked if there is a list of manufacturers that could potentially release chemicals that should not be released. Ms. Crandall reported the Ohio Environmental Protection Agency (OEPA) would maintain that list.

Ms. Vermillion stated Parks Section 971.01(D) states what can and cannot be done in the parks and asked if she wanted to work out with a group at the park if that is not allowed. Mr. Merritt replied that is not the intention but there are individuals conducting business on City property. Ms. Vermillion asked if it is clear that those types of activities are ok. Mr. Merritt replied staff interacts with the public if they see a

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large group or gathering at a public park to talk through those issues. He noted often for-profit groups are running a soccer camp, a speed camp or a large exercise class that has not contracted with the City.

Ms. Vermillion asked if there are speed limit signs at Municipal Park. Mr. Merritt replied that there are speed limit signs and traffic calming speed bumps to reduce speed as well. Ms. Vermillion asked if she could drive her electric bike or golf cart in the park. Mr. Merritt replied if they are street legal then they could be driven in the park. He mentioned there are vandalism issues with kids driving gators or motorcycles recklessly through the park. Ms. Vermillion asked about flying airplanes at City parks. Mr. Merritt replied drones are licensed by the FAA and some of the large drones and airplanes can cause damage if they hit another human being and are a safety factor. He added there are laws in the State for such activity.

Ms. Hale stated 945.14 regarding water conservation does not contain language regarding power washing. She asked to see some of California's water conservation codes since they are more stringent. If the City was ever under a water restriction, she would like it to be lined up with places that have experience with this.

Ms. Hale referred to 971.12, which discusses grills and charcoal, and asked why the City would not allow someone to bring portable propane since it is considered a green fuel, safer and more popular now. Mr. Merritt replied that in working with the Police and Fire Chiefs, it is just a preference because they do not want to encourage someone to bring their large home unit into the parks. Smaller Coleman stoves go unnoticed, but they have had issues with large, special events where people bring in large propane units. Mr. Merritt mentioned that although propane is very safe, it does explode from time to time.

Mr. Carrier asked in 949.07(A) if an exception should be added for the older neighborhood for that contribution to the sewer/storm water because of the smoke test that was performed. He noted if this is enacted that there is a lot of problems with older homes. Mr. Rausch replied that it could be an exception, but his concern would be someone in another neighborhood would want the same provisions. Mr. Carrier asked Mr. Rausch to solve this for the older homes. Mr. Rausch replied that the way it is written currently, it gives the City enforcement powers. Mr. Marsh stated this was talked about a couple of years ago and his recommendation would be to not carve out those areas because those are the areas that are experiencing other backup issues and want to discourage that if possible. He noted what was discussed then and not acted upon was a disconnect program where rain barrels or something similar were provided so that the down spouts in those areas no longer flowed into the sewer lines. Mr. Carrier stated what is the effect of the statute if the City knows that people are hooked up and putting stuff in the sewer. Mr. Marsh responded that the easiest fix would be to cut it off and daylight it onto their lawn. Mr. Rausch stated a downspout is an easy fix, but a foundation drain which is tied in, is a more difficult, extensive and costly fix. Mr. Carrier asked if this is passed, could the City go to those individuals and tell them they have to fix it. Mr. Rausch replied if it is passed, the City could. Mr. Carrier commented that he does not feel that is equitable. Ms. Crandall reported that is not the City's intent but if someone has a connection with a downspout that they could disconnect and run into their yard or a rain barrel. The City is not looking to enforce this with the drains coming out of the basement area.

Vice President Tarazi asked if Council wants this amended or to pass it as is with the understanding that there is a certain level of discretion on how things are implemented. He suggested deferring to the Law Department’s recommendation to either leave it as it stands or amend it. Mr. Marsh commented that other legislation has been passed with the understanding that there would be reasonableness in enforcement. Vice President Tarazi stated that the Law Department can make the recommendation whether to amend this or pass it as it stands at the second reading.

Mr. Carrier stated that according to Council Rule 9.01 this should be referred to committee since a Council member has sponsored and Ms. Hale seconded. He noted since it is proposed legislation, it should go to committee if approved by the majority of Council members present. Mr. Carrier continued that he would contend that Charter Section 3.01, 3.02 and 3.03 apply but there is a difference of opinion. He stated procedurally Council should continue the practice of sponsoring and adopting legislation as

they have done in the past, but some believe that Council Rule 9.01 conflicts with that and should be read a different way. He asked for clarity on how Council is going to move forward in considering legislation and believes the fix would be to suspend Council Rule 9.01 until this can reviewed. Mr. Hartmann stated Council can suspend their rules. If Council votes and it is against their rules, they are Council Rules and Council does not have to follow them all the time. Mr. Carrier stated statutorily Council takes an oath to follow the Charter, which is a legal requirement and Council Rules are passed by Council. He added it is a problem having Council Rules conflict with the Charter because that conflict could create a situation where Council is not legally following the Charter.

Ms. Vermillion asked how Council Rule 9.01 applies to this scenario. Mr. Carrier clarified that a Council member sponsored to adopt, and another member seconded. A member proposed the legislation and introduced it, but it will only be assigned to a committee for consideration if approved by a majority of Council members present. He noted there are six members present so as a point of order Vice President Tarazi should require a vote of the members present to move 22-06 to the Committee of the Whole because that is the only standing committee. Vice President Tarazi stated if Council votes to put it on the next Regular meeting agenda as normal, and if that in any degree is overriding the Council Rules then it is still fine. Mr. Hartmann agreed. Vice President Tarazi explained to keep legislation moving forward, the way it has always been done, that all legislation on the agenda will be moved to the next Regular meeting. Mr. Carrier commented that we are assuming first reading this evening pursuant to the Charter. Vice President Tarazi agreed and added the second reading will take place at the next Regular meeting, like it has always been done. If there is any degree of uncertainty, Vice President Tarazi moved to have that happen. Mr. Carrier seconded because that follows the Charter.

Vice President Tarazi, seconded by Mr. Carrier, moved to have all ordinances on the agenda for first reading be moved to the next Regular meeting for second reading/public hearing to eliminate any confusion.

STATUS:	Approved (6-0)
MOVER:	Omar Tarazi
SECONDER:	Les Carrier
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

STATUS:	First Reading
MOVER:	Cynthia Vermillion
SECONDER:	Pete Marsh
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced the second reading/public hearing on 22-06 will be February 28, 2022.

Vice President Tarazi reported that Council can amend Council Rules and proposed a Committee of the Whole be scheduled on February 28, 2022, to review the rules and determine the procedures on how items get added on an agenda. Vice President Tarazi, seconded by Mr. Carrier, moved to schedule a Committee of the Whole meeting to discuss Council Rules on February 28, 2022.

STATUS:	Approved (6-0)
MOVER:	Omar Tarazi
SECONDER:	Les Carrier
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

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

Ms. Crandall explained this legislation would both amend the 2022 Capital Improvement budget and the 2022 through 2026 five-year Capital Improvement Program. She noted this includes revised numbers for the recreation and wellness campus with all the various components that would be envisioned as part of that. The City has been working with the designer as well as the owner's rep to work through the number and figure how much may need to be paid out each of those five years. Ms. Crandall reported the memo lists out the total cost for each of these major project components as well as the 2022 estimated allocation for each of those. She noted that there is a public arts allocation of $200,000 so that is in place considering this as one project, which the total one percent for the arts allows up to $200,000 per project and if they were taken as separate components then it would be significantly higher. With the challenges ahead regarding debt funding this and the escalating costs of construction, staff would rather wait until the end to determine if there are any contingency funds available and the review to see if that allocation for public arts can be increased. Vice President Tarazi stated as the Council representative to the Public Arts Commission, he would like as much money possible for public art but recognizes inflation and this is a prudent proposal. He noted that he does not have an issue that if money is left over that Council can reassess and then direct more money to public arts.

Mr. Carrier asked if the City has issued any debt in the last two years for capital improvements. Mr. Delande reported that the City had a couple short-term notes that were recently paid off and noted they are currently meeting with the municipal advisors, bond council and underwriters for borrowing for this project. Mr. Carrier asked when is that meeting. Mr. Delande stated the timeline in unclear because they are trying to close on those possibly in April so the meeting will likely be in March. Mr. Carrier asked if the bond council can come before Council. He would like to hear about the estimate that was proposed to the community is that the City would be $7 million ahead on the half percent income tax and he would like to see what that number is after the first quarter, which is what is used to determine the City's bonding ability. He would like to know what they believe the City can bond safely and at what term. The first question is how much the City can borrow without jeopardizing the City's AAA rating and second how much can the City borrow on a shorter term and what must be borrowed longer term. He stated these are conservative estimates and inflation is going to hit and he wants to ensure that the City has it. Mr. Carrier added the first tour and collection is now where the City is not going to make a significant number of expenditures that will need bonded, but it is prudent to do it now before the rates start to increase on longer term notes. Ms. Crandall mentioned that staff will bring legislation to the next Council meeting regarding debt capacity and bond council, financial advisors and underwriters will be in attendance. She noted that there are significant funds designated in 2022 to come out of this budget and Recreation and Parks is being operated out of that as well. Mr. Carrier reported the City has $10 million unencumbered from the sale of the Grener property. Mr. Delande reported there is approximately $7 million and if the City needs to use those funds while going through the bonding process, they will be used upfront and replenished with the bond. He added there are several different strategies and will be reviewed during the presentation. Ms. Crandall stated staff will be asking Council to set a ceiling on that and then they will come back after going through the process with what exactly would be recommended in debt funding versus cash fund or short-term note. Mr. Carrier clarified that it will be capped to start but as community feedback is received and the true design begins then it will be brought back to get what is needed once there is a clearer picture. Ms. Crandall replied staff will ask Council for a ceiling but then do its due diligence to delve a little deeper. The process needs to be started, the more time that is lost, the higher interest rates go.

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STATUS:	First Reading
MOVER:	Pete Marsh
SECONDER:	Tina Cottone
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced the second reading/public hearing on 22-07 will be February 28, 2022.

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

Ms. Crandall explained that this would add a Human Resources Manager to the HR Division. This position was advertised today, which the working title would be Chief People Officer/HR Director. She has thought since she arrived in the City, that HR was understaffed and unable to cover everything that should be covered as a modern day HR department. Ms. Crandall stated other Human Resources support is needed and are proposing adding this position. Currently, there are two part time HR generalists in the budget and recommends removing one of those positions since it has never been filled because it is difficult to fill part-time positions with people with this type of background. Mr. Carrier asked if this is a new position or a new title. Ms. Crandall replied this is a new position. Mr. Carrier clarified that they are looking to fill the HR Director position and an additional position. Mr. Marsh added they would also remove a part-time position. Ms. Crandall stated they are asking for an additional allocation of $63,500 to cover this position from June - December 2022.

STATUS:	First Reading
MOVER:	Cynthia Vermillion
SECONDER:	Tina Cottone
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced the second reading/public hearing on 22-08 will be February 28, 2022.

B. Resolutions

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.**

Mr. Rausch highlighted three items listed in the Council memo that accompanied this legislation. The City has contracted with this company since 2009 and the contracts are for two-year terms. He noted their pricing has been reasonable over the years, their service has been good and does not see a reason to go with someone else. Mr. Rausch reported it is more cost effective to work with a company and lease the monitors than to own, maintain and repair them. He added that the information gathered would be used and easily accessed by three consultants who are under contract currently as long as they have permission from the City and Hach. These are some of the advantages to this contract.

STATUS:	Adopted (6-0)
MOVER:	Cynthia Vermillion
SECONDER:	Pete Marsh
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-R-03 passed and will take effect at the earliest time allowable by law.

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.**

Mr. Delande reported this is the City's annual coverage for workers comp and the term is February 15, 2022, for renewal. Seven companies declined the offer and the average rate this is based on stayed stable, but the exposure rate increase is due to the increase in the City. He stated the City is currently at $1,816,000.00 for annual coverage. Mr. Delande explained the City went to self-insured in 2010-2011 and this has really benefited the City in savings.

STATUS:	Adopted (6-0)
MOVER:	Cynthia Vermillion
SECONDER:	Pete Marsh
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-R-04 passed and will take effect at the earliest time allowable by law.

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.**

Mr. Delande reported this is the City's annual renewal for Property and Casualty Insurance, which includes property, general liability, autos, umbrella, police professionals and public officials and employment practice. He noted there is a 10 percent increase, which some of that was due to the value of City property.

Ms. Vermillion asked if other quotes are received. Mr. Delande replied normally the broker tests the market every year and this year most declined. He added next year the City is looking at a pool called Central Ohio Risk Management Association (CORMA) to test that market, which is not a traditional plan.

STATUS:	Adopted (6-0)
MOVER:	Peggy Hale
SECONDER:	Tina Cottone
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-R-05 passed and will take effect at the earliest time allowable by law.

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.**

Mr. Merritt reported that this will allow the City Manager to enter into a Professional Services Agreement with the Edge Group for design purposes related to the recreation and wellness campus to include design of new athletic fields, multi-use paths and a landscape master plan for the entire campus.

Vice President Tarazi stated this cost is less than he remembered. Ms. Crandall replied that this is for one component and is for the landscape and fields. The community center will have a separate design. Vice President Tarazi asked if this included the acres in the middle. Ms. Crandall replied this would include those acres because it is a master landscaping plan and would depend on how that area is designed but not to develop it as field space. Vice President Tarazi asked if there is any direction on the 80+ acres. Ms. Crandall replied that is considered vacant land/open space and would work with the contractor on how that would be planted and maintained. Vice President Tarazi asked if there is a reason

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why the City is not considering options for development of that land at this time. Ms. Crandall replied that the total project is already at $102 million, and it is not financially feasible to add anything else.

Ms. Vermillion asked if they will be consulting with others who are knowledgeable on the watershed and the protection of that area. Ms. Crandall replied that the City will work with them on storm water management. The City has MS Consultants, an engineering firm, who specifically looks at storm water management who will work with Edge. Mr. Merritt added they have had some preliminary meetings with Ohio EPA as well so it will be a team approach.

Mr. Carrier stated Edge is a landscape storm water management design firm which is different than a local landscaping firm. He asked if there are any grant requests on this for storm water management. Ms. Crandall replied the City has a grant being proposed for stream restoration. She noted as the storm water design is developed because the City wants this to be a best practices for this site for storm water management, the City will look at Ohio EPA and another State agency that give grants for storm water management. Mr. Carrier asked for these PSAs that are not bid out, if the City is looking at local preferences first. Ms. Crandall replied the City is working with Advanced Drainage Systems on the design of the area who is interested as well as this being a demonstration site and best management practices for storm water management. Mr. Carrier asked how Edge was selected and asked if this was bid out. Ms. Crandall replied that Edge was used for the preliminary design, and they are a well-known, highly regarded company who do projects throughout the country. They did a great job on the initial design and the City wants to continue working with them.

Vice President Tarazi asked if the round-a-bout and the road are part of this design group. Ms. Crandall replied that is a separate project. Mr. Merritt added this is more than just a design of fields, it includes multi-use paths and a master landscape plan. MS Consultants is taking the lead on the road project, the round-a-bout and others. Vice President Tarazi asked if one design firm can do several things at one time or does each separate project have to be a separate designer. Ms. Crandall replied that landscape architects deal in landscape design. Vice President Tarazi asked if the City is selecting smaller firms to do more focused work as opposed to one large company who handles multiple design phases. Mr. Marsh stated that the biggest landscape architectural firms are going to be on projects like this because they would not necessarily have traffic engineers as part of their multi-disciplinary practice. He added the City is the umbrella over the various people involved.

Mr. Carrier recalled the design firm over the Grener property subbed out other pieces that they did not have expertise in and brought it back as one proposal to Council.

Ms. Hale asked if the company would do the creek as well. Mr. Merritt replied that the creek restoration has already been designed and will be ready this year. Mr. Carrier noted for the record that Mr. Rausch was shaking his head in agreement.

STATUS:	Adopted (6-0)
MOVER:	Tina Cottone
SECONDER:	Cynthia Vermillion
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-R-06 passed and will take effect at the earliest time allowable by law.

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

Mr. Meadows explained that this fills the three public appointments to the Hilliard Development Corporation (HDC), which is the City's agent for economic development. The Board has seven members, three of which are City appointees.

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STATUS:	Adopted (6-0)
MOVER:	Cynthia Vermillion
SECONDER:	Peggy Hale
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-R-07 passed and will take effect at the earliest time allowable by law.

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

Mr. Merritt explained that this legislation outlines the Designated Outdoor Refreshment Area (DORA) for 2022 and possibly into the future. With the success of the DORA last year, staff recommendation would be to expand that to 7 days a week, 365 days a year beginning March 1, 2022. He noted the times would remain the same from noon to 9:00 PM each day. The only difference is the City would set up tables through the end of October. Mr. Merritt clarified that compostable cups are listed and recently the Solid Waste Authority of Central Ohio (SWACO) changed their recycling guidelines and staff is reviewing whether the cups will be compostable or recyclable. He added nothing was changed to the DORA map.

Ms. Vermillion reported the tables will be only used from May through October and asked why they could not be used outside of that time frame. Mr. Merritt replied the issue is having enough staff to police and clean them.

Ms. Hale asked why the restaurants are not responsible for cleaning the tables. Mr. Merritt replied because the tables are on public property and the restaurants are responsible for their own tables.

Mr. Carrier asked that if the City is going to keep Center Street closed is there something can be done that would be more permanent. Mr. Merritt replied that the City has looked at several different options and was waiting to make sure this was going to be on a permanent basis. Staff is reviewing that and will bring back plans to Council at a future date.

Mr. Marsh asked that since the legislation specifically states compostable cups, does this need to be amended to add recyclable.

Mr. Marsh, seconded by Ms. Vermillion, moved to amend the resolution to add compostable or recyclable cups.

STATUS:	Approved (6-0)
MOVER:	Pete Marsh
SECONDER:	Cynthia Vermillion
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUDED:	Andy Teater

STATUS:	Adopted (6-0)
MOVER:	Cynthia Vermillion
SECONDER:	Tina Cottone
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-R-08 passed and will take effect at the earliest time allowable by law.

Mr. Carrier asked what is being done with the non-DORA businesses who raised concerns over the DORA being so long and active. Mr. Meadows replied that the City has met with those businesses and

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the challenge they have is when there are big events and the Restaurant Grant Program addresses some of the issues experienced with COVID. He noted that what is occurring with Destination Hilliard (DH) is that if there is a business that wants to have an event outside of Old Hilliard, they have a grant resource. Mr. Meadows reported that they have met with these businesses several times, and no one had any suggestions other than money along with the efforts of DH grant program and the use of the ARPA funds, which is what was targeted at that point. He added they will continue to reach out to these businesses. Mr. Carrier asked if the City has hired a Downtown Manager yet. Mr. Meadows replied that Ms. Angela Zody will be the Downtown Manager.

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.**

STATUS:	Adopted (6-0)
MOVER:	Cynthia Vermillion
SECONDER:	Tina Cottone
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi announced 22-R-09 passed and will take effect at the earliest time allowable by law.

PRESIDENT'S COMMUNICATION ï NONE
STAFF REPORTS ï NONE
CITY MANAGER UPDATES - NONE

ITEMS FOR COUNCIL DISCUSSION

Vice President Tarazi stated the first issue he is looking at is the terminating of the lease agreement with HOSA that Mr. Carrier put forward as a resolution. He reported Council has agreed to decide on whether to accept staff's recommendation or accept something different at the March 14, 2022, meeting. Vice President Tarazi asked what the procedure would be, from a public notice perspective since resolutions can be added on the date of the meeting. Ms. Crandall replied that staff's recommendation is not in the form of a resolution and would only ask for Council's approval on the recommendation. Vice President Tarazi asked if this topic should be brought up now or should it wait for the meeting to discuss. Mr. Hartmann replied that it is up to Mr. Carrier whether he wants to bring it up now under Council discussion. Vice President Tarazi asked, for clarity, does this topic not need to be put on an agenda before it is going to be voted on. Ms. Crandall replied that the topic would be listed and advertised on a Committee of the Whole agenda and if Council approves staff's recommendation, then legislation would be brought forward to extend the contract with HOSA but would wait until Council approves or disapproves staff's recommendation. She noted the hope would be that Council would approve staff's recommendation, legislation would be brought forward and there would be no need for further discussion other than answering questions regarding the contract. Vice President Tarazi asked if procedurally the legislation can be prepared and then after Council decides it could be decided on at that meeting. Mr. Hartmann replied that it would be a resolution and Council can waive the rules and amend the agenda to have it placed on the agenda for Council consideration. Mr. Marsh stated technically it would not be ready since Council would have to direct staff to negotiate the HOSA contract. Mr. Hartmann replied he would have to research and provide that information later. Mr. Marsh believed that would have to happen. Mr. Hartmann replied that the resolution would give the City Manager the authority to renegotiate the contract, which would cover it. Vice President Tarazi asked if this would be on the agenda or can it be read at the meeting. Mr. Hartmann replied that drafts should be put together, but staff needs to know where Council is on the matter. Vice President Tarazi reported that there are two clear options that Council will vote on either accepting the Administration's recommendation as is or the City takes over the HOSA park. He does not believe there is a consensus on that yet. Mr. Carrier added his legislation states the City would take over the field in 2022. Vice President Tarazi clarified that Mr. Carrier's legislation is for September

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2022 and that can be amended. He added procedurally both options will be presented, and Council can make a final decision and move forward on this topic.

Vice President Tarazi stated Mr. Carrier also brought forward an ordinance, which, in his view, mixes several different topics. One topic is moving funds and ending the lobbying money that was approved. He noted there is lobbying relating to fiber and the other is general lobbying for the City. Vice President Tarazi believes it is worth discussing what the City is spending lobbying money on and is it worth continuing or not which is a different issue than moving money to something else. Ms. Crandall commented that these are related pieces of legislation with one being to take over the contract in September 2022 and the other is to fund the maintenance and operations during that time for the remainder of the year. Mr. Carrier clarified that the reason Council is seeing the funds moved for funding of programming is because, in his opinion, is not a good use of dollars to lobby, pay law firms and lawyers to lobby when the City is not even doing our programming for the Hilliard kids. He added Council appropriated the full amount for body worn cameras for the police and the City has received a grant for a portion of that. He suggested taking the appropriated amount and repurposing the amount that was not used for the grant and additional fund for both sets of lobbyists that he does not believe adds any value. The City of Dublin has agreed to pay for the broadband lobbyist. Mr. Carrier reported that at the original Council meeting, Administration stated they needed time to learn how to do this and he thinks that maybe the time is better served doing stuff for the kids versus the lawyers and is why he presented the two companion pieces of legislation and are around programming and access and letting the clubs bring their own equipment and maintenance, which they would be happy to do. He added he tried to filter out most of the maintenance provisions and focus on dollars to program or to hire someone to program. Once he receives Mr. Merritt's proposal on staff costs, he can refine those and would like to talk to Council about a different date other than 2024. Mr. Carrier stated that everyone worked so hard to pass Issue 2022 to wait two years for programming and he does not believe that is right and is passionate about it. He added he is going to be looking to some for compromise on the date and if Council chooses staff's recommendation, the date can be adjusted to that as well for the extension of the HOSA contract. Mr. Carrier commented that it is time for Council to step up and show immediate change.

Vice President Tarazi stated there is a date that Council will be making an up or down vote to whether the City is going to extend or not extend the contract with HOSA. If Council decides to accept staff's recommendation, then Mr. Carrier's legislation will become moot and can be addressed after the first vote. If the vote passes to end the HOSA contract early, then this can be addressed at that point. He believes the lobbying money deserves its own conversation and an update may be appropriate. Mr. Marsh commented that the money the City is spending on the broadband is a wise investment to protect the millions of dollars of public money that the City has already invested. The City's involvement shows leadership in that businesses and potential partners are already starting to lease space on the City's broadband and is a wise use of money. He added the lobbying contracts are very different and the one is very specific in what we are going to achieve, and the other is broader.

Vice President Tarazi stated at the next Committee of the Whole meeting, Council is discussing procedures and at the first meeting in March, Council will make a final up or down vote and that Mr. Carrier's ordinance can be brought up on that date for a motion and a second if the first one passes. If the first one does not pass, then what happens. Mr. Carrier stated if they are going to be timed directly because an ordinance needs two readings, he suggested that the first reading take place on February 28, 2022, and then the funding of the programming be carried over to the March 14, 2022, meeting along with the resolution then the ordinance can be denied or approved. Council can then decide which way to go on the resolution. Mr. Hartmann stated, to be clear, it does require a majority vote to be put on the agenda. Mr. Carrier replied that is where we disagree, and it will be discussed in the next Committee of the Whole meeting. Vice President Tarazi added that the procedures can be cleared up at the meeting and then we are done with that topic. Mr. Carrier commented that if there are four votes, according to the Law Director, he still preserves the right to the Charter. Mr. Hartmann replied someone can bring something up at the Committee of the Whole and it would need four votes then to get on to the Regular agenda.

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Vice President Tarazi stated that since this has been moved to March, is there any additional information that Council members need to decide. Vice President Tarazi noted that since a lot of money is involved, he would like more exploration on public/private options for management of the fields. He would like to see that every option has been explored to some degree. Vice President Tarazi added that he is aware that other cities subcontract individuals or groups, which is being done currently with HOSA. He reported that the City is going to pay $650,000 to manage the fields, which might be the most prudent option, but he would like to at least look at other options so that everything has been explored before making the final decision. Mr. Carrier commented that it depends on the type of program, the expansive nature of the programming and what will be in the center because that may affect the bids. He agrees conceptually with Vice President Tarazi because as a member of Council he would like to see private, public/private and the cost and benefits of each. Mr. Carrier reported that in other communities the YMCA manages the community center, and that Bo Jackson has an arm that manages sports complexes and fields and is dependent upon after community input is received and who may be able to come in and offer their expertise.

Vice President Tarazi asked Ms. Crandall's thoughts on getting more information regarding other possibilities or is that too much to ask at this point. Ms. Crandall replied she is hearing two things; one is for the fields and one for the community center. Mr. Carrier said that there is a big difference in managing rectangular field space versus indoor space because they are diametrically opposite from what he understands with talking to the YMCA.

Vice President Tarazi reported that since the decision was made to vote at the next meeting on the fields, he would like more information/understanding on other possibilities. There has been one organization managing the fields for many years and maybe there is another organization who could do the same and he would like to see that information even if the answer is that the City manages this.

Ms. Vermillion expressed her concern with overburdening Mr. Merritt and anyone else involved in this decision. She stated this decision is a narrow one and is from now until 2024 and feels Council can take the time to look beyond that and it does not need to be right now. She reiterated that this is a narrow time frame and feels that is what needs to be focused on. She restated that she is concerned about overburdening staff with extra information that she personally does not need additional information to decide. Vice President Tarazi stated he was thinking about the next step, which is 2024 or sooner, is the City taking over the fields or will there be a public/private partnership and he wants to understand those options. He noted that Ms. Vermillion is correct that this may or may not be necessary for the Council meeting in March but will leave it to the discretion of staff if they want to spend time on it. Eventually, it is a question to know which way the City is going to go with it. Ms. Crandall stated staff would need a motion of Council if they wanted staff to look into that because it would be time consuming, but it could be reviewed at a future meeting. Mr. Carrier asked when it would be the best time for Council to motion for staff to start looking at those. Mr. Marsh suggested that over the next year or two that RPAC could review the pros and cons of the City operating its own space versus someone else. Mr. Carrier stated he would like to see that in RFP format because then you see what the costs are. He noted that his instinct is that the private partnership would allow for more capital improvements because they operate at less expense due to the load of a public employee but that is his guess and would like to see that and to understand it with more depth. Mr. Marsh mentioned that a fair level of specifics would need to be known to put out an RFP that would be meaningful. He added if it is not the direction that Council decides they want to go, that would be a lot of effort that did not need to be taken. Mr. Carrier noted the RPAC did a study that gave an idea of what the costs would be if the City were to manage the facility and there are already pro forma projections of costs which could be used as a baseline.

Ms. Vermillion reported that it goes back to the definition in Council Rule 901 on the legislative flow, which states a member may propose legislation. She added, typically, the presiding officer states would a member like to sponsor and adopt and she feels it is different language between sponsoring and adopting and proposing. Mr. Hartmann replied that Council Rule 9.01 is talking about a single person wanting to propose legislation and that is where it says it must go to a committee. He feels that it is conflating between the preparation of proposed legislation with the preparation of the agenda. The only time

something would go to a committee is when one member has proposed it on the floor and receives four votes, then it would have to go to committee. Mr. Carrier countered that the Charter states that a member can introduce legislation with a second. Mr. Hartmann replied that he is not going to get into the Law Department's decision on this matter on the floor. Vice President Tarazi stated that the words need to be more consistent in Council Rules. Mr. Hartmann reported that introduction is when an item is on the agenda and someone does a first, then that is the introduction. Vice President Tarazi stated that there is public notice if a Council member wants to talk about something so that items are not being voted on without the public's knowledge. Mr. Hartmann added that is why it makes more sense that Council would need to vote on it to get it onto an agenda because then it is properly advertised.

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

MOVER:	Les Carrier
SECONDER:	Peggy Hale
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

ADJOURNMENT ï 9:19 PM

Omar Tarazi, Vice President Tarazi
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Feb 14, 2022 7:00 PM (Approval of Minutes)

Council Memo: Legislation (22-06)

Subject: Amending Part IX of the City's Codified Ordinances
From: Michelle Crandall, City Manager
Initiated by: Kelly Clodfelder, Staff Attorney
Date: February 28, 2022

Executive Summary

This Ordinance would approve changes to Part Nine of the City's Codified Ordinances – "Streets, Utilities, and Public Services Code" to be more aligned with the City's current form of government and organizational structure. It also proposes a few substantive changes in order to more efficiently enforce the Weed Code and to update the Recreation and Parks Code.

Staff Recommendation

Staff recommends that Council adoption this Ordinance.

Background

In November 2018, Hilliard voters approved a charter amendment changing the City's form of government from "Mayor-City Council" to "City Council-City Manager". In November 2019, City Council approved amendments to the Code specifically regarding the change in Mayor to City Manager, where appropriate. At the time, the administration noted that additional changes would be needed to account for this change. It was also determined that amendments to the Code were also necessary because of organizational changes.

Further, to ensure efficient application of the City's Weed Chapter and to address outdated items in the Recreation and Parks Code, substantive changes are being proposed. These changes will help with enforcement of the Codes.

Amendments to the "Streets, Utilities, and Public Services" include:

- Cleaning up titles to align with current authorized strength;
- Removing references to Director of Public Service and Director of Public Safety;
- Referencing Chapter 190 for fees (consistent with provisions throughout the Codified Ordinances)
- Revising Chapter 917 regarding Weeds to better define weeds throughout the City; and
- Amending Chapter 971, the Recreation and Parks Code to address and update.

There are some chapters that were held out of these code amendments due to the fact that a more comprehensive/substantive review is being conducted. These chapters will be brought back to Council at a later time.

Financial Impacts

There are no anticipated financial impacts.

Expected Benefits

The amendments to the "Streets, Utilities, and Public Services Code" ensure that the City's code is consistent with the City's form of government, organizational structure, and allows for more efficient enforcement of certain sections.

Attachments

Exhibit A

Code Section	Change	Reason for Change
905.01 Temporary Traffic Regulations; Posting of Signs or Markers	Removing references to specific Directors	Change in Form of Government
905.06 Warning Signs; Prohibited Drive or Parking; Exception	Removing references to specific Directors	Change in Form of Government
905.07 Construction Permit for Building Materials	Removing references to specific Directors	Change in Form of Government
905.13 Duty to Remove Litter; Failure to Remove; Appeals Board	Correcting the City department	Change in City's Organizational Structure
917.01 Definitions	Adding and clarifying definitions	Assist with the enforcement of weeds and high grasses in the City
917.02 Removal of Weeds; Duty of Zoning Officer	Changing to be consistent with definitional changes	Assist with the enforcement of weeds and high grasses in the City
917.03 Notice to Cut Weeds	Changing to be consistent with definitional changes	Assist with the enforcement of weeds and high grasses in the City
917.04 Failure of Owner to Comply	Changing to be consistent with definitional changes	Assist with the enforcement of weeds and high grasses in the City
917.05 Costs	Changing to be consistent with definitional changes	Assist with the enforcement of weeds and high grasses in the City
921.03 Permit Required for Removal, Replanting and Replacement	Correcting the City department	Change in City's Organizational Structure
941.04 Maintenance	Removing references to specific directors	Change in Form of Government
945.02 Responsibility of consumer	Removing references to specific directors	Change in Form of Government
945.04 Powers and Duties of City Manager or Designee	Removing references to specific directors	Change in Form of Government
945.06 Payment of Water Rent	Removing references to specific directors	Change in Form of Government
945.07 Water Taps	Removing references to specific directors	Change in Form of Government
945.08 Water Tap Permit and Service Fee	Removing references to specific directors	Change in Form of Government
945.10 Permit Required	Removing references to specific directors	Change in Form of Government
945.14 Adoption of Rules and Regulations	Removing references to specific directors	Change in Form of Government
945.15 Water System-Capacity Charge	Removing references to specific directors	Change in Form of Government

949.01 Definitions	Replacing definitions	Change in Form of Government and Organizational Structure
949.03 Private Sewage Disposal	Removing references to specific directors	Change in Form of Government
949.05 Permits; Fee	Removing references to specific directors	Change in Form of Government
949.06 General Sewer Requirement and Restrictions	Removing references to specific directors	Change in Form of Government
949.07 Use of Public Sewers; Discharges	Removing references to specific directors	Change in Form of Government
949.16 Additional Rules and Regulations	Removing references to specific directors	Change in Form of Government
949.18 Change of Ownership	Removing references to specific directors	Change in Form of Government
949.19 Sewer Tap Permit Required	Removing references to specific directors	Change in Form of Government
949.21 Extension of Service to Nonresidents	Removing references to specific directors	Change in Form of Government
949.22 Sewerage System-Capacity Charge	Removing references to specific directors	Change in Form of Government
951.01 Definitions	Replacing definitions	Change in Form of Government and Organizational Structure
951.02 Organization of the Utility	Removing references to specific directors	Change in Form of Government
951.03 Storm Water Facilities	Removing references to specific directors	Change in Form of Government
951.11 Rules and Regulations	Removing references to specific directors	Change in Form of Government
951.12 Right of Entry for Survey; Examination and Maintenance	Removing references to specific directors	Change in Form of Government
951.16 Classification of Property; ERU Assignment and Rate	Removing references to specific directors	Change in Form of Government
951.17 Annual Review of Charges	Removing references to specific directors	Change in Form of Government
951.18 Credits	Removing references to specific directors	Change in Form of Government
951.20 Adjustment Charge, Appeal	Removing references to specific directors	Change in Form of Government
951.22 Notice to Correct Improper Drainage	Removing references to specific directors	Change in Form of Government
951.23 Abatement Costs	Removing references to specific directors	Change in Form of Government
951.24 Appeals Board	Removing references to specific directors	Change in Form of Government
951.25 Variances and Appeals	Removing references to specific directors	Change in Form of Government
971.01 Hours and Conditions of Use	Removing references to specific directors	Change in Form of Government
971.03 Prohibited Activities	Adding prohibited activities regarding swimming in ponds, lakes, and other bodies of water	Ensuring that stormwater retention ponds and other park water features, unless designated, cannot be used for swimming or boating

971.07 Vehicle Regulations	Removing references to specific directors	Change in Form of Government
971.08 Pets and Other Animals	Removing references to specific directors	Change in Form of Government
971.11 Camping and Campfires Prohibited	Removing references to specific directors	Change in Form of Government
971.12 Home Barbecues; Park Stoves	Removing references to specific directors	Change in Form of Government
971.14 Model Airplanes	Removing references to specific directors	Change in Form of Government
971.15 Borrowed or Rented City Equipment	Removing section	
971.17 Entering of Buildings	Removing references to specific directors	Change in Form of Government
971.19 Establishment or Waiver of Rules	Removing references to specific directors	Change in Form of Government
971.21 Permits for Sale and Consumption of Alcohol at Events Held in Designated Locations of the City	Removing references to specific directors	Change in Form of Government
971.22 Fishing in City Parks	Adding New Section	Being consistent with ODNR rules regarding fishing on public lands
975.05 Rules and Regulations	Removing references to specific directors	Change in Form of Government
975.06 Collection Rates and Terms	Removing references to specific directors	Change in Form of Government
975.07 Enforcement	Removing references to specific directors	Change in Form of Government and Organizational Structure

Ordinance: 22-06 **Passed:**

Page 1 of **Effective:**

AMENDING CERTAIN SECTIONS OF PART NINE OF THE CITYôS CODIFIED ORDINANCES - THE ñSTREETS, UTILITIES, AND PUBLIC SERVICES CODEò.

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.

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 22-06

☐ Adopted
☐ Adopted as Amended
☐ Passed
☐ Defeated
☐ Tabled
☐ Held Over
☐ Referred
☐ Withdrawn
☐ First Reading
☐ Positive Recommendation
☐ No Recommendation

		Yes/Aye	No/Nay	Abstain	Absent
Andy Teater		☐	☐	☐	☐
Omar Tarazi		☐	☐	☐	☐
Les Carrier		☐	☐	☐	☐
Tina Cottone		☐	☐	☐	☐
Peggy Hale		☐	☐	☐	☐
Pete Marsh		☐	☐	☐	☐
Cynthia Vermillion		☐	☐	☐	☐

CHAPTER 905
General Provisions

905.01 TEMPORARY TRAFFIC REGULATIONS; POSTING OF SIGNS OR MARKERS.

(a) The ~~Director of Public Service, Director of Public Safety and the Chief Engineer~~ City Manager or designee ~~each~~ is authorized ~~in his separate official capacity,~~ to temporarily regulate the driving, parking, stopping or standing of vehicles on any street or alley in the City, when such regulation is required for the purpose of improving, repairing, maintaining or cleaning such street or alley or for any construction work, in, on, under or adjacent to the street or alley.

(b) No regulation under this section shall be effective until the street or alley to be regulated is properly posted by appropriate signs or markers.

905.06 WARNING SIGNS; PROHIBITED DRIVING OR PARKING; EXCEPTION.

(a) No person shall remove, displace, destroy or deface any barrier, marker, sign, obstruction or light set or placed by any person acting under the direction of the ~~Director of Public Service, Director of Public Safety or the Chief Engineer of the City~~ City Manager or designee, in or on any public street or alley for the purpose of temporarily closing such street or alley or for the purpose of temporarily prohibiting driving, parking, stopping or standing of vehicles thereon, in connection with the improvement, repair, maintenance or cleaning of such street or alley, or for any other authorized reason. No person shall drive, park, stop or stand any vehicle in or on any such street or alley when the street or alley is so marked by such barrier, marker, sign, obstruction or light for such purposes.

(b) This section shall not apply to any person requiring the use of such street or alley for access to any premises abutting the portion of such street or alley, when such person has obtained written consent to use the street or alley for such purpose from the officer under whose authority the regulation was established.

905.07 CONSTRUCTION PERMIT FOR BUILDING MATERIALS.

(a) No person shall place, cause to be placed or allow to remain on any street, alley, sidewalk or public ground in the City any rubbish, stone, brick, lumber or other material. However, persons engaged in the repair or construction of any building in the City may occupy certain portions of a street or sidewalk upon obtaining a permit for that purpose from the ~~Chief Building Inspector~~ City Manager or designee. The Inspector is authorized and empowered to limit in such permit the amount of space in any street or sidewalk that maybe used for such purpose, and any person violating the terms of such permit shall be subject to the penalty herein provided.

(b) Every person responsible for the presence in any street, alley or public place within the City of earth, gravel, brick, mortar, stone, wood, lime, plaster, cement or other refuse from the repair, construction or demolition of buildings, sewers, streets or other improvements of public or private property shall remove the material, or cause it to be removed, forthwith to a place of deposit designated or approved by the ~~Director of Public Service or his representative~~ City Manager or designee.

905.13 DUTY TO REMOVE LITTER; FAILURE TO REMOVE; APPEALS BOARD.

(a) In the event any person causes or permits the littering of streets or alleys with dirt, mud, debris or excavating or building materials, such person shall clean and remove it within twelve hours after being notified to do so by the City Manager or his/her designee.

(b) If such person fails to remove such dirt, mud, debris or excavating or building materials, such cleaning service shall be rendered by the Department of ~~Public Service~~ Community Development and the person shall be billed at the current hourly rates of the Department's equipment and personnel.

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

(c) Failure to pay such bill within five days shall be grounds for revocation of any and all City permits and licenses issued to such person and for refusal to issue any new permits or licenses for so long as the bill remains unpaid, unless within such time such person perfects an appeal to a Board composed of three electors appointed by Council. The appointed members shall serve three-year terms. An appeal shall be perfected by the filing of notice in writing of intention to appeal to the City Manager or his/her designee and the posting of a cash bond in the amount of the contested bill. The Board shall have the power, after full hearing, to affirm the decision of the City Manager or his/her designee in which case the bond shall be forfeited to the City, or to reverse the decision and order the return of the bond to the appellant.

(d) The littering of streets adjacent to any project for which a City permit or license was issued, shall be deemed to have been caused or permitted by the permittee or licensee in the absence of proof by him to the contrary.
(Ord. 19-31. Passed 12-9-19.)

CHAPTER 917
WEEDS

917.01 DEFINITIONS.

(a) *Definitions.* Words used in Chapter 917 shall be defined as follows:

(1) *"Grasses"* means any of a large number of plants with jointed stems and narrow leaves.

(2) *"Herbage"* means green plants especially when used or fit for grazing.

(3) *"Noxious weed"* means any type or species that has been included on the official list of noxious plants by the State of Ohio, Ohio Department of Agriculture, per Ohio Administrative Code Chapter 901:5-37 Noxious Weeds, as may be amended or modified from time to time.

(4) "*Ornamental Grass*" means grasses that are grown for decorative purposes in gardens or landscape design projects.

(~~4~~5) *"Owner"* means an owner, lessee, agent, tenant, occupant, managing corporate member, partnership, corporation or any other person or entity having control, charge, possession or care of land in the City.

(~~5~~6) *"Rank"* means strong and vigorous and usually coarse in growth (such as rank weeds); may also be strong unpleasantly smelling.

(~~6~~7) *"Undesirable"* means not pleasing or attractive.

(~~7~~8) *"Vegetation"* means plant life or cover (as of an area).

(~~8~~9) *"Vine"* means a plant whose stem requires support and which climbs (as by tendrils) or trails along the ground.

(~~9~~10) *"Weed"* as used in this chapter, includes, but is not limited to, the following: any brush, and all briars, thistles, burdock, dock, cocklebur, wild mustard, dog's fennel, lamb's quarters, plantain, wild carrot, wild parsnip, horseweed, white or yellow sweet clover, velvet leaf, common mallow, iron weed, poison ivy, and teasel. In addition, grass (excluding ornamental grasses that are cut annually) at a height of six (6) inches or more shall be deemed "weeds" under this definition, as shall vegetation constituting a threat to the public health, security, or welfare.

~~means a plant that tends to grow thickly where it is not wanted and to choke out more desirable plants.~~

(Ord. 14-23. Passed 7-14-14.)

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

917.02 REMOVAL OF WEEDS; DUTY OF ZONING OFFICER.

(a) No owner shall permit weeds, noxious weeds, herbage of rank growth~~, grasses~~, vines or other undesirable vegetation to grow thereon to a height in excess of six inches, or to spread or mature seeds thereon, or fail to cut and destroy such weeds, noxious weeks, herbage of rank growth~~, grasses~~, vines or other undesirable vegetation when notified by the Zoning Officer or designee.

(b) The Zoning Officer, or designee, shall determine when lots and lands in the City contain weeds, noxious weeds, herbage of rank growth~~, grasses~~, vines or other undesirable vegetation, which constitute a nuisance or endanger the public health and shall see that such weeds, noxious weeks, herbage of rank growth, vegetation~~, grasses~~, vines or other undesirable vegetation are removed or the nuisance abated.

(c) The City shall keep a current copy of OAC Chapter 901:5-37 on file and available to the public upon request at no cost.

(Ord. 14-23. Passed 7-14-14.)

917.03 NOTICE TO CUT WEEDS.

(a) Upon identifying lands not in compliance with this chapter, the Zoning Officer or designee shall cause written notice to be served upon one, any or all of the entities meeting the definition of Owner in Section 917.01(a) notifying such Owner that weeds, noxious weeds, herbage of rank growth~~, grasses~~, vines or other undesirable vegetation is growing on such land and that they shall be cut and destroyed within five (5) calendar days after service of such notice; and, thereafter, during the growing season, with sufficient frequency to prevent such weeds, noxious weeds, herbage of rank growth, vegetation~~, grasses~~, vines or undesirable vegetation from exceeding six inches or maturing seeds thereon.

(b) Each notice served by the Zoning Officer shall state that only one notice of violation per calendar year is required to be served by the Zoning Officer or designee pertaining to a lot or parcel. If, after one notice has been served for a calendar year, the Zoning Officer or designee determines that one or more subsequent violations have occurred on that lot or parcel during that calendar year, the City may proceed to immediately abate such nuisance as set forth in this chapter.

(c) Service of the notice required in subsection (b) hereof shall be made by one of the following methods:

(1) Personal service to the owner at his/her usual place of residence or business; or

(2) By certified mail, return receipt requested, to the address listed on the Franklin County Auditor's tax list for tax mailing purposes, or if the property is a rental, service may be by certified mail, return receipt requested, mailed to the property owner's address listed in the Franklin County Auditor's Rental Registration database; or

(3) By ordinary mail, postage prepaid, to the owner at his/her usual place of residence or business or to the address listed on the Auditor's Rental Registration database and by also posting the notice by affixing it to the building or affixing it to a free-standing post or stake on the offending owner's property, service being effective upon posting; or

(4) If no address for the owner is known, by publishing the notice once in a local newspaper of general circulation. Such publication notice may include the names and addresses of multiple property owners being cited under this Code Section.

If the notice was sent by certified mail and is returned with an endorsement showing it was unclaimed or refused, the notice shall be sent to the Owner by ordinary mail. The Zoning Officer or designee shall keep a record of the fact of how and when service was provided, and if notice was sent by ordinary mail, the service thereof shall be deemed complete upon mailing.

(Ord. 14-23. Passed 7-14-14.)

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

917.04 FAILURE OF OWNER TO COMPLY.

During the period March 1 through November 30 of each calendar year, the Zoning Officer or designee may determine that weeds, noxious weeds, herbage of rank growth~~, grasses~~, vines or other undesirable vegetation growing on land, for which a notice or notices has been issued under Section 917.03, constitute a nuisance and/or endanger the public health pursuant to Section 917.02 and that the owner having charge, possession, control or care of the land has failed to comply with the notice. Thereupon, the Zoning Officer or designee may cause such weeds, noxious weeds, ~~and~~ herbage of rank growth~~, grasses~~, vines or other undesirable vegetation to be cut by use of City forces and equipment or by the hiring of private contractors. The costs shall be assessed to the owner of record as provided in Section 917.05.

(Ord. 14-23. Passed 7-14-14.)

917.05 COSTS.

The Owner shall pay all costs associated with the cutting and removal of the weeds, noxious weeds, herbage of rank growth~~, grasses~~, vines or other undesirable vegetation growing on land, which costs shall include those listed in this section. Upon completion of the cutting and removal of the weeds, noxious weeds, herbage of rank growth~~, grasses~~, vines or other undesirable vegetation, the Zoning Officer or designee shall determine the cost of cutting and removal and shall cause a statement thereof to be mailed to the Owner of the parcel, by:

(a) Delivering the same personally to such person at his/her usual place of residence or business, or

(b) By certified mail, return receipt requested, to his/her usual place of residence or business, or to the address listed in the Franklin County tax records or to the address listed in the Franklin County Auditor's rental registration listing if the property is a rental.

Personal service shall be documented as to the time, date and place of delivery. If the certified mail envelope is returned showing an endorsement with failure of delivery, the statement of cost shall be sent to the owner by ordinary mail to his usual place of residence or business, or to the address listed in the Franklin County tax records, or to the address listed in the Franklin County Auditor's rental registration listing if the property is a rental, which is deemed sufficient notice. The statement of costs shall include the following; a processing cost of fifty dollars ($50.00); ownership investigation fee of fifty dollars ($50.00); a City or contractor equipment charge; City or contractor equipment operator charge; fuel charge; equipment transportation charge; administration and supervision charge; publication notice costs; incidental labor charge; removal charge and any contractual charges.

(Ord. 14-23. Passed 7-14-14.)

CHAPTER 921
Trees

921.03 PERMIT REQUIRED FOR REMOVAL, REPLANTING AND REPLACEMENT.

(a) Removal.

(1) No person shall remove, cut above ground or otherwise disturb any tree or shrub on any street, highway, public place or tree lawn without filing an application and procuring a permit from the City Arborist. The person receiving the permit shall abide by the arboricultural specifications and standards of practice adopted by the City and contained in the permit.

(2) Application for permits shall be made to the City Division of ~~Public Service~~ Operations not less than forty-eight (48) hours in advance of the time the work is to be done.

(3) The City shall issue the permit if, in its judgment, the proposed work is desirable and the proposed method and workmanship thereof are of a satisfactory nature. Any permit granted shall contain a definite date of expiration, and the work shall be completed in the time allowed on the permit and in the

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

manner as therein described. Any permit shall be void if its terms are violated. The applicant shall bear the cost of removal and replacement of all trees or shrubs removed. Failure to plant replacements per the City standards shall result in replacement performed by the City, its employees or agents, and the City shall bill to the person or property owner responsible for replacement the actual cost of the work incurred by the City. Notice to the property owner and collection of unpaid amounts shall be accomplished pursuant to Section 921.09 below.

(4) Notice of completion shall be given within five (5) days to the City for its inspection.

(b) Planting.

(1) The application required in subsection (a) above shall state the number of trees or shrubs to be set out; the location, grade, species, cultivar or variety of each tree or shrub; the method of planting; and such other information as the City shall find reasonably necessary to make a fair determination of whether a permit should be issued.

(2) Whenever any tree or shrub shall be planted or set out in conflict with the provisions of this section, it shall be lawful for the City to remove or cause removal of the tree or shrub, with notice to be provided to the property owner and the exact cost thereof assessed to the owner as provided in Section 921.09 below.

(c) Removal, Replanting and Replacement by City. Wherever it is necessary to remove a tree or shrub from a treelawn in connection with the paving of a sidewalk, or the paving or widening of the portion of a street or highway used for vehicular traffic, the City shall replant such trees or shrubs or replace them. Provided that conditions prevent planting on treelawns, this requirement shall be satisfied if any equivalent number of trees or shrubs of the same size and species as provided for in the City's arboricultural specifications are planted in an attractive manner on the adjoining or surrounding property. The caliper size of the replacement tree must equal to that of the tree being replaced. For example, if a 20" caliper tree is removed, it must be replaced with 20" of calipers which can be accomplished in various ways, such as with ten 2" calipers or five 4" calipers. (Ord. 12-03. Passed 3-26-12.)

CHAPTER 941
Placement of Underground Utilities

941.04 MAINTENANCE.

(a) All utility facilities shall be installed and maintained in accordance with this chapter and the National Electrical Safety Code, DOT Pipeline Safety Code and the National Fuel Gas Code.

(b) The ~~Director of Public Service~~ City Manager or Designee is authorized and directed to promulgate rules and standards for the construction of underground utility facilities and that are not in conflict with this chapter.

CHAPTER 945
Water Regulations

WATER SERVICE REGULATIONS

945.01 Definitions.
945.02 Responsibility of consumer.
945.03 Tampering with meter or water system.
945.04 Powers and duties of ~~Director of Public Service~~ City Manager or Designee.
945.05 Liability for loss or damage.

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

945.02 RESPONSIBILITY OF CONSUMER.

Each consumer shall provide at his own expense in his water line:

(a) A place and all necessary fittings for the installation of a water meter. The location of the meter shall be satisfactory to the ~~Director of Public Service~~ City Manager or Designee. The meter itself shall be furnished by the City.

(b) A valve in the line before the meter unless the service already has a meter or the meter is in a basement or frost-proof pit satisfactory to the ~~Director~~ City Manager or Designee.

(c) Each consumer shall be held responsible for the protection of all parts of the water service which are furnished, and should damage be done to any of these, the consumer shall be held liable and shall be charged for labor and parts necessary to restore the equipment to operating condition.

945.04 POWERS AND DUTIES OF ~~DIRECTOR OF PUBLIC SERVICE~~ CITY MANAGER OR DESIGNEE.

(a) The ~~Director of Public Service~~ City Manager or Designee shall make provisions for testing water meters of any customer who feels that his meter is measuring incorrectly.

(b) The ~~Director~~ City Manager or Designee may pass and enforce additional regulations necessary for the efficient operation of the City waterworks.

(c) The ~~Director~~ City Manager or Designee is authorized to discontinue water service to any consumer who violates any provision of this chapter or who fails or refuses to pay the charges assessed against him.

WATER RATE REGULATIONS

945.06 PAYMENT OF WATER RENT.

(a) The owners, whether holders of legal title or vendees under land contract, of real property to which water is furnished by the City are financially responsible to the City for water rents as to water furnished to their property.

(b) The ~~Director of Public Service~~ City Manager or Designee shall refuse to furnish water service, following turnoff, to property which water, previously furnished, has not been paid for in full, including all delinquent rents and charges.

945.07 WATER TAPS.

Tap fees shall be paid before taps are made and monthly charges for water shall start and continue so long as water is on. It shall be the responsibility of the consumer to notify the ~~Director of Public Service~~ City Manager or Designee if water is no longer desired.

945.08 WATER TAP PERMIT AND SERVICE FEE.

(a) Prior to making application to the City of Columbus for a water tap for any water line on the Hilliard Water Distribution System, the property owner or contractor seeking such tap shall make application to the City ~~of Hilliard Chief Building Inspector~~ for a water tap permit.

(b) A nonrefundable fee per tap requested shall accompany each application. This fee shall then be paid forthwith by the Director of Finance into the Water Fund of the City of Hilliard. See Chapter 190 for fee.

(c) Upon determination ~~by the Chief Building Inspector~~ that all requirements for the property in question have been met, and that all other fees have been paid, the ~~Chief Building Inspector~~ City shall then issue a water tap permit or permits to the applicant.

(d) Agreement shall be obtained from the City of Columbus Division of Water that no taps into the Hilliard Water Distribution System will be issued by them without the presentation of the permit set forth in this section.

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

WATER WELL DRILLING

945.10 PERMIT REQUIRED.

(a) Hereafter no water well shall be drilled in the City unless, prior to drilling, a permit has been secured from the ~~Service Department~~ City in the form set out in the Appendix attached to Ordinance 82-17, as may be amended from time to time ~~by the Service Director~~.

(b) A separate permit shall be required for each and every water well drilled in the City, including those intended for domestic potable water, ground water source heating or cooling, ground water recharge and livestock water.

WATER SHORTAGES

945.14 ADOPTION OF RULES AND REGULATIONS.

The rules and regulations dealing with threatened water shortage as set forth below are hereby adopted for implementation during a water shortage emergency:

(a) No water customer, user or consumer shall use water which is provided through the Division of Water City of Columbus, to sprinkle, water, douse, or wet their grass or lawn at any time.

(b) No residential water customer, user or consumer shall use water which is provided by the Division of Water City of Columbus, to fill, refill or add to water in a swimming pool located on their or any other property.

(c) Any water use in violation of this rule can result in discontinuance of water service. Discontinuance shall result if:

(1) A designated employee of the City of Hilliard has reason to believe that a violation of these rules has occurred; and

(2) He either mails or delivers a written warning of the violation and the possible penalties to the violator; and

(3) A second violation is observed by a designated employee of the City of Hilliard.

(d) The ~~Hilliard Service Director~~ City Manager may ~~shall~~ designate a person/or persons who are employees of the City of Hilliard who shall be responsible for the enforcement of these rules.

(e) If the water service is terminated pursuant to this rule it shall be reinstated only when:

(1) A violator comes to the Hilliard Municipal Building and meets with either the ~~Hilliard Service Director~~ City Manager or the person or persons designated ~~by him~~ to enforce these rules; and

(2) A twenty-five dollar ($25.00) service charge is paid.

(f) All ordinances of the City that require the planting of landscaping or grass are hereby suspended.

CAPACITY AND CONNECTION CHARGES

945.15 WATER SYSTEM-CAPACITY CHARGE.

(a) For the purpose of providing revenue to help finance and to more equitably distribute the cost of the construction of necessary additions to the water distribution system and facilities, it is determined and declared necessary to provide for the establishment and regulation of a water system-capacity charge as hereinafter determined with the charge to be in addition to any and all other fees which may be imposed with respect to the water system.

(b) The funds received from the collection of this charge, as it is herein authorized, shall be deposited daily with the Director of Finance who shall credit them to a special fund from which Council may take appropriations for the payment of the cost and expense of the construction, operation, maintenance, management and repair of the water systems; for the payment of the cost and expense of replacement, extensions to, or the enlargement of the system; for the payment of principal and interest on any debt incurred for the construction of the water system; and for the creation of a sinking fund for the payment of the debt.

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

(c) The ~~Director of Public Service~~ City Manager or Designee shall collect a water system capacity charge whenever application is made for the issuance of a water permit to provide water service to a structure.

(d) No person shall make a service connection to the City's water system or any part thereof, unless he/she has been issued a permit to do so by the City of Hilliard for the area serviced by the City of Columbus.

(e) The fee to be charged for permits to connect to the water system shall be as set forth in Chapter 190.~~The fees to be charged for permits to connect to the water system shall be based upon the domestic supply water tap size as follows:~~

~~Diameter of Domestic Water Tap (inches)~~	~~Water Capacity Charge~~
~~0.75~~	~~$3,267~~
~~1.00~~	~~6,371~~
~~1.50~~	~~11,786~~
~~2.00~~	~~20,625~~
~~3.00~~	~~34,031~~
~~4.00~~	~~51,047~~
~~6.00~~	~~102,094~~
~~8.00~~	~~178,664~~
~~10.00~~	~~267,996~~
~~12.00~~	~~334,995~~
~~16.00~~	~~368,494~~

(f) In the event a tap is subsequently enlarged, the difference between the capacity fee previously paid and the current capacity fee for the new size shall be paid.

(g) For all taps used to supply fire protection only, the rate shall be fifteen (15) percent of the domestic capacity charge for the tap size. A tap for a private domestic and fire protection combined system with no separate fire supply meter shall be charged the domestic capacity charge for the tap size.

(h) The water capacity charge is in addition to any charges made by any other governmental agency.

(i) The ~~Director of Public Service~~ City Manager, with consent of City Council may waive all or part of the City of Hilliard capacity charges herein in such cases where unusual circumstances, imminent hardship or economic development warrant.

(j) Public water service shall be not provided to areas outside the corporate boundaries of the City of Hilliard except as approved by the ~~Director of Public Service~~ City Manager with written consent by the City of Columbus Director of Public Utilities.

CHAPTER 949
Sewer Regulations and Charges

949.01 DEFINITIONS.

(a) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) "B.O.D." or "biochemical oxygen demand" means the quantity of oxygen utilized in the biochemical oxidation or organic matter under standard laboratory procedure in five days at 20oC expressed in parts per million by weight

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(2) "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

(3) "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.

(4) “City Manager” means the person appointed by City Council pursuant to Section 4.01 of the Charter for the City of Hilliard.

(4 5) "Combined sewer" means a sewer receiving both surface runoff and sewage.

~~(5) "Director" means the Director of Public Service of the City.~~

(6) "Garbage" means solid wastes from the preparation, cooking and dispensing of food, and from the handling of produce.

(7) "Industrial wastes" means the liquid wastes from industrial processes as distinct from sanitary sewage.

(8) "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface water or ground water.

(9) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(10) "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles shall be carried freely under the flow conditions normally prevailing in public sewers.

(11) "Public sewer" means a sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.

(12) "Sanitary sewer" means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

(13) "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

(14) "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

(15) "Sewage works" means all facilities for collecting, pumping, treating and disposing of sewage.

(16) "Sewer" means a pipe or conduit for carrying sewage.

(17) "Sewer Inspector" or "Inspector" means sewer technician, superintendent, City Engineer, authorized deputy or representative as appointed by the ~~Director of Public Service of the City~~City Manager.

(18) "Storm sewer" or "storm drain" means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

(19) "Superintendent" means the Superintendent of Sewage Works of the City, or his authorized deputy, agent or representatives.

(20) "Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage or other liquid and which are removable by laboratory filtering.

(21) "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

949.03 PRIVATE SEWAGE DISPOSAL.

(a) Where a public sanitary or combined sewer is not available under the provisions of Section 949.02, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter.

(b) Before commencement of construction of a private sewage disposal system the owner shall obtain a written permit signed by the ~~Director of Public Service~~ City Manager or designee. The application for such permit shall be made and shall supplement any plans, specifications and other information as are deemed necessary by the ~~Director~~ City Manager or designee. A permit and inspection fee shall be paid to the City ~~Clerk~~ at the time the application is filed. See Chapter 190 for fee.

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(c) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the ~~Director~~ City Manager or designee. They shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the ~~Director~~ City Manager or designee when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight hours of the receipt of notice by the ~~Director~~ City Manager or designee or Inspector.

(d) The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Ohio. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 15,000 square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

(e) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 949.02 a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(f) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

(g) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

949.05 PERMITS; FEE.

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer without obtaining a written permit from the ~~Director of Public Service~~ City.

(b) The owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the ~~Director of Public Service~~ City.

949.06 GENERAL SEWER REQUIREMENTS AND RESTRICTIONS.

(a) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(b) A separate and independent building sewer shall be provided for every building. However, where one building stands at the rear of another on an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(c) All sewer mains shall be designed and graded to maintain a two feet per second flow.

(d) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the ~~Director of Public Service~~ City Manager or designee to meet all requirements of this chapter.

(e) The applicant for the building sewer permit shall notify the ~~Chief Construction Inspector~~ City Manager or designee when the building sewer is ready for inspection and connection to the public sewer. This connection shall be made under the supervision of the Chief Construction Inspector or his representative.

(f) Any person or persons doing sewer construction work or making a sewer tap that entails excavating through or under any street or sidewalk shall deposit with the ~~Director of Public Service~~ City Manager or designee a sum of five hundred dollars ($500.00) in cash; by cashier's check/bank check; by an irrevocable, unconditional letter of credit; or in the form of an acceptable surety bond in the same amount

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to guarantee proper execution and completion of the work without damage to the City. The security shall be returned upon final approval for the work being done. Any cash or cash equivalent that is returned shall not be returned with interest.

(g) The ~~Director of Public Service~~ City Manager or designee may pass and enforce any additional rules or regulations necessary for the proper operation and maintenance of the sewer and its facilities.

(h) Any specifications or regulations not covered by this chapter shall be governed by those specifications and regulations set up by the City Engineer or the Franklin County Sanitary Sewerage Division.

(i) All materials and workmanship shall comply with the standards contained in the Ohio Plumbing Code or those adopted by the City of Columbus, whichever are more strict.

949.07 USE OF PUBLIC SEWERS; DISCHARGES.

(a) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process water to any sanitary sewer.

(b) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the ~~Director~~ City Manager or designee. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the ~~Director~~ City Manager or designee, to a storm sewer, combined sewer, or natural outlet.

(c) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(1) Any liquid or vapor having a temperature higher than 150o F.;

(2) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease;

(3) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;

(4) Any garbage that has not been properly shredded;

(5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;

(6) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any other corrosion property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;

(7) Any waters or wastes containing a toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving water of the sewage treatment plant;

(8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant; or

(9) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(d) Grease, oil and sand interceptors shall be provided when, in the opinion of the ~~Director~~ City Manager or Designee, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the ~~Director~~ City Manager or designee, and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place shall be gastight and watertight.

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(e) Where installed all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

(f) (1) The admission into the public sewers of any waters or wastes having a five-day biochemical oxygen demand greater than 300 parts per million by weight, containing more than 350 parts per million by weight of suspended solids, containing any quantity of substances having the characteristics described in Section 503, or having an average daily flow greater than two percent (2%) of the average daily sewage flow of the City, shall be subject to the review and approval of the ~~Director~~ City Manager or designee.

(2) Where necessary in the opinion of the ~~Director~~ City Manager or designee the owner shall provide, at his expense, such preliminary treatment as may be necessary to reduce the biochemical oxygen demand to 300 parts per million and the suspended solids to 350 parts per million by weight, reduce objectionable characteristics or constituents to within the maximum limits provided for in subsection (c) hereof, or control the quantities and rates of discharge of such waters or wastes. Plans, specifications and other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the ~~Director~~ City Manager or designee, and of the Water Pollution Control Commission of the State of Ohio, and no construction of such facilities shall be commenced until these approvals are obtained in writing.

(g) Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(h) When required by the ~~Director~~ City Manager or designee, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurements of the wastes. The manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the ~~Director~~ City Manager or designee. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

(i) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 903 and 906 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control manhole provided for in Section 508, or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(j) No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor by the industrial concern.

SEWER RATE REGULATIONS

949.16 ADDITIONAL RULES AND REGULATIONS.

Subject to the provisions of any ordinance or indenture of mortgage authorizing and securing bonds issued by the City for the acquisition, improvement, enlargement or extension of the system, the ~~Director of Public Service~~ City Manager or Designee is authorized and directed to make and enforce such bylaws, rules and regulations as are necessary for the safe, economical and efficient management and protection of the system.

949.18 CHANGE OF OWNERSHIP.

It will be the responsibility of each property owner to whom the last or most recent sewer charge bill has been sent to notify the ~~Director of Public Service~~ City Manager or Designee of any change of ownership of the lot or parcel with respect to which the bill was rendered, and to pay all accrued charges up to date when the change of ownership is recorded. Failure to make this notification shall not relieve the new owner of the lot or parcel from the payment of any unpaid or delinquent sewer charges, or from any penalties or procedures specified in this chapter.

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949.19 SEWER TAP PERMIT REQUIRED.

It shall be unlawful to tap into or make any connection to the system unless and until a tapping permit has been obtained from the ~~Director of Public Service~~ City Manager or Designee. A separate permit shall be required for each connection with the system and each permit shall state the name of the subdivision, the lot number and where applicable, the street on which the lot or tract is located and the house number of the premises for which the permit is issued. A tapping permit fee shall be paid to the City Director of Finance at the time each permit is issued, and all permits herein provided for shall become null and void ninety days from date of issuance. No refund of the permit fee shall be made unless the permit is returned to the Director of Public Service within the ninety day period.

949.21 EXTENSION OF SERVICE TO NONRESIDENTS.

Public sanitary sewer service shall be not provided to areas outside the corporate boundaries of the City of Hilliard except as approved by the ~~Director of Public Service~~ City Manager or Designee with written consent by the City of Columbus Director of Public Utilities.

949.22 SEWERAGE SYSTEM-CAPACITY CHARGE.

(a) For the purpose of providing revenue to help finance and to more equitably distribute the cost of the construction of necessary additions to both the sewer system and the sewage treatment facilities, it is determined and declared necessary to provide for the establishment and regulation of a sewer system-capacity charge as hereinafter determined with the charge to be in addition to any and all other fees which may be imposed with respect to the sewer system.

(b) The funds received from the collection of this charge, as it is herein authorized shall be deposited daily with the Director of Finance who shall credit them to a special fund from which Council may take appropriations for the payment of the cost and expense of the construction, operation, maintenance, management and repair of the sewerage systems, regulator chambers, storm standby tanks, pumping stations and sewage treatment works; for the payment of the cost and expense of replacement, extensions to, or the enlargement of these facilities; for the payment of principal and interest on any debt incurred for the construction of the sewerage system, regulator chambers, storm standby tanks, pumping stations and sewage treatment works; and for the creation of a sinking fund for the payment of the debt.

(c) The ~~Director of Public Service~~ City shall collect a sewer system capacity charge whenever application is made for the issuance of a sewer tap permit.

(d) No person shall make a service connection to the sanitary sewer system or any part thereof, unless he has been issued a permit to do so by the City of Hilliard for the area serviced by the City of Columbus.

(e) The fee to be charged for permits to connect to the sanitary sewer system shall be as set forth in Chapter 190.

(f) For those structures served by public water and sanitary sewer, in the event a domestic water tap is subsequently enlarged, the difference between the sanitary sewer capacity fee previously paid and the current sanitary sewer capacity fee for the new size shall be paid.

(g) If a structure is to be served by public sanitary sewer without public water service, the ~~Director of Public Service~~ City Manager or Designee with consent from the City of Columbus Division of Sewerage and Drainage shall determine the equivalent domestic water tap size, which shall be used to determine the sewer capacity charge.

(h) These fees are in addition to any charges made by any other governmental agency. The City of Columbus charges a sewer capacity fee, which is collected by the City of Hilliard.

(i) The ~~Director of Public Service~~ City Manager or Designee with consent of City Council may waive all or part of the City of Hilliard capacity fees herein in such cases where unusual circumstances, imminent hardship or economic development warrant.

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CHAPTER 951
Stormwater Management Code

951.01 DEFINITIONS.

For the purpose of this chapter, the words and phrases shall be defined as follows, unless the context clearly indicates or requires a different meaning.

(a) ABATEMENT. Any action taken to remedy, correct, or eliminate a condition within, associated with or impacting a drainage system, pursuant to Section 951.22 or Section 951.23 of this chapter.

(b) APPEALS BOARD. The Stormwater Management Utility Appeals Board's duties shall be pursuant to Section 951.24 of this chapter. The Appeals Board shall consist of the following individuals, or their authorized designees: Chairman of the City's Planning and Zoning Commission; Hilliard's Director of Finance; Director of Law; Director of Economic Development and President of the Board of Zoning Appeals. The City Engineer or his/her designee shall serve as the executive secretary of the Appeals Board, providing staff support and the preparation of meeting minutes.

(c) CITY. The City of Hilliard, Ohio.

(d) CITY ENGINEER. A professional engineer designated by and representing the City of Hilliard, Ohio or his/her authorized agent.

(e) CITY MANAGER'S DESIGNEE. The person/persons tasked by the City Manager to carry out the duties hereunder.

(~~e~~ f) COMMITTEE. The Stormwater Management Utility Advisory Committee shall be the Community Services and Standards Committee of City Council (or as that committee may be retitled hereafter). The Advisory Committee's duties are specified in Section 951.02 of this chapter.

(~~f~~ g) COUNCIL. The Council of the City of Hilliard, Ohio.

(~~g~~ h) CREDIT. A reduction in a Stormwater Management Service Charge given for certain qualifying activities which reduce, on an on-going basis, either the impact of increased stormwater runoff or that reduces the City's costs of providing stormwater facilities.

(~~h~~ i) DETENTION BASINS. Dry surface stormwater storage areas created by natural contours or by constructing a basin by excavation or embankment or by installing underground structures such as concrete pipes or chambers.

(~~i~~ j) DEVELOPER. A person, firm, partnership or corporation, which improves a specific parcel or tract of land, performs construction work of any kind in the "project area" as defined in this section or holds or is required to obtain a "permit" as defined in this section.

~~(j) DIRECTOR. The City's Director of Public Service shall serve as Director of the Stormwater Management Utility.~~

(k) EMBANKMENT. Any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface or cut and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; a fill or the material used to make an embankment.

(l) ENGINEER, PROFESSIONAL. A person holding a certificate of registration under Ohio R.C. 4733.14 or 4733.19.

(m) EROSION. The wearing away of the land surface by the action of wind, water or gravity.

(n) EXCAVATION. Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom. The difference between a point on the original ground and designated point of lower elevation on the final grade, cut or the material removed in excavation.

(o) EXISTING. Present or in effect as of the time of the adoption of this chapter.

(p) FACILITIES. Various drainage works that may include inlets, conduits, manholes, energy dissipation structures, channels, outlets, retention/detention basins, and other structural components.

(q) GRADING. Any stripping, cutting, filling, stockpiling, or any combination thereof and shall include the land in its cut or filled condition.

(r) MUNICIPAL. Property or facilities owned by the City of Hilliard, Ohio.

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(s) NOTICE. A written or printed communication conveying information or warning of a code violation.

(t) ORDER. The whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) or any matter issued by the Director or the Appeals' Board, pursuant to any provisions of this chapter.

(u) OWNER. Any person, business, partnership, entity or organization that possesses real property.

(v) PERMIT. The "stormwater management permit" required by the City's Codified Ordinances.

(w) PERSON. Any person, firm or corporation (public or private), the State of Ohio and its agencies or political subdivisions and the United States of America, its agencies and instrumentalities, and any agent, servant, officer, or employee of any of the foregoing.

(x) PLANNING AND ZONING COMMISSION. The Planning and Zoning Commission provided for in Article IX of the Charter of the City of Hilliard, Ohio.

(y) PREMISES. A lot or parcel and the buildings and improvements situated thereon.

(z) PRIVATE. Property or facilities owned by individuals, corporations, partnerships, entities and other organizations and not owned by local, state, or federal government.

(aa) PROJECT AREA. The land lying within the geographical limits of the tract(s) or parcel(s) under consideration and on which work is to be performed.

(bb) PUBLIC. Property or facilities owned by local, state, or federal governments.

(cc) RETENTION BASINS. Permanent ponds where additional stormwater storage capacity is provided above the normal water level.

(dd) SEDIMENT. Solid material both mineral and organic, that is in suspension, is being transported, or has been moved from its original site or origin by air, water, or gravity as a product of erosion.

(ee) SEDIMENT CONTROL PLAN. A plan required by an ordinance, rule, or regulation for controlling the movement of soils due to storm runoff created by construction activities.

(ff) STORM, STORMWATER. Storm and stormwater as used in this chapter are interchangeable terms.

(gg) STORM SEWER, STORM DRAIN. A sewer or drain which carries stormwaters, surface runoff, street wash waters, and drainage, but which excludes sanitary sewage and industrial wastes, other than unpolluted cooling water. Storm sewers begin at the grating or opening where water enters the structure, through the sewer and conduits to the outlet structure where water enters a channel or natural watercourse.

(hh) STORMWATER MANAGEMENT CODE. Chapter 951 of the Codified Ordinances of the City of Hilliard.

(ii) STORMWATER MANAGEMENT DESIGN MANUAL. A handbook of design methods, standards, and requirements for the design, construction, maintenance, and use of stormwater facilities written by and available from the City, as part of the City Code.

(jj) STORMWATER MANAGEMENT SYSTEM. All man-made facilities, structures, and natural watercourses used for collecting, transporting, detaining, storing or disposing of stormwater to, through, and from drainage areas to the points of final outlet including, but not limited to any and all of the following: inlets, conduits and appurtenant features, canals, creeks, channels, catch basins, ditches, streams, gulches, gullies, flumes, culverts, siphons, retention or detention basins, dams, floodwalls, levees, and pumping stations.

(kk) TOTAL AREA. The square footage of a lot or parcel measured or estimated by using the outside boundary dimensions, in feet, converted to acres (one acre equals 43,560 square feet), to obtain the total enclosed area, without regard for topographic features of the enclosed surface, as used in Section 951.16 for the purpose of determining the rate class for lot(s) or parcel(s) of real property. The boundary dimensions in feet of the enclosed surface area may be established by any of the following methods selected by the Utility for each lot or parcel:

(1) On site or photogrammetric measurements of the apparent outside boundary dimensions of the lot or parcel of real property made by the City or on its behalf; or

(2) Computation of the area using dimensions of lot or parcel of real property and/or existing area measurements which are set forth and contained in the records of the office of the County Recorder or County Auditor.

(ll) UTILITY. The Stormwater Management Utility provided for by this chapter, which may be operated or organized as a department of the City of Hilliard, Ohio.

(mm) WATERCOURSE. A permanent or intermittent stream, river, brook, creek, channel, swale or ditch for water whether natural or manmade.

951.02 ORGANIZATION OF THE UTILITY.

(a) The Utility shall be administered by the ~~Director~~ City Manager's Designee who shall have the responsibility for planning, developing, and implementing stormwater management or sediment control plans; financing, constructing, maintaining, rehabilitating, inspecting, and managing existing and new stormwater facilities; collecting fees and charges for the Utility; implementing and enforcing the provisions of this Code; and other related duties ~~as directed by the City Manager~~.

(b) The ~~Director~~ City Manager's Designee, on behalf of the Utility, may avail itself of the services of other City departments necessary for the discharge of its responsibilities. Services of finance, personnel, law, public works, engineering, and the like, which are used by the Utility shall be provided at cost.

(c) The Advisory Committee may make recommendations to the ~~Director~~ City Manager's Designee regarding the implementation of the Utility, but shall have no authority to bind the City or the Utility with respect to any matter including easements, expenditures or contracts.

951.03 STORM WATER FACILITIES.

(a) The ~~Director~~ City Manager's Designee shall monitor the design, operation, maintenance, inspection, construction and use of Storm Sewers, Storm Drains, and Stormwater Facilities in the City. The ~~Director~~ City Manager's Designee shall direct the design and construction of public stormwater facilities in the City and shall inspect, operate, and maintain them as prescribed in Section 951.09.

(b) The ~~Director~~ City Manager's Designee, on behalf of the City, may accept overriding responsibility for permanent maintenance of stormwater facilities designed to control erosion when the benefiting area involves two or more property owners. The ~~Director~~ City Manager's Designee may require facilities to be designed to reduce maintenance cost and will require that adequate easements be provided.

951.11 RULES AND REGULATIONS.

(a) In order to accomplish the purpose of this chapter to protect the drainage facilities, improvements, and properties owned and maintained by the City, to secure the best results from the construction, operation, and maintenance thereof, and to prevent damage and misuse of any of the drainage facilities, improvements, or properties within the City, the ~~Director~~ City Manager's Designee shall utilize existing rules, regulations or codes and may make and enforce additional rules and regulations as authorized herein or that are subject to approval by Council, and that are necessary and reasonable:

(1) To prescribe the manner in which storm sewers, watercourses, channels, and other stormwater facilities are to be designed, installed, adjusted, used, altered or otherwise changed;

(2) To recommend inspection and to charge fees permitted by this chapter;

(3) To prescribe the manner in which stormwater management facilities are operated;

(4) To facilitate the enforcement of this chapter;

(5) To prescribe the collection procedures and timing of service charge bills;

(6) To protect the municipal stormwater management system, improvements, and properties under the Utility's control, and to prescribe the manner of their use by any public or private person;

(7) To establish rules and regulations to protect the public health, safety, and welfare.

951.12 RIGHT OF ENTRY FOR SURVEY, EXAMINATION AND MAINTENANCE.

After presenting proper credentials and securing permission, the ~~Director~~ City Manager's Designee or his designees, including contractors and their employees or consultants and their employees, may enter upon lands within the City to make surveys and examinations to accomplish the necessary findings to establish a master plan, for detailed analysis to prepare final plans and specifications for proposed improvements, or for inspection or maintenance of stormwater facilities.

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951.16 CLASSIFICATION OF PROPERTY, ERU ASSIGNMENT AND RATE.

All properties having impervious area within the City shall be assigned an Equivalent Residential Unit (ERU), or a multiple thereof, which shall be at a minimum, one ERU.

(a) All improved single-family residential properties are assigned one ERU. A flat rate will apply to all single-family residential properties. All improved single-family residential properties are determined to include impervious area typical of a single- family residence.

(b) All properties having an impervious area which are not improved single-family residential properties are to be assigned by the ~~Director~~ City Manager's Designee an ERU multiple based upon the properties' estimated impervious area (in square feet) divided by 2,000 square feet (2,000 square feet equals one ERU). This division will be calculated to the nearest second decimal place and rounded to the nearest whole ERU.

(c) The Stormwater Management Service Charge, to be charged and collected on properties identified in subsections (a) and (b) above, shall be:

(1) 2013 $2.15/ERU
(2) 2014 $2.35/ERU
(3) 2015 $2.55/ERU
(4) 2016 $2.75/ERU
(5) 2017 $3.00/ERU

951.17 ANNUAL REVIEW OF CHARGES.

Every year after the effective date identified in Section 951.16(c), the ~~Director~~ City Manager's Designee shall prepare a report with recommended Stormwater Management Service Charges. This report shall contain data used in the determination of the recommended Stormwater Management Service Charges and shall be presented to City Council for referral to the appropriate Council committee. The committee shall make a recommendation to City Council on or before the fourth Monday in October concerning the Stormwater Management Service Charge to be in effect during the next calendar year.

951.18 CREDITS.

(a) The ~~Director~~ City Manager's Designee shall promulgate rules and regulations which allow for a credit in the Stormwater Management Service Charge, and to design a credit application, for properties other than single-family residential properties. These rules and regulations may allow, where appropriate, application of the credits retroactive to the effective date of this Chapter. The ~~Director~~ City Manager's Designee shall have the authority to charge a Stormwater Management Service Charge credit application fee, which shall be based upon the estimated costs of reviewing, processing and administering the credit application, which fee shall be included in the rules and regulations promulgated.

Factors to be considered in granting a credit shall include, but are not limited to, the following:

(1) Properties that have existing stormwater detention facilities, or those planning such facilities, may have their stormwater management service charges reduced as determined by the Utility, in accordance with generally accepted engineering standards and practices to more accurately reflect the contribution to runoff from the property and the level of service provided to such property. The detention facilities must be in accord with the hydrologic, hydraulic, and structural design requirements of the rules and regulations. Facilities of a temporary nature will not be allowed a decrease in their charges.

(2) The Utility may reduce or waive requirements for an individual detention/retention basin if a common or regional basin of adequate design is available or if the Utility is reasonably certain one will be constructed and if the major drainage system from the project area to such common or regional basin is such that the public health, safety and welfare will not be in jeopardy.

951.20 ADJUSTMENT CHARGE, APPEAL.

(a) Administrative Adjustment. Anytime the ~~Director~~ City Manager's Designee believes that the runoff situation on a parcel of property has changed, he/she reserves the right to correspondingly adjust the Stormwater Management Service Charge in a manner that continues to meet the intent of this chapter and conforms to the classification of properties in Section 951.15 .

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

(b) Appeal. Persons who consider the charges applicable to their lot or parcel to be unjust or inequitable may apply, within 30 days after receipt of the charge, to the ~~Director~~ City Manager for adjustment thereof, stating in writing the grounds of the complaint.

The ~~Director~~ City Manager shall, within 30 days of receiving the appeal's application, cause appropriate investigation thereof and determine whether an adjustment of the charges for any such lot or parcel is necessary to provide for the just and equitable application of the stormwater management service charge, and adjust such charge if appropriate. A written finding of the determination shall be sent to the applicant.

951.22 NOTICE TO CORRECT IMPROPER DRAINAGE.

(a) Whenever the Utility shall find that a tract of land is inadequately drained, or that there is an obstruction to a culvert, or water course that interferes with water naturally flowing therein or that such culvert, storm sewer or watercourse is of insufficient capacity to reasonably accommodate the flow of water, as required by this chapter, the ~~Director~~ City Manager's Designee shall notify the owner or person having possession, charge, or management of such land to remove the obstruction or provide adequate drainage. Such notice shall be served on such persons by personal delivery, by certified mail at the last known place of residence, or by posting on the premises.

(b) The owner must comply with the Utility's orders within the time specified, not to exceed thirty (30) days. Failure to comply with such order shall constitute an unlawful act. Each additional day thereafter during which the owner fails to carry out the order of the ~~Director~~ City Manager's Designee shall constitute a separate offense.

(1) In any case where a condition described in Section 951.22 exists for more than 30 days after service of notice, the ~~Director~~ City Manager's Designee may direct the owner to fill or drain such land, remove any obstruction and, if necessary, enlarge the culverts, drains, or watercourses to meet the requirements of this chapter.

(2) In the event an owner fails or refuses to comply with the City Engineer's directive, the City may provide for the performance of the required work and charge the owner the abatement costs.

(c) Failure of the City to observe or recognize hazardous or unsightly conditions or to recommend denial of a permit, required under the City's Codified Ordinances, shall not relieve the developer or owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the City, its officers or agents being responsible for any condition or damage resulting therefrom.

(d) Nothing in this chapter shall be construed as authorizing any person to maintain a private or public nuisance on his/her property, and compliance with the provisions of this chapter shall not be a defense in any action to abate such nuisance.

(e) Nothing in this chapter shall be construed to prevent immediate action by the City in emergency situations. In case of an emergency, the City may direct that action be taken immediately to correct the condition or abate the activity to protect the public health, safety, and welfare. The City may perform the required work and charge the owner the abatement costs. Penalty, see Section 951.99.

951.23 ABATEMENT COSTS.

The City shall account for all costs associated with an emergency or abatement including, but not limited to, administration, notification, inspection, serving of papers or documents, legal counsel, force account labor, enforcement, operational services, and outside contracted services. These costs shall be billed at the discretion of the ~~Director~~ City Manager's Designee. This section shall not be construed to relieve the owner of any penalties prescribed by other sections of this chapter. Penalty, see Section 951.99.

951.24 APPEALS BOARD.

(a) Any person aggrieved by the decision of the ~~Director~~ City Manager issued pursuant to Section 951.20, or any person aggrieved by any order, notice or decision regarding imposition of the Stormwater Management Service Charge enacted under this Chapter, may petition the Appeals Board, as defined in Section 951.02, to hear and determine any appeal or variance request filed hereunder.

(b) The Appeals Board shall, in harmony with the general purpose of this chapter and to secure the public health, safety and welfare, have the power to affirm, modify, or revoke any notice or order and may grant an extension of time for the performance of any act required by this chapter, or may grant a variance, except as otherwise excluded herein, where there is practical difficulty or undue hardship connected with the performance of such decision, notice or order, and its decision shall be final.

951.25 VARIANCES AND APPEALS.

Any person may appeal decisions or interpretations of the ~~Director~~ City Manager's Designee, or his/her designee, issued in connection with the enforcement of any provisions of this chapter or request variances therefrom, provided that such person shall file a written petition to the office of the ~~Director~~ City Manager's Designee, along with the fees established by Council for appeals and variances. below.

(a) The Appeals Board. The Appeals Board shall hear and determine appeals or variances to this chapter and, upon receipt of a petition setting forth the requirements of Section 951.26 and the required fee(s), the Appeals Board shall set a time and place for a public hearing and shall give the petitioner written notice thereof. At the hearing, the petitioner shall be given an opportunity to be heard and show cause why any decision, interpretation or any item appearing on a notice or order should be modified or denied or a variance granted.

(1) After a hearing, the Appeals Board shall sustain, modify or deny any item appealed or grant a variance by majority vote, depending on its findings as to whether the provisions of this chapter have been complied with, and the petitioner and the ~~Director~~ City Manager's Designee shall be notified in writing of such findings.

(2) The proceedings at such hearings, including the findings and decision of the Appeals Board and reasons therefor, shall be summarized and reduced to writing and entered as a matter of public record in the office of the ~~Director~~ City Manager's Designee.

(b) The failure of the petitioner or his representative to appear and state his/her case at any hearing shall have the same effect as if no petition had been filed.

(c) Filing fees required by this section shall be in addition to the payment of the permits and inspection fees and any other fee which thereafter may occur, and no portion of such filing fee shall be refunded whatever the outcome of the appeal unless such petition shall have been withdrawn at least twenty-four (24) hours prior to the time and date set for such hearing.

CHAPTER 971
Parks

971.01 HOURS AND CONDITIONS OF USE.
971.02 DAMAGE TO PARK FEATURES, STRUCTURES OR EQUIPMENT.
971.03 ~~CLIMBING TREES AND BUILDINGS~~ PROHIBITED ACTIVITIES.
971.04 GARBAGE AND REFUSE.
971.05 DISORDERLY CONDUCT.
971.06 ALCOHOL AND DRUGS.
971.07 VEHICLE REGULATIONS.
971.08 SIGNS AND ADVERTISEMENTS; DEMONSTRATIONS/RALLYS; SALE OF ITEMS.
971.09 PETS AND OTHER ANIMALS.
971.10 HUNTING, EXPLOSIVE SUBSTANCES FORBIDDEN.
971.11 CAMPING AND CAMPFIRES PROHIBITED.
971.12 HOME BARBECUES; PARK STOVES.
971.13 ORGANIZED GAMES; GOLF PROHIBITED.
971.14 MODEL AIRPLANES.

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

971.15 ~~BORROWED OR RENTED CITY EQUIPMENT.~~ RESERVED.
971.16 WATER POLLUTION.
971.17 ENTERING OF BUILDINGS.
971.18 OBEDIENCE TO PARK EMPLOYEES.
971.19 ESTABLISHMENT OR WAIVER OF RULES.
971.20 WEAVER PARK USED FOR HISTORICAL DISPLAY PURPOSES.
971.21 PERMITS FOR SALE AND CONSUMPTION OF ALCOHOL AT EVENTS HELD IN DESIGNATED LOCATIONS OF THE CITY.
971.22 FISHING IN CITY PARKS
971.99 PENALTY.

971.01 HOURS AND CONDITIONS OF USE.

(a) All municipal parks except Roger A. Reynolds Municipal Park shall be open from dawn to dusk daily except as follows:

(1) A sign posted in the park by the ~~Director of Recreation and Parks~~ City Manager or designee the hours of operation which are different from those established herein.

(2) The ~~Director~~ City Manager or designee grants written approval for the use of a park outside its established hours of operation as provided herein.

(b) The hours of operation of Roger A. Reynolds Municipal Park on Veterans Memorial Drive are from dawn until 10:00 p.m. ~~midnight~~ except that the ~~Director~~ City Manager or designee may post signs in limited areas of the park establishing different hours of operation for that Park area.

(c) The ~~Director~~ City Manager or designee may permit the exclusive use of an area of any City park during the time that it is open or may permit the use of a park outside its established hours by granting written approval as provided herein.

(d) No person shall host a special event, meeting, activity, class, public gathering, race, fitness class, etc. in a park without obtaining ~~W~~ written approval for that use. ~~the use of a park outside its established hours or for the exclusive use of an area of a park during its hours of operation~~ Written approval may be obtained as follows:

(1) A written request shall be filed with the ~~Director~~ City Manager or designee not less than two weeks prior to the expected use. The request, at a minimum, shall contain the date and time of the requested date of use, the purpose of the use, the specific park and park area to be used, the approximate number of persons expected to participate, the name of the organization or group, the name of its president or leader, the name of the person in charge during the park use, and shall bear the signature of the president or leader of the group.

(2) Any approval for the use of a park outside its established hours or for the exclusive use of an area of a park during its hours of operation shall be in writing from the ~~Director~~ City Manager or designee, which writing shall contain any terms, conditions or restrictions for the use as the ~~Director~~ City Manager or designee, in his/her discretion, is necessary for reasons of health, safety and welfare.

(3) Written approval of the ~~Director~~ City Manager or designee shall serve as authorization for the use of the park and area requested and shall be filed by the applicant with the Hilliard Division of Police at least twenty-four hours in advance of the use.

(e) A reasonable security deposit, as established by the ~~Director~~ City Manager or designee, may be required by the applicant to use the park outside of established hours and/or to reserve the exclusive use of a park or park area and which deposit may be used to pay for any damage to property, facilities and equipment caused by the applicant's use of the park, including that of its guests, members and invitees. Retention of the security deposit does not limit the City's right to avail itself of all legal remedies for damage to, or loss of, park property caused by the Applicant's use thereof.

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

971.03 ~~CLIMBING TREES AND BUILDINGS~~ PROHIBITED ACTIVITIES.

(a) No person shall climb any tree, or climb, walk, stand or sit on any building, fountain, wall, fence or coping not specially designated for such purpose.

(b) No person shall swim, wade, boat, or ice skate in ponds, lakes, or other bodies of water unless designated as a public swimming facility.

971.07 VEHICLE REGULATIONS.

(a) No person shall drive or operate any motor vehicle or motor-assisted vehicle upon any park property at any rate of speed exceeding ten miles per hour except where otherwise posted and then not in excess of the posted limit.

(b) No person shall park or store any motor vehicle, trailer, wagon or bicycle on park property unless specifically so authorized by the ~~Director~~ City Manager or designee ~~of Recreation and Parks~~. No person shall clean, wash or repair any vehicle, in, on or upon park property.

(c) All motor vehicles and motor assisted vehicles shall be operated only upon designated roadways and parked only in designated areas.

(d) Bicycles and other similar pedal-operated vehicles, not including motor-assisted bicycles, are restricted to roadways and designated bikeways and shall not be ridden on sidewalks or similar areas.

(e) Dirt bikes, electric bikes, golf carts, gators, four wheelers, and other recreational vehicles shall not be allowed to operate in any city park other than in areas designated for parking.

(f) No personal shall operate any vehicle, whether motorized or not, in such a manner as to endanger the operator or any other person or any property.

971.08 SIGNS AND ADVERTISEMENTS; DEMONSTRATIONS; SALE OF ITEMS.

(a) No person may distribute, leave or place any sign, advertisement, circular, pamphlet, paper or other literature within or upon any park without the written permission of the ~~Director~~ City Manager or designee ~~of Recreation and Parks~~.

(b) No person shall lead, incite or participate in any way any demonstration or rally of any type in any park without the written permission of the ~~Director~~ City Manager or designee.

(c) No person shall sell, or offer for sale, within any park, any item, article, thing, privilege or service, or solicit, charge admission to or sell tickets for any event unless authorized to do so in writing by the ~~Director~~ City Manager or designee.

971.09 PETS AND OTHER ANIMALS.

(a) Dogs and other pet animals which are walked through the park, wooded areas, roadways or pathways shall be controlled by leash, except at Heritage Trail Dog Park, where dogs may be unleashed within designated areas.

(b) Horses and other similar domesticated animals are not permitted in any portion of the parks without the written permission of the ~~Director~~ City Manager or designee establishing ~~of Recreation and Parks~~. This shall not apply to horses or other animals confined within a trailer or other vehicle.

971.11 CAMPING AND CAMPFIRES PROHIBITED.

No person shall engage in camping in any form in any park, or construct or cause to be constructed or ignite or cause to be ignited any campfire in any park without the written permission of the ~~Director~~ City Manager or designee establishing ~~of Recreation and Parks~~.

971.12 HOME BARBECUES; PARK STOVES.

The cooking of food is permitted only in designated areas provided with park stoves. Only charcoal may be used in park stoves. Home barbecues using charcoal as the fuel may be used only near park stoves. Gasoline, propane and other portable burner stoves are not permitted in any park unless approved for special activities by the ~~Director~~ City Manager or designee establishing ~~of Recreation and~~

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~~Parks~~. All persons using charcoal shall be responsible for the proper extinguishing of coals following its use.

971.14 MODEL AIRPLANES.

No person shall operate or permit to be operated within any park any engine-driven model airplane, drone, or rocket, except in areas specifically designated by ~~Director~~ City Manager or designee establishing ~~of Recreation and Parks~~.

971.15 ~~**BORROWED OR RENTED CITY EQUIPMENT.**~~ **RESERVED**

~~(a) Each person borrowing or renting equipment belonging to the City for use in parks shall be liable for any damage to or destruction of the equipment and shall pay the cost of repair or replacement of the borrowed or rented article.~~

~~(b) The City may require a reasonable security deposit for the borrowing or renting of any equipment, to be returned to the depositor upon the return of the equipment in satisfactory condition. All or a portion of the deposit may be applied toward repair or replacement costs if required.~~

~~(c) Any person loaning or renting equipment to the City for use in the parks does so at his own risk and shall be personally liable for the cost of repair or replacement unless the City through the Director City Manager or designee establishing of Recreation and Parks waives this provision in writing.~~

971.17 ENTERING OF BUILDINGS.

No person shall enter into any building, enclosure or place within any park upon which the words "No Admittance" or a similar statement is displayed or posted by sign, placard or otherwise, without the permission of the ~~Director~~ City Manager or designee establishing ~~of Recreation and Parks~~.

971.19 ESTABLISHMENT OR WAIVER OF RULES.

(a) The ~~Director~~ City Manager or designee ~~of Recreation and Parks~~ may establish at any time such rules and policies as may be necessary for the conduct of the parks in keeping with the spirit and intent of this Chapter, and such rules and policies shall be binding as if set forth herein.

(b) The ~~Director~~ City Manager or designee may waive the requirements or prohibitions of any of the sections of this chapter for special events or occasions.

971.21 PERMITS FOR SALE AND CONSUMPTION OF ALCOHOL AT EVENTS HELD IN DESIGNATED LOCATIONS OF THE CITY.

(a) The organizers of community events open to the public and held in Weaver Park, Roger A. Reynolds Municipal Park, Hilliard Station Park and during the Old Hilliardfest Art and Street Fair (collectively, the "Designated Locations") who wish to sell and/or serve alcoholic beverages for on-site consumption shall make application for a permit to the ~~City's Safety Director (the "Safety Director")~~ City Manager's Designee no later than 45 days prior to the first day of the event. To qualify for a permit, the Applicant shall meet the following requirements:

(1) A minimum of two special duty Hilliard Police Officers or Franklin County Sheriff's Deputies shall be hired by the Applicant for the duration of the event as security officers. The applicant shall make separate arrangements to hire the special duty officers and pay them directly. Additional officers may be required at the discretion of the Chief of Police based upon the number of estimated attendees, and such requirement shall be a condition of the permit. Private security officers may not be hired in lieu of the Hilliard Police Officers or Franklin County Sheriff's Deputies.

(2) The applicant shall obtain and maintain through the duration of the event a liquor liability policy or host policy in the minimum amount of $1,000,000. The City shall be named as an additional insured and a Certificate of Insurance shall be submitted with the application.

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(3) The applicant shall comply with all state and local liquor laws, including but not limited to obtaining all required state permits and providing copies thereof to the ~~Safety Director~~ City Manager's Designee with the application.

(4) All sales or serving of alcohol are limited to the hours of 11 a.m. through 11 p.m. on the day or days of the event.

(5) The applicant shall indemnify and hold the City harmless from and against any and all claims made against the City arising from the applicant's sale, service and consumption of alcohol at the event.

(b) Application shall be made on a form prescribed by the ~~Safety Director~~ City Manager's Designee. The ~~Safety Director~~ City Manager's Designee shall determine the specific location or locations where alcohol may be served, sold or consumed within the Designated Locations. Determining the area(s) for the serving, sale and consumption of alcoholic beverages shall be made by the ~~Safety Director~~ City Manager's Designee in consultation with the event organizer at the time the application is submitted.

(c) An application shall be denied if the applicant fails to comply with the requirements set forth in subsections (a) and (b) above.

(d) During events for which a permit under this Section has been issued, the provisions of Section 971.06 of the Codified Ordinances of the City relating solely to the possession and use of alcohol shall be waived.

(e) During events for which a permit under this Section has been issued, no person shall be charged with violating Section 529.07 of the Codified Ordinances of the City, the "Open Container" prohibition, so long as that person remains within the enclosed area specified in the City's permit.

(f) Permits granted hereunder may be revoked by the ~~Safety Director~~ City Manager's Designee if he/she has determined that the Applicant has violated any requirements of the permit, or has failed to abide by any of the requirements under this Code Section. Riotous and/or disorderly behavior during the applicant's event, that threatens the health, safety and welfare of the event participants or surrounding residents, shall be grounds for revoking a permit.

(g) An applicant whose permit application was denied, or that has been revoked the City Manager's Designee may appeal the ~~Safety Director's~~ decision to the City Manager. If the City Manager ~~is also acting as the City's Safety Director~~ denies the permit application or revokes a permit, the Applicant may appeal the denial or revocation to a court of competent jurisdiction in Franklin County, Ohio.

(h) The ~~Safety Director~~ City Manager's Designee shall devise a form and prescribe the process for the filing of timely appeals, which form and information shall be included with the initial application for a permit.

971.22 FISHING IN CITY PARKS

(a) Fishing on a catch and release only basis is permitted without a license at City ponds, reservoirs, and retention basins.

(b) No person shall use nets, buckets, or methods other than pole fishing to harvest fish from ponds which are solely within a park's boundaries.

Chapter 975.
Solid Waste Collection.

975.05 RULES AND REGULATIONS.

(a) No householder, occupying any household shall fail to comply with the following:

(1) Provide and maintain an approved receptacle/container as determined by the ~~Director~~ City Manager's Designee pursuant to ~~his~~ the authority set forth in this chapter for the collection and disposition of solid waste.

(2) All such receptacles/containers shall be kept on the householder's property by placing receptacles/containers behind the householder's residential dwelling structure, to the side of the

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residential dwelling structure but not forward of the face of the dwelling structure, or in an enclosed area not forward of the build line.

(3) All such receptacles/containers shall be delivered by the householder to and from the street on the day designated for collection of solid waste subject to the following:

A. No such receptacle/container of solid waste shall be delivered to the street earlier than 5:00 p.m. on the day immediately preceding the solid waste collection day.

B. If the day normally designated by the contract for collection of yard waste is a legal holiday, as defined in the City's refuse collection contract, then the day designated for the collection of yard waste shall be the day following the holiday for the purposes of applying this section.

C. If the day normally designated by the contract for collection of garbage and refuse is a legal holiday, as defined by the contract, then the day designated for the collection of garbage and refuse shall be the day following the holiday for the purposes of applying this section.

D. All such receptacle/containers for the collection of solid waste shall be removed from the street by 9:00 a.m. of the morning immediately following the day the solid waste is collected.

(4) All such receptacles/containers shall be delivered and placed for collection only on property located within the side lot lines extended to the street in front of the householder's household, or such other location as set forth in the City's refuse collection contract. It is the intention of this subsection to prohibit all persons from placing solid waste for collection on the street in front of any household not occupied by the householder or in violation of the contract.

(b) No owner or manager of a commercial establishment or multi-family apartment or facility unit shall fail to comply with the following:

(1) Provide and maintain an approved receptacle/container as determined by the ~~Director~~ City Manager's or designee pursuant to ~~his~~ the pursuant to his authority set forth in this chapter for the collection and disposal of solid waste

(2) Such owner or manager of every commercial establishment or multi-family apartment or facility unit shall arrange for the collection of solid waste as is necessary so as to avoid the creation of a nuisance but in no event less frequently than once per week.

(3) All refuse and solid waste receptacles/containers for residential and commercial/business uses, shall be of sufficient size to regularly and consistently accommodate the amount of refuse and solid waste disposed of by its residents, employees and patrons.

975.06 COLLECTION RATES AND TERMS.

(a) Commencing on July 1, 2012 (2012-2013 collection year), every householder (or owner as the case may be) in the City shall be charged an amount that is 100% of the actual monthly cost of the solid waste services collection, disposal and billing.

(b) If a residential property owner of record, who verifies on the City's application that he/she resides in the residential property and is identified as the owner by the Franklin County Auditor's Office, is sixty-five years or older, the charge for the solid waste collection services to such owner shall be reduced by ten percent (10%) of the total monthly billing rate charged in subsection (a) above. This discount shall apply to the first full month after eligibility has been established through application to the City Manager or designee consistent with Rules adopted ~~by the Director~~ for implementation of the discount. The City shall not be liable for refunds for failure to promptly establish eligibility by an Owner for the discount provided for herein.

(c) The City Manager or designee may, in cases of financial hardship, and on a case-by-case basis, provide owners of residential property, who also reside at the property as verified by the owner and is identified as the owner by the Franklin County Auditor's Office, a discount on their solid waste collection services. The discount may be considered for owner-occupants who are receiving Medicaid, or some other form of government income-based aid or government disability aid, and who provide proof to the City Manager or designee of receiving such government aid. The City Manager or designee may establish rules and procedures to apply for and receive a hardship discount that are not inconsistent with this section.

(d) The monthly service charge set forth herein shall include the collection of all solid waste and other environmental services limited to the following:

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(1) Garbage and refuse.

(2) Recyclable products placed in separate containers, as approved by the ~~Director~~ City Manager's or designee.

(3) Yard waste placed in separate containers, as approved by the City Manager or designee.

(4) Hazardous waste is not included in the collection of solid waste.

(5) The collection of miscellaneous materials shall be as determined by the rules and regulations adopted by the City Manager or designee.

(e) The City may institute a collection schedule that would permit residents to pay the solid waste service fee authorized in Section 975.06(a) on a quarterly basis. If such a schedule is instituted, then householders (or owners as the case may be) who elect to pay the entire solid waste service fee in one payment at the initial billing shall be entitled to a discount.

975.07 ENFORCEMENT.

This chapter and any rules and regulations adopted hereunder may be enforced by the City Manager or designee, any police officer, Zoning/Code Enforcement Officer, ~~Deputy Zoning Officer~~ or City Inspector~~, the Chief Building Inspector or any Deputy Building Inspector of the City~~.

Attachment: Exhibit A.Amending Part IX (22-06 : Amending Part IX of the City's Codified Ordinances)

Council Memo: Legislation (22-07)

Subject: Amending the 2022 Capital Budget
From: Michelle Crandall, City Manager
Initiated by: David Delande, Director of Finance
Date: February 28, 2022

Executive Summary

This Ordinance would approve amendments to both the 2022 Capital Improvement Budget and the 2022-2026 Capital Improvement Program.

Staff Recommendation

Staff is recommending the adoption of this ordinance which would amend the City's 2022 Capital Improvement Budget and 5-year CIP to include estimated costs associated with the design and construction of the major elements envisioned for the Recreation and Wellness Campus.

Background

On November 2, 2021, the electors of the City of Hilliard approved a .5% income tax increase. The revenue received from this .5% increase is to be solely dedicated to recreation and parks capital, programming, and operational expenses.

On December 14, 2021, City Council passed Ordinance No. 21-41, approving the 2022 Capital Improvement Budget and appropriating funds for the Capital Expenses. As the City begins to move forward with the design, and construction of a Recreation and Wellness Campus it is necessary to amend Ordinance No. 21-41 to appropriate the funds from the revenue received. Additionally, it is necessary to amend the 5-year CIP to reflect the total estimated funding needed to complete the various elements of this campus.

Project Costs

The total project cost for the Recreation and Wellness Campus is currently estimated at $102,141,505. Attached is a more detailed 5-year breakdown of the following five major components of the campus design and construction.

Project Component	Total Estimated Cost	2022 Estimated Allocation
Recreation and Wellness Center	$66,431,286	$2,406,975
Athletic Fields and Regional Trail	$15,154,498	$1,163,184
Stream Restoration	$1,449,683	$1,354,842
Cosgray Road Extension	$14,205,374	$1,725,000
Clover Groff Bridge	$4,900,665	$0
Totals	**$102,141,505**	**$6,650,000**

Amended Budget

The amended 2022 budget includes an appropriation from Fund 103, Object 55 of $6,650,000 as noted in the chart above. Additionally, as noted, this appropriation includes funds for the Cosgray Road Extension. A portion of the Cosgray Road Extension was originally budgeted in the Transportation Capital Budget, however it has been moved to this fund due to the fact it is part of the completion of the Campus.

Public Art Allocation

These estimates include $200,000 dedicated to public art on the site. This is in-line with Council's 1% for the Arts policy if the entire campus is treated as one singular project. If the various components are defined as separate projects, then additional funds could be assumed for public art. At this point in time, Staff recommends the $200,000 max for the entire site with the further recommendation that if funds/contingencies are available at the conclusion of construction, additional funds could be allocated

by Council for public art up to the 1% max for each separate project. This recommendation is with the understanding that funding and debt funding a +$100 million development with rapidly escalating cost of construction means the City will need to make some difficult choices on campus elements in order to deliver a high-quality final product for our Community.

Financial Impacts

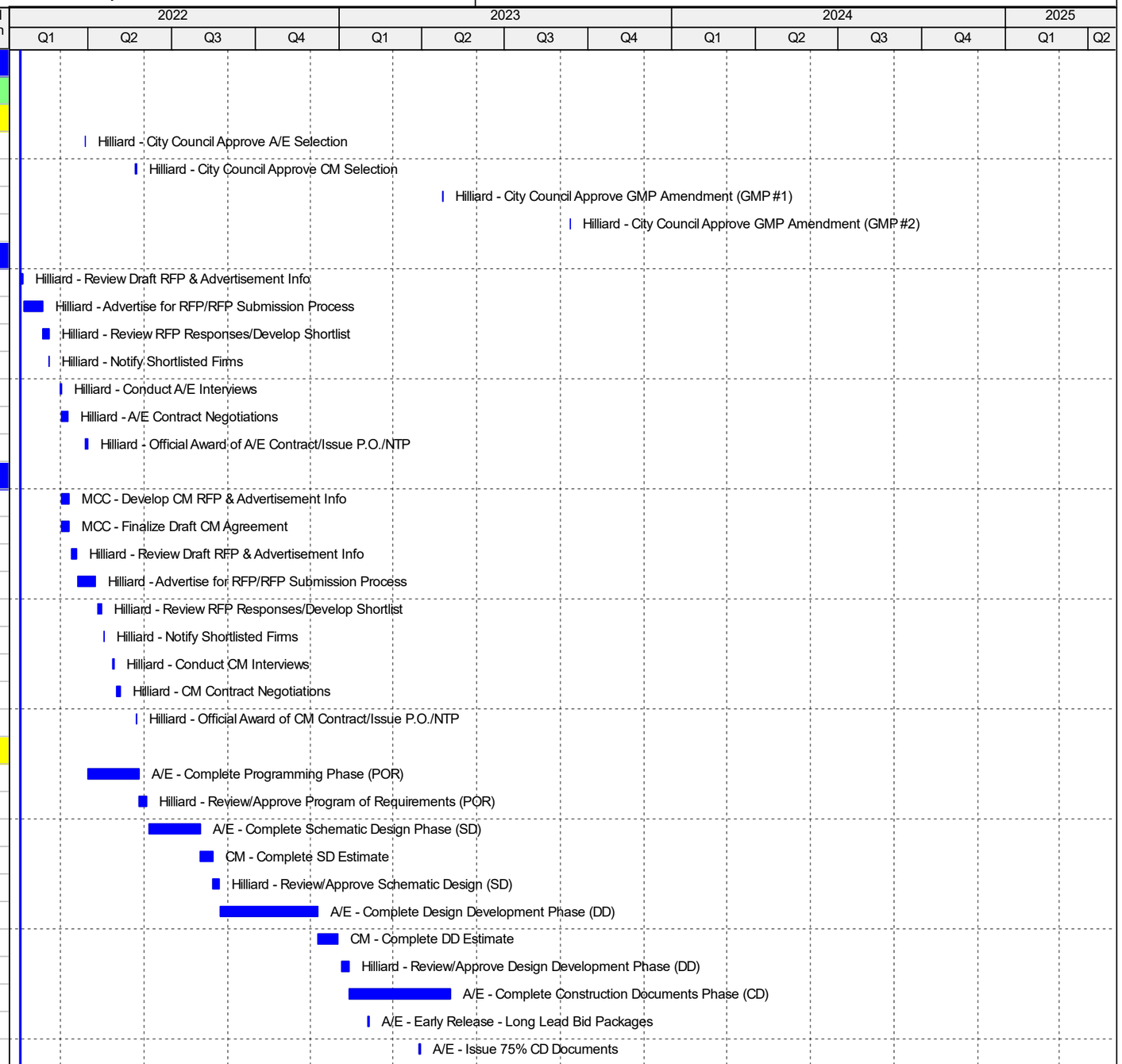
This revised 2022 Capital Improvement Budget totals $19,977,956, which includes $6,650,000 specifically directed towards the Recreation and Wellness Campus. The 5-year estimated cost for completion of the project is $102,141,505.

Attachments

- Recreation Wellness Center Expenditure Schedule
- Exhibit A – Amended Capital Improvement Budget
- Exhibit B – Revised Capital Improvement Program
- Recreation and Wellness Center – Master Project Schedule

City of Hilliard - Master Project Schedule - RFP Update | Project Master Format | 17-Jan-22

#	Activity ID	Activity Name	Start	Finish	Original Duration
1	**City of Hilliard - Master Project Schedule - RFP Update**		17-Jan-22	03-Feb-25	775
2	**Recreation & Wellness Building**		17-Jan-22	03-Feb-25	775
3	**Team/Consultant Selection Process**		17-Jan-22	11-Sep-23	421
4	MILE-BLDG-1100	Hilliard - City Council Approve A/E Selection	28-Mar-22	28-Mar-22	1
5	MILE-BLDG-1110	Hilliard - City Council Approve CM Selection	23-May-22	23-May-22	1
6	MILE-BLDG-1120	Hilliard - City Council Approve GMP Amendment (GMP #1)	24-Apr-23	24-Apr-23	1
7	MILE-BLDG-1135	Hilliard - City Council Approve GMP Amendment (GMP #2)	11-Sep-23	11-Sep-23	1
8	**Architect/Engineer**		17-Jan-22	31-Mar-22	54
9	CON-BLDG-1020	Hilliard - Review Draft RFP & Advertisement Info	17-Jan-22	19-Jan-22	3
10	CON-BLDG-1040	Hilliard - Advertise for RFP/RFP Submission Process	20-Jan-22	09-Feb-22	15
11	CON-BLDG-1050	Hilliard - Review RFP Responses/Develop Shortlist	10-Feb-22	16-Feb-22	5
12	CON-BLDG-1060	Hilliard - Notify Shortlisted Firms	17-Feb-22	17-Feb-22	1
13	CON-BLDG-1070	Hilliard - Conduct A/E Interviews	01-Mar-22	02-Mar-22	2
14	CON-BLDG-1080	Hilliard - A/E Contract Negotiations	03-Mar-22	09-Mar-22	5
15	CON-BLDG-1090	Hilliard - Official Award of A/E Contract/Issue P.O./NTP	29-Mar-22	31-Mar-22	3
16	**Construction Manager**		03-Mar-22	24-May-22	59
17	CON-BLDG-2000	MCC - Develop CM RFP & Advertisement Info	03-Mar-22	11-Mar-22	7
18	CON-BLDG-2010	MCC - Finalize Draft CM Agreement	03-Mar-22	11-Mar-22	7
19	CON-BLDG-2020	Hilliard - Review Draft RFP & Advertisement Info	14-Mar-22	18-Mar-22	5
20	CON-BLDG-2030	Hilliard - Advertise for RFP/RFP Submission Process	21-Mar-22	08-Apr-22	15
21	CON-BLDG-2040	Hilliard - Review RFP Responses/Develop Shortlist	11-Apr-22	15-Apr-22	5
22	CON-BLDG-2050	Hilliard - Notify Shortlisted Firms	18-Apr-22	18-Apr-22	1
23	CON-BLDG-2060	Hilliard - Conduct CM Interviews	28-Apr-22	29-Apr-22	2
24	CON-BLDG-2070	Hilliard - CM Contract Negotiations	02-May-22	06-May-22	5
25	CON-BLDG-2080	Hilliard - Official Award of CM Contract/Issue P.O./NTP	24-May-22	24-May-22	1
26	**Design Process**		01-Apr-22	16-Aug-23	350
27	PROG-BLDG-1000	A/E - Complete Programming Phase (POR)	01-Apr-22	26-May-22	40
28	PROG-BLDG-1010	Hilliard - Review/Approve Program of Requirements (POR)	27-May-22	03-Jun-22	5
29	SD-BLDG-1000	A/E - Complete Schematic Design Phase (SD)	06-Jun-22	01-Aug-22	40
30	SD-BLDG-1010	CM - Complete SD Estimate	02-Aug-22	15-Aug-22	10
31	SD-BLDG-1020	Hilliard - Review/Approve Schematic Design (SD)	16-Aug-22	22-Aug-22	5
32	DD-BLDG-1000	A/E - Complete Design Development Phase (DD)	23-Aug-22	08-Dec-22	75
33	DD-BLDG-1010	CM - Complete DD Estimate	09-Dec-22	30-Dec-22	15
34	DD-BLDG-1020	Hilliard - Review/Approve Design Development Phase (DD)	03-Jan-23	11-Jan-23	7
35	CD-BLDG-1000	A/E - Complete Construction Documents Phase (CD)	12-Jan-23	03-May-23	80
36	CD-BLDG-1050	A/E - Early Release - Long Lead Bid Packages	02-Feb-23	02-Feb-23	1
37	CD-BLDG-1010	A/E - Issue 75% CD Documents	30-Mar-23	30-Mar-23	1



Actual Level of Effort
Actual Work
Remaining Work
Critical Remaining Work
Milestone
(New Bar)

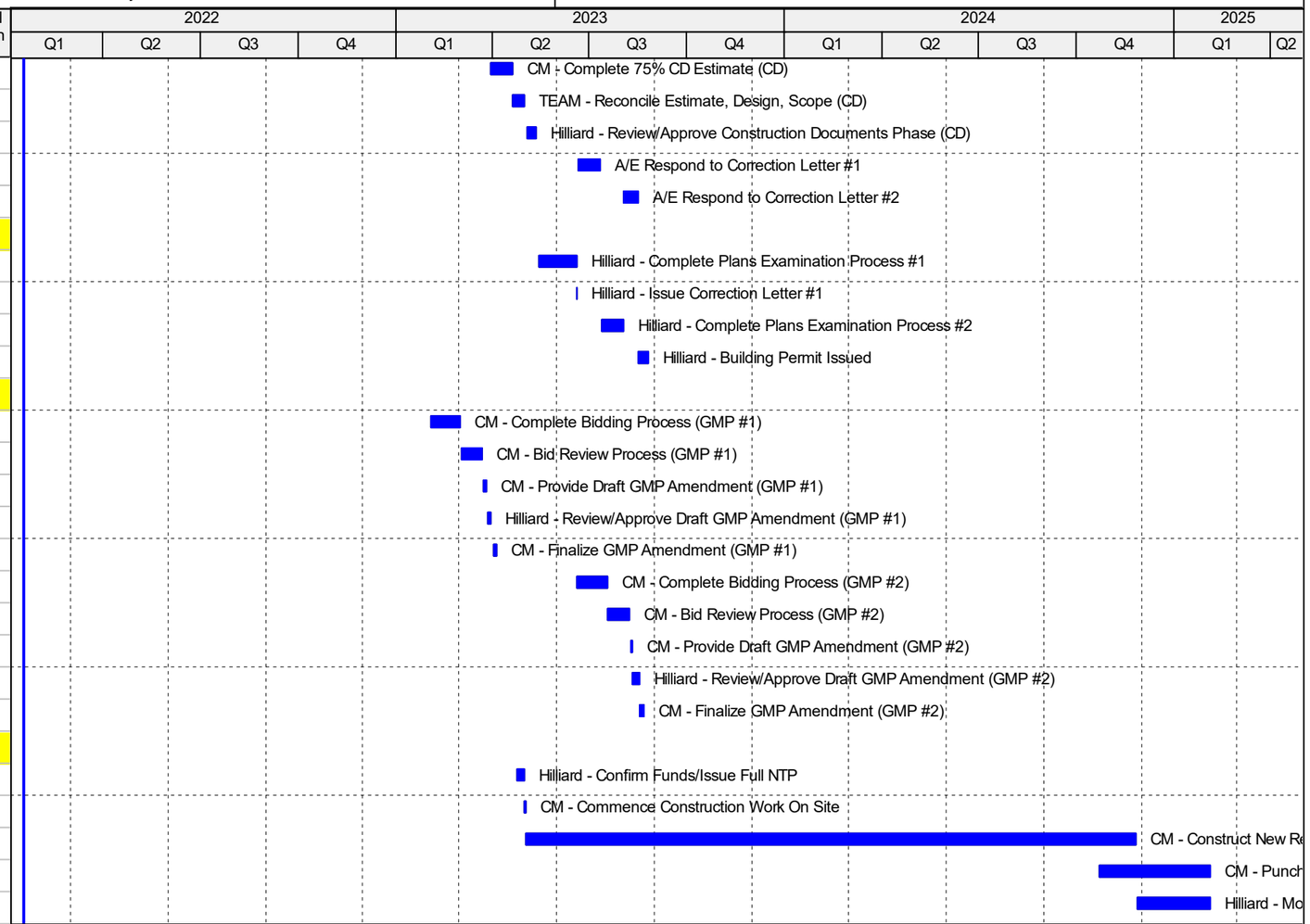
Date	Revision	Checked	Approved
17-Jan-22	Master Project Schedule - Architect/Engineer RFP	DPM	
	Hilliard Recreation & Wellness Campus Project		

CITY OF HILLIARD est. 1853 | McCarthy Consulting, LLC

Attachment: Hilliard Recreation & Wellness Campus - Master Project Schedule (22-07 : Amending the 2022 Capital Budget)

City of Hilliard - Master Project Schedule - RFP Update | Project Master Format | 17-Jan-22

#	Activity ID	Activity Name	Start	Finish	Original Duration
38	CD-BLDG-1020	CM - Complete 75% CD Estimate (CD)	31-Mar-23	20-Apr-23	15
39	CD-BLDG-1030	TEAM - Reconcile Estimate, Design, Scope (CD)	21-Apr-23	01-May-23	7
40	CD-BLDG-1040	Hilliard - Review/Approve Construction Documents Phase (CD)	04-May-23	12-May-23	7
41	CORR-BLDG-1000	A/E Respond to Correction Letter #1	21-Jun-23	12-Jul-23	15
42	CORR-BLDG-1010	A/E Respond to Correction Letter #2	03-Aug-23	16-Aug-23	10
43	**Plans Examination/Permitting Process**		15-May-23	25-Aug-23	73
44	PERM-BLDG-1000	Hilliard - Complete Plans Examination Process #1	15-May-23	19-Jun-23	25
45	PERM-BLDG-1010	Hilliard - Issue Correction Letter #1	20-Jun-23	20-Jun-23	1
46	PERM-BLDG-1020	Hilliard - Complete Plans Examination Process #2	13-Jul-23	02-Aug-23	15
47	PERM-BLDG-1030	Hilliard - Building Permit Issued	17-Aug-23	25-Aug-23	7
48	**Bidding/Procurement Process**		03-Feb-23	22-Aug-23	141
49	BID-BLDG-1000	CM - Complete Bidding Process (GMP #1)	03-Feb-23	02-Mar-23	20
50	BID-BLDG-1010	CM - Bid Review Process (GMP #1)	03-Mar-23	23-Mar-23	15
51	BID-BLDG-1020	CM - Provide Draft GMP Amendment (GMP #1)	24-Mar-23	27-Mar-23	2
52	BID-BLDG-1030	Hilliard - Review/Approve Draft GMP Amendment (GMP #1)	28-Mar-23	31-Mar-23	4
53	BID-BLDG-1040	CM - Finalize GMP Amendment (GMP #1)	03-Apr-23	05-Apr-23	3
54	BID-BLDG-1055	CM - Complete Bidding Process (GMP #2)	20-Jun-23	18-Jul-23	20
55	BID-BLDG-1070	CM - Bid Review Process (GMP #2)	19-Jul-23	08-Aug-23	15
56	BID-BLDG-1085	CM - Provide Draft GMP Amendment (GMP #2)	09-Aug-23	10-Aug-23	2
57	BID-BLDG-1100	Hilliard - Review/Approve Draft GMP Amendment (GMP #2)	11-Aug-23	17-Aug-23	5
58	BID-BLDG-1115	CM - Finalize GMP Amendment (GMP #2)	18-Aug-23	22-Aug-23	3
59	**Construction**		25-Apr-23	03-Feb-25	451
60	CONST-BLDG-1000	Hilliard - Confirm Funds/Issue Full NTP	25-Apr-23	01-May-23	5
61	CONST-BLDG-1010	CM - Commence Construction Work On Site	02-May-23	02-May-23	1
62	CONST-BLDG-1020	CM - Construct New Recreation & Wellness Building/Complex	03-May-23	26-Nov-24	400
63	CONST-BLDG-1030	CM - Punchlist & Close Out Process	23-Oct-24	03-Feb-25	70
64	CONST-BLDG-1040	Hilliard - Move In, Occupancy	27-Nov-24	03-Feb-25	45



Actual Level of Effort
Actual Work
Remaining Work
Critical Remaining Work
Milestone
(New Bar)

Date	Revision	Checked	Approved
17-Jan-22	Master Project Schedule - Architect/Engineer RFP	DPM	
	Hilliard Recreation & Wellness Campus Project		

CITY OF HILLIARD est. 1853 | McCarthy Consulting, LLC

Attachment: Hilliard Recreation & Wellness Campus - Master Project Schedule (22-07 : Amending the 2022 Capital Budget)

CIP NUMBER: RP-7
PROJECT TITLE: Recreation & Wellness Campus
DESCRIPTION/JUSTIFICATION: This project provides estimated expenditures for the design and construction of the major elements of the City's new Recreation & Wellness Campus, including a state-of-the-art Community Recreation and Wellness Center, the extension of Cosgray Road through the site, and new athletic fields.

EXPENDITURE SCHEDULE - TOTAL						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
DESIGN	$ 5,025,159	$ 2,764,866	$ 740,000	$ 90,000	$ -	**$ 8,620,024**
CONSTRUCTION	1,205,000	24,235,000	47,445,423	8,700,000	-	**81,585,423**
RIGHT-OF-WAY	325,000	-	-	-	-	**325,000**
UTILITIES	-	25,000	-	-	-	**25,000**
CONTRACT ADMIN/INSPECTION	-	505,374	600,000	370,665	-	**1,476,039**
MISCELLANEOUS IMPROVEMENTS	94,842	3,401,620	4,406,780	2,206,777	-	**10,110,019**
TOTAL	**$ 6,650,000**	**$ 30,931,860**	**$ 53,192,203**	**$ 11,367,442**	**$ -**	**$ 102,141,505**

EXPENDITURE SCHEDULE - COMMUNITY RECREATION & WELLNESS CENTER						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
DESIGN	$ 2,406,975	$ 2,414,866	$ -	$ -	$ -	**$ 4,821,840**
CONSTRUCTION	-	10,000,000	37,995,902	5,000,000	-	**52,995,902**
MISCELLANEOUS IMPROVEMENTS	-	2,871,182	3,971,182	1,771,180	-	**8,613,544**
TOTAL	**$ 2,406,975**	**$ 15,286,047**	**$ 41,967,084**	**$ 6,771,180**	**$ -**	**$ 66,431,286**

EXPENDITURE SCHEDULE - FIELDS & REGIONAL TRAIL						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
DESIGN	$ 1,163,184	$ -	$ -	$ -	$ -	**$ 1,163,184**
CONSTRUCTION	-	9,985,000	2,699,521	-	-	**12,684,521**
MISCELLANEOUS IMPROVEMENTS	-	435,598	435,598	435,597	-	**1,306,793**
TOTAL	**$ 1,163,184**	**$ 10,420,598**	**$ 3,135,119**	**$ 435,597**	**$ -**	**$ 15,154,498**

EXPENDITURE SCHEDULE - STREAM RESTORATION						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
DESIGN	$ 55,000	$ -	$ -	$ -	$ -	**$ 55,000**
CONSTRUCTION	1,205,000	-	-	-	-	**1,205,000**
MISCELLANEOUS IMPROVEMENTS	94,842	94,841	-	-	-	**189,683**
TOTAL	**$ 1,354,842**	**$ 94,841**	**$ -**	**$ -**	**$ -**	**$ 1,449,683**

EXPENDITURE SCHEDULE - COSGRAY ROAD EXTENSION						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
DESIGN/ENGINEERING	$ 1,400,000	$ 350,000	$ -	$ -	$ -	**$ 1,750,000**
RIGHT-OF-WAY	325,000	-	-	-	-	**325,000**
UTILITIES	-	25,000	-	-	-	**25,000**
CONSTRUCTION	-	4,250,000	6,750,000	-	-	**11,000,000**
CONTRACT ADMIN/INSPECTION	-	505,374	600,000	-	-	**1,105,374**
TOTAL	**$ 1,725,000**	**$ 5,130,374**	**$ 7,350,000**	**$ -**	**$ -**	**$ 14,205,374**

EXPENDITURE SCHEDULE - CLOVER GROFF BRIDGE AT MUNCIPAL PARK						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
DESIGN/ENGINEERING	$ -	$ -	$ 740,000	$ 90,000	$ -	**$ 830,000**
CONSTRUCTION	-	-	-	3,700,000	-	**3,700,000**
CONTRACT ADMIN/INSPECTION	-	-	-	370,665	-	**370,665**
TOTAL	**$ -**	**$ -**	**$ 740,000**	**$ 4,160,665**	**$ -**	**$ 4,900,665**

Attachment: Recreation & Wellness Campus Expenditure Schedule (22-07 : Amending the 2022 Capital Budget)

Ordinance: 22-07 **Passed:**

Page 1 of **Effective:**

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

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.

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 22-07

- ☐ Adopted
- ☐ Adopted as Amended
- ☐ Passed
- ☐ Defeated
- ☐ Tabled
- ☐ Held Over
- ☐ Referred
- ☐ Withdrawn
- ☐ First Reading
- ☐ Positive Recommendation
- ☐ No Recommendation

		Yes/Aye	No/Nay	Abstain	Absent
Andy Teater		☐	☐	☐	☐
Omar Tarazi		☐	☐	☐	☐
Les Carrier		☐	☐	☐	☐
Tina Cottone		☐	☐	☐	☐
Peggy Hale		☐	☐	☐	☐
Pete Marsh		☐	☐	☐	☐
Cynthia Vermillion		☐	☐	☐	☐

City of Hilliard
Capital Projects for 2022
Revised 2/14/22

CIP #	Project	2022
AP-3	Land Use and Public Spaces Master Plan	$ 150,000
	Total Administration and Planning	**$ 150,000**
F-1	Heavy Equipment	$ 180,000
F-3	Large Trucks	$ 200,000
F-4	Light Trucks and Pickups	$ 90,000
F-5	Vehicles	$ 75,000
F-6	Police Cruisers and Safety Vehicles	$ 384,000
	Total Equipment	**$ 929,000**
IT-1	City Network	$ 271,500
IT-2	Desktop / Laptop Computers	$ 35,000
IT-9	Hilliard Police Department - Information Technology	$ 309,000
IT-10	City Wide Camera / Wi-Fi Project	$ 30,000
IT-11	City Wide Fiber Project	$ 1,920,000
IT-12	Traffic Signal	$ 25,000
IT-13	Service Management	$ 137,000
IT-16	Citzen Technology	$ 2,500
IT-17	Staff Support Technology	$ 110,000
	Total Information Technology	**$ 2,840,000**
LB-3	HVAC System Improvements for City Buildings	$ 85,000
LB-4	Plumbing and Electrical Improvements at City Buildings	$ 30,000
LB-6	Roof Replacements	$ 30,000
LB-7	I-270 Fence and LA Enhancements	$ 50,000
LB-8	Demolition Projects	$ 20,000
LB-13	Operations Service Center	$ 20,000
LB-20	Street and Public Lands Tree Replacement Program	$ 150,000
LB-26	Office Renovations	$ 50,000
	Total Lands and Buildings	**$ 435,000**
RP-2	Parks	$ 461,746
RP-3	Aquatics	$ 40,000
RP-4	Vehicles	$ 115,000
RP-5	Equipment	$ 14,000
RP-7	Recreation & Wellness Campus	$ 6,650,000
	Total Recreation and Parks	**$ 7,280,746**
SAF-1	Safety Equipment (Vests)	$ 19,110
SAF-2	Replacement Weapons	$ 18,000
SAF-5	Safety Equipment (Miscellaneous)	$ 4,800
SAF-14	K9 Replacement	$ 18,000
	Total Safety	**$ 59,910**
S-20	Comp Maint and Operations Plan including Annual Inflow & Infilitration Abatement Program	$ 140,000
S-28	Upper Scioto West (Hayden Run) Sanitary Sub Trunk, Phase 1	$ 1,500,000
S-31	Lift Station Rehabilitation and Replacement Program	$ 50,000
S-33	Annual Sanitary Sewer Cleaning and CCTV and Rehabilitation Program	$ 177,000
S-37	Annual Sanitary Sewer Lining Program	$ 13,000
S-43	Sanitary Trunk Sewer Maintenance	$ 10,000
S-45	Cosgray Road / Jerman Tract Sanitary Sewer	$ 35,000
	Total Sanitary	**$ 1,925,000**

Attachment: Exhibit A.Amended 2022 Capital Budget (22-07 : Amending the 2022 Capital Budget)

CIP #	Project	2022
ST-32	Storm Water Management (NPDES Phase 2) Program	$ 110,300
ST-38	Stream Restorations and Water Quality Improvements	$ 1,075,000
ST-43	Leap Road Storm Sewer Improvements	$ 15,000
ST-44	Lacon Road Culvert Replacement	$ 358,000
	Total Storm Water Mgmt - EPA/NPDES	**$ 1,558,300**
T-84	Cosgray Road Improvements	$ 1,950,000
T-121	Citywide Street Rehabilitation and Right-of-Way Management Program	$ 1,700,000
T-122	Citywide Alley Rehabilitation and Reconstruction Program	$ 100,000
T-133	Pedestrian / Bicycle Mobility and Safety Improvements	$ 365,000
T-148	Heritage Trail Extension (Phase 3)	$ 15,000
T-149	Hilliard Traffic Management Center and Smart Technology Improvements	$ 55,000
T-154	Traffic Signal Asset Management Program	$ 190,000
T-160	Sidewalk Maintenance Program and ADA Compliance	$ 370,000
T-161	Trail Maintenance Program	$ 15,000
T-162	Cemetery Road / I-270 Trail Overpass and Safety Improvements	$ 25,000
T-163	Neighborhood Traffic Calming Program	$ 15,000
	Total Transportation	**$ 4,800,000**
	Total	**$ 19,977,956**

Attachment: Exhibit A.Amended 2022 Capital Budget (22-07 : Amending the 2022 Capital Budget)

2022 - 2026 Capital Improvement Plan
Revised 2/14/22

CIP #	Project	2022	2023	2024	2025	2026
AP-3	Land Use and Public Spaces Master Plan	$ 150,000	$ -	$ -	$ -	$ -
	Total Administration and Planning	**$ 150,000**	**$ -**	**$ -**	**$ -**	**$ -**
F-1	Heavy Equipment	$ 180,000	$ 260,000	$ 410,000	$ 190,000	$ 220,000
F-2	Light Equipment	$ -	$ 125,000	$ 130,000	$ 135,000	$ 140,000
F-3	Large Trucks	$ 200,000	$ 210,000	$ 215,000	$ 220,000	$ 225,000
F-4	Light Trucks and Pickups	$ 90,000	$ 95,000	$ 100,000	$ 105,000	$ 110,000
F-5	Vehicles	$ 75,000	$ 26,000	$ 28,000	$ 30,000	$ 32,000
F-6	Police Cruisers and Safety Vehicles	$ 384,000	$ 323,400	$ 339,570	$ 356,549	$ 374,376
F-7	Grounds Maintenance Equipment	$ -	$ 70,000	$ 20,000	$ 22,000	$ 23,000
F-8	Emergency Operations Plan Equipment	$ -	$ 22,000	$ 24,000	$ 26,000	$ 28,000
	Total Equipment	**$ 929,000**	**$ 1,131,400**	**$ 1,266,570**	**$ 1,084,549**	**$ 1,152,376**
IT-1	City Network	$ 271,500	$ 48,500	$ 56,700	$ 61,870	$ 67,557
IT-2	Desktop / Laptop Computers	$ 35,000	$ 38,500	$ 42,350	$ 46,585	$ 51,244
IT-9	Hilliard Police Department - Information Technology	$ 309,000	$ 115,600	$ 127,160	$ 139,876	$ 153,864
IT-10	City Wide Camera / Wi-Fi Project	$ 30,000	$ 33,000	$ 36,300	$ 39,930	$ 43,923
IT-11	City Wide Fiber Project	$ 1,920,000	$ 550,000	$ 350,000	$ 350,000	$ 350,000
IT-12	Traffic Signal	$ 25,000	$ 27,500	$ 30,250	$ 33,275	$ 36,603
IT-13	Service Management	$ 137,000	$ 179,200	$ 144,920	$ 159,412	$ 175,353
IT-15	Engineering Management	$ -	$ 400,000	$ 75,000	$ 82,500	$ 90,750
IT-16	Citizen Technology	$ 2,500	$ 52,750	$ 8,025	$ 8,828	$ 9,710
IT-17	Staff Support Technology	$ 110,000	$ 76,500	$ 84,150	$ 92,565	$ 101,822
	Total Information Technology	**$ 2,840,000**	**$ 1,521,550**	**$ 954,855**	**$ 1,014,841**	**$ 1,080,826**
LB-3	HVAC System Improvements for City Buildings	$ 85,000	$ 87,000	$ 90,000	$ 95,000	$ 100,000
LB-4	Plumbing and Electrical Improvements at City Buildings	$ 30,000	$ 35,000	$ 40,000	$ 45,000	$ 50,000
LB-6	Roof Replacements	$ 30,000	$ 35,000	$ 40,000	$ 45,000	$ 50,000
LB-7	I-270 Fence and LA Enhancements	$ 50,000	$ 250,000	$ 250,000	$ -	$ -
LB-8	Demolition Projects	$ 20,000	$ 25,000	$ 30,000	$ 35,000	$ 40,000
LB-13	Operations Service Center	$ 20,000	$ 50,000	$ 15,000	$ 20,000	$ 25,000
LB-20	Street and Public Lands Tree Replacement Program	$ 150,000	$ 200,000	$ 210,000	$ 215,000	$ 225,000
LB-26	Office Renovations	$ 50,000	$ 55,000	$ 60,000	$ 65,000	$ 70,000
	Total Lands and Buildings	**$ 435,000**	**$ 737,000**	**$ 735,000**	**$ 520,000**	**$ 560,000**
RP-1	Facilities	$ -	$ 50,000	$ 400,000	$ -	$ -
RP-2	Parks	$ 461,746	$ 441,546	$ 314,046	$ 168,000	$ 189,000
RP-3	Aquatics	$ 40,000	$ 365,000	$ 90,000	$ 2,265,000	$ 190,000
RP-4	Vehicles	$ 115,000	$ -	$ 35,000	$ 35,000	$ 35,000
RP-5	Equipment	$ 14,000	$ 68,000	$ 27,000	$ 30,000	$ -
RP-6	Multi-use Trails and Parking Lots	$ -	$ 450,000	$ 10,000	$ 95,000	$ 10,000
RP-7	Recreation & Wellness Campus	$ 6,650,000	$ 30,931,860	$ 53,192,203	$ 11,367,442	$ -
	Total Recreation and Parks	**$ 7,280,746**	**$ 32,306,406**	**$ 54,068,249**	**$ 13,960,442**	**$ 424,000**
SAF-1	Safety Equipment (Vests)	$ 19,110	$ 20,066	$ 21,069	$ 22,122	$ 23,228
SAF-2	Replacement Weapons	$ 18,000	$ 18,900	$ 19,845	$ 20,837	$ 21,879
SAF-5	Safety Equipment (Miscellaneous)	$ 4,800	$ 5,040	$ 5,292	$ 5,557	$ 5,834
SAF-11	Radio System	$ -	$ 31,500	$ -	$ -	$ -
SAF-14	K9 Replacement	$ 18,000	$ -	$ -	$ -	$ 20,000
	Total Safety	**$ 59,910**	**$ 75,506**	**$ 46,206**	**$ 48,516**	**$ 70,941**
S-20	Comp Maint and Operations Plan including Annual Inflow & Infiltration Abatement Program	$ 140,000	$ 147,000	$ 154,300	$ 162,000	$ 170,000
S-28	Upper Scioto West (Hayden Run) Sanitary Sewer Sub Trunk, Phase 1	$ 1,500,000	$ -	$ -	$ -	$ -
S-31	Lift Station Rehabilitation and Replacement Program	$ 50,000	$ 1,030,000	$ 53,000	$ 882,000	$ 59,500
S-33	Annual Sanitary Sewer Cleaning and CCTV and Rehabilitation Program	$ 177,000	$ 185,800	$ 195,200	$ 205,100	$ 215,300
S-37	Annual Sanitary Sewer Lining Program	$ 13,000	$ 192,100	$ 201,500	$ 211,600	$ 222,300
S-43	Sanitary Trunk Sewer Maintenance	$ 10,000	$ 104,000	$ 117,100	$ 123,000	$ 129,200
S-45	Cosgray Road / Jerman Tract Sanitary Sewer	$ 35,000	$ 305,000	$ -	$ -	$ -
S-46	Old Hilliard Sanitary Sewer Improvements	$ -	$ 130,000	$ 980,000	$ -	$ -
	Total Sanitary	**$ 1,925,000**	**$ 2,093,900**	**$ 1,701,100**	**$ 1,583,700**	**$ 796,300**
ST-27	Detention and Retention Basin Rehabilitation Program	$ -	$ 175,000	$ 180,000	$ 190,000	$ 200,000
ST-32	Storm Water Management (NPDES Phase 2) Program	$ 110,300	$ 115,900	$ 121,700	$ 127,800	$ 134,200
ST-34	Hilliard Storm Water Utility Plan	$ -	$ 10,500	$ -	$ 11,600	$ -
ST-38	Stream Restorations and Water Quality Improvements	$ 1,075,000	$ -	$ -	$ -	$ -
ST-42	Joint Storm Water Quality and Erosion Control Projects	$ -	$ 123,400	$ 129,600	$ 136,100	$ 142,900
ST-43	Leap Road Storm Sewer Improvements	$ 15,000	$ 185,900	$ -	$ -	$ -
ST-44	Lacon Road Culvert Replacement	$ 358,000	$ -	$ -	$ -	$ -
	Total Storm Water Mgmt - EPA/NPDES	**$ 1,558,300**	**$ 610,700**	**$ 431,300**	**$ 465,500**	**$ 477,100**

Attachment: Exhibit B.Revised CIP (22-07 : Amending the 2022 Capital Budget)

2022 - 2026 Capital Improvement Plan
Revised 2/14/22

CIP #	Project	2022	2023	2024	2025	2026
T-84	Cosgray Road Improvements	$ 1,950,000	$ 2,270,000	$ 500,000	$ 1,810,000	$ -
T-121	Citywide Street Rehabilitation and Right-of-Way Management Program	$ 1,700,000	$ 2,110,000	$ 2,220,000	$ 2,330,000	$ 2,440,000
T-122	Citywide Alley Rehabilitation and Reconstruction Program	$ 100,000	$ 105,000	$ 115,000	$ 120,000	$ 130,000
T-124	Citywide Safety and Capacity Improvements (GES)	$ -	$ 100,000	$ 100,000	$ 100,000	$ 100,000
T-133	Pedestrian / Bicycle Mobility and Safety Improvements	$ 365,000	$ 460,000	$ 460,000	$ 460,000	$ 460,000
T-134	Heritage Trail Extension (Ph 1 & Ph 2)	$ -	$ 375,000	$ 2,167,000	$ 1,008,000	$ -
T-137	Wilcox Road / Hayden Run Road Intersection Improvement	$ -	$ -	$ 350,000	$ 450,000	$ 3,025,000
T-144	Cemetery Road and Britton Parkway Traffic Signal Safety Improvement	$ -	$ 35,000	$ 170,000	$ -	$ -
T-147	Main Street / Hilliard Rome Road Corridor Safety Improvement	$ -	$ 100,000	$ -	$ -	$ -
T-148	Heritage Trail Extension (Phase 3)	$ 15,000	$ -	$ 200,000	$ 450,000	$ 1,200,000
T-149	Hilliard Traffic Management Center and Smart Technology Improvements	$ 55,000	$ 265,000	$ 90,000	$ 90,000	$ 90,000
T-154	Traffic Signal Asset Management Program	$ 190,000	$ 135,000	$ 120,000	$ 120,000	$ 120,000
T-155	Hayden Run Road and Britton Parkway Improvement	$ -	$ 200,000	$ 980,000	$ -	$ -
T-156	Alton & Darby Creek Road & Roberts Road Improvement	$ -	$ -	$ -	$ 500,000	$ 250,000
T-157	Center Street Modifications	$ -	$ 20,000	$ 220,000	$ -	$ -
T-158	Transportation and Mobility Planning	$ -	$ 50,000	$ 50,000	$ 50,000	$ 50,000
T-159	Davidson Road Corridor Improvement (Schirtzinger - Dublin)	$ -	$ -	$ 75,000	$ -	$ -
T-160	Sidewalk Maintenance Program and ADA Compliance	$ 370,000	$ 430,000	$ 460,000	$ 515,000	$ 570,000
T-161	Trail Maintenance Program	$ 15,000	$ 115,000	$ 115,000	$ 115,000	$ 115,000
T-162	Cemetery Road / I-270 Trail Overpass and Safety Improvements	$ 25,000	$ -	$ -	$ -	$ -
T-163	Neighborhood Traffic Calming Program	$ 15,000	$ 37,500	$ 37,500	$ 37,500	$ 37,500
	Total Transportation	**$ 4,800,000**	**$ 6,807,500**	**$ 8,429,500**	**$ 8,155,500**	**$ 8,587,500**
W-20	Water Tank Painting	$ -	$ 350,000	$ 380,000	$ 400,000	$ 425,000
W-49	Old Hilliard Water Line Improvements	$ -	$ 50,000	$ 403,000	$ 50,000	$ 336,000
	Total Water	**$ -**	**$ 400,000**	**$ 783,000**	**$ 450,000**	**$ 761,000**
	Totals	**$ 19,977,956**	**$ 45,683,962**	**$ 68,415,780**	**$ 27,283,048**	**$ 13,910,043**

Attachment: Exhibit B.Revised CIP (22-07 : Amending the 2022 Capital Budget)

Council Memo: Legislation (22-08)

Subject: Amending 127.04 to add an additional Non-Union Position
From: Michelle Crandall, City Manager
Initiated by:
Date: February 28, 2022

Executive Summary

This legislation adds a Human Resources Manager position to the City's classification plan and amends the 2022 Operating Budget. Funds would be transferred within the existing operating budget to fund the position for the last six months of 2022 (assuming a June 1, 2022 hire date).

Staff Recommendation

Staff recommends Council approval of this legislation. The current and future City staff needs of human resources leadership, vision and support have grown significantly over the past few years and this additional position is needed to meet those needs.

Background

The City will soon be posting the Human Resources Director position with a working title of Chief People Officer/Human Resources Director. The needs of this position to think more strategically with a focus on talent retention & attraction, workplace culture and employee benefits, requires that this additional Human Resources Manager position be added to be responsible for other typical human resource functions. As the City has grown and evolved, human resource needs have also grown but the staffing has not increased sufficiently to keep pace with those needs.

Responsibilities of a forward-thinking and comprehensive human resources division include the following:

- Culture, Core Values, Employee Engagement, Retention & Employee/Team Recognition
- Recruitment, Selection and Onboarding of New Employees
- Diversity, Equity, and Inclusion
- Wellness and Benefits Analysis, Evolution and Administration
- Employee Learning, Development and Coaching
- Employee and Labor Relations
- Compensation Strategy and Implementation
- Organization and Workforce Planning
- Policy Development and Implementation
- Safety/Risk Management

The City currently has two full-time and two part-time Human Resources positions to fulfill these varied responsibilities, with one part-time position that has never been filled. Staff is recommending removal of the second part-time position and that is reflected in the revised operating budget.

The Human Resources Manager would be a pay grade "G" with a salary range of $70,500 - $104,500. Staff would assume a hiring range of $80,000 - $90,000 for budgeting purposes and a 2022 hire date of June1.

Financial Impacts

The total cost of this position for a full year, assuming an $85,000 starting salary would be approximately $135,000. An additional $63,500 allocation is being requested to cover 2022 costs.

Expected Benefits

The addition of this position would help to support our employees with their human resource needs. It would also help in the recruitment of the Human Resources Director, with candidates knowing they will have the staff necessary to build a successful division.

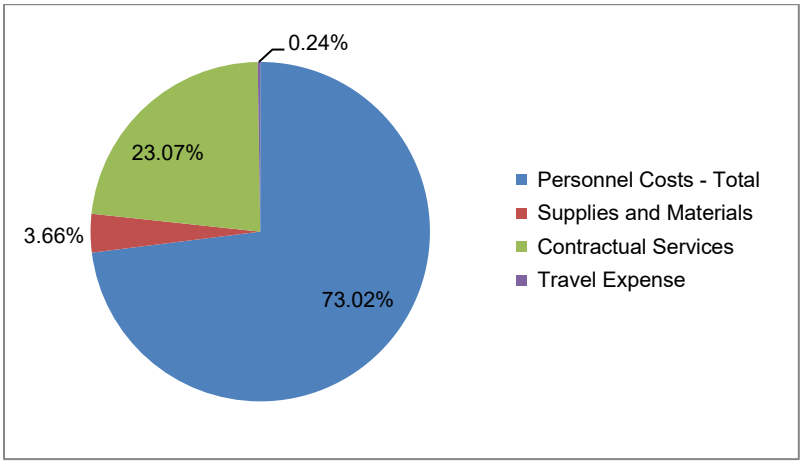
Attachment: 2022 Revised Human Resources Dept. Sheet (22-08 : Amending 127.04 to add an additional Non-Union Position)

HUMAN RESOURCES

	2021		2022
Description	**Budget**	**Projected**	**Budget**
Personnel Costs - Total	374,500.00	309,440.18	454,649.00
Salaries	273,342.00	225,896.51	316,354.00
Benefits	101,158.00	83,543.67	138,295.00
Supplies and Materials	23,800.00	6,252.87	22,800.00
Contractual Services	122,400.00	111,325.50	143,650.00
Travel Expense	500.00	-	1,500.00
Total Human Resources	**521,200.00**	**427,018.55**	**622,599.00**

Personnel Percent Change			**21.40%**
Budget Percent Change			**19.45%**

Percent change is 2022 budget to 2021 budget.



- Supplies – Object 52 – Primary expenditures include employment ads for City employees (we hired 16 full-time employees and 153 part-time/seasonal employees), annual memberships in the National Public Employer Labor Relations Association (NPELRA) and the Society for Human Resources (SHRM), Ohio Self Insurers Association (OSIA), various seminars and legal workshops, printing materials related specifically to Human Resources, i.e., training and safety materials, employee handbooks, policies and procedures, etc., and office supplies.

- Contracts – Object 53 – Includes expenditures for various consultant contracts related to professional and medical services. Primary expenditures include police recruitment costs (including the sergeant promotional testing, assessment center, written test administration, screening, and medical exams); legal consulting services related to the City's three collective bargaining unit agreements; development of various HR policies; interpretation of various federal and state laws, rules and regulations related to policies and programs; wellness programming activities and education; consultation/training related to DEI efforts; ; consultation related to the

City's health care plan and the federal health care reform rules and regulations; professional medical services for preemployment, post-employment and random drug screenings; background checks, independent medical exams to determine employees' fitness for duty, pre-employment physicals and psychological evaluations for the Division of Police; and receipt and review of driver abstracts for employees operating and/or driving city vehicles.

Attachment: 2022 Revised Human Resources Dept. Sheet (22-08 : Amending 127.04 to add an additional Non-Union Position)

HUMAN RESOURCES DEPARTMENT

STATEMENT OF FUNCTION

The Human Resources Department provides assistance, support and direction on all matters related to the management of the City's human resources. The department is responsible for personnel administration; personnel recruitment, selection and retention; employee benefits and compensation; employee trainings, labor relations and collective bargaining; disciplinary and grievance hearings; City work rules and policies; employee appraisals and development; and ensure a safe and positive work climate for all employees. The department also oversees regulatory compliance under various federal and state laws such as COBRA, the Family Medical Leave Act (FMLA), Fair Labor Standards Act (FLSA), all other applicable antidiscrimination/equal employment opportunity laws, and rules and regulations under the Bureau of Workers Compensation (BWC), IRS, the Department of Labor, etc.

OBJECTIVES AND ACTIVITIES

- Develop and direct an HR agenda that supports and drives the overarching goals of the organization.
- Provide leadership and direction to the organization in the administration of employee performance appraisals and to provide guidance and direction to managers in the development of meaningful performance objectives and individual development plans for their employees. This includes the implementation of new job-specific competencies in 2022.
- Management of the City's compensation plan through job description revisions and wage surveys.
- Administer the City's self-insured workers compensation program.
- Provide leadership and guidance to the organization in developing and implementing new benefit and related health management strategies, including the implementation of the wellness program in 2021.

PERSONNEL DATA POSITION TITLE	2021 CURRENT	2022 REVISED
Human Resources Director	1	1
Human Resources Manager	0	1
Human Resources Specialist	1	1
PT Human Resources Generalist	2	1
TOTAL	**4**	**4**

Attachment: 2022 Revised Human Resources Dept. Sheet (22-08 : Amending 127.04 to add an additional Non-Union Position)

Ordinance: 22-08 **Passed:**

Page 1 of **Effective:**

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.

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.

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 22-08						
☐ Adopted ☐ Adopted as Amended ☐ Passed ☐ Defeated ☐ Tabled ☐ Held Over ☐ Referred ☐ Withdrawn ☐ First Reading ☐ Positive Recommendation ☐ No Recommendation			**Yes/Aye**	**No/Nay**	**Abstain**	**Absent**
	Andy Teater		☐	☐	☐	☐
	Omar Tarazi		☐	☐	☐	☐
	Les Carrier		☐	☐	☐	☐
	Tina Cottone		☐	☐	☐	☐
	Peggy Hale		☐	☐	☐	☐
	Pete Marsh		☐	☐	☐	☐
	Cynthia Vermillion		☐	☐	☐	☐

(b) The following shall constitute the listing of City job classifications and corresponding pay grades and pay ranges covered by this Plan:

Full-Time Non-Union Employees

Pay Grade	Position	Department	Salary Range
G	Clerk of Council	City Council	$70,500 - $104,500
	Project Engineer	Community Development/Engineering	
	Transportation Project Engineer	Community Development/Transportation	
	Staff Attorney	Law	
	Staff Attorney/Prosecutor	Law	
	Human Resources Manager	Human Resources	

Attachment: Exhibit A.Adding Human Resources Manager (22-08 : Amending 127.04 to add an additional Non-Union Position)

Council Memo: Legislation (22-09)

Subject: Establishing Aging-in-Place Advisory Committee
From: Michelle Crandall, City Manager
Initiated by:
Date: February 28, 2022

Executive Summary

This legislation provides for the establishment of an Aging-in-Place Advisory Committee.

Staff Recommendation

Staff recommends passage of this legislation by City Council. This is an important step to place a higher level of focus and priority on the needs of the City's older adult residents and caregivers.

Background

Council Members Marsh and Cottone have both expressed an interest in the City placing more focus on the needs of older adults in the Hilliard Community. During the January 24 Council Meeting, Council Member Cottone asked for support from City Council to move forward with the establishment of an advisory committee. At that time there was consensus among Council for consideration of this legislation.

The proposed legislation establishes the committee with nine resident members and one Council Member. The resident members would represent the 55+ age group and serve two-year terms with staggered terms initially between 1-3 years. The body of the legislation provides further detail as to the purpose and composition of the committee.

Financial Impacts

No significant financial impacts are anticipated from establishment of this advisory committee.

Attachments

None

Ordinance: 22-09 **Passed:**

Page 1 of **Effective:**

ENACTING SECTION 149.08 OF THE CITY'S CODIFIED ORDINANCES AND ESTABLISHING AN AGING-IN-PLACE ADVISORY COMMITTEE.

WHEREAS, Hilliard City Council desires to create an Age-in-Place Advisory Committee (APAC) to advise City Council on matters affecting older adult residents and focusing on creating an age-friendly community where residents of every age can enjoy the Hilliard community; and

WHEREAS, by establishing this Advisory Committee, Council desires that it will provide Council and City staff with input and recommendations regarding community development, programming and services affecting older adults and caregivers.

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

SECTION 1. Section 149.08 of the Codified Ordinances of the City of Hilliard is hereby enacted to read as follows:

149.08. AGING-IN-PLACE ADVISORY COMMITTEE. The Age-in-Place Advisory Committee (APAC) is established and shall be operated as provided herein:

(a) **Establishment and Purpose**.

(1) There is hereby established, in and for the City, an Aging-in-Place Advisory Committee consisting of up to ten (10) members.

(2) The Committee will advise City Council on matters affecting older adult residents, with a focus on creating an age-friendly community where residents of every age can enjoy all the community has to offer and thrive throughout each stage of their lives.

(3) The Committee will serve as a sounding board to City Staff as it relates to programs and services affecting older adults and caregivers.

(b) **Membership, Organization and Procedures.**

(1) Appointments of the residents serving on the Committee shall be made by City Council.

(2) Members shall be residents of the City.

(3) Membership will include:

a. Up to nine (9) residents that are 55 years old or older and represent both the City's older adult population and caregiver population.

b. One (1) City Council Member, to be appointed by the President of Council.

(4) All members shall be voting members.

(5) The nine resident members will serve two-year terms and can be re-appointed for two additional terms but shall not serve more than six consecutive years.

(6) Initial terms for the nine (9) resident members, however, are as follows:

a. Three (3) of the members each shall serve an initial term of three (3) years.

b. Three (3) of the members each shall serve an initial term of two (2) years.

c. Three (3) member shall serve an initial term of one (1) year.

(7) A majority of the voting members of the Committee shall constitute a quorum.

(c) **Function**.

(1) The Aging-in-Place Advisory Committee shall be advisory in nature.

(2) The Committee shall meet on such dates and times as it deems necessary in order to fulfill its purpose, and to meet deadlines as required by Hilliard City Council. All meetings shall be advertised as public meetings and open to the public.

(3) The Aging-in-Place Advisory Committee shall elect every twelve (12) months, by majority vote, a Chair and Vice-Chair and shall establish and adopt procedural rules (bylaws) to govern its operations. The Committee will follow Roberts Rules of Order and shall keep a record of its meetings, which are subject to public inspection and copying as may be required under the Ohio Revised Code. The records of the Committee shall be kept at City Hall.

(4) The Aging-in-Place Advisory Committee shall, at times and dates determined by the City Council, provide reports and updates on its activities, initiatives, and progress.

(5) The Aging-in-Place Advisory Committee shall continue until dissolved by a majority vote of City Council.

(d) **Staff Participation.** The City Manager shall assure that the Committee is properly staffed. Staff shall assist with preparing meeting agendas and shall provide materials, presentations, recommendations, and other support as necessary and appropriate and shall do so under the ultimate direction of the City Manager.

SECTION 2. This Resolution is effective immediately upon its passage.

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 22-09

☐ Adopted
☐ Adopted as Amended
☐ Passed
☐ Defeated
☐ Tabled
☐ Held Over
☐ Referred
☐ Withdrawn
☐ First Reading
☐ Positive Recommendation
☐ No Recommendation

		Yes/Aye	No/Nay	Abstain	Absent
Andy Teater		☐	☐	☐	☐
Omar Tarazi		☐	☐	☐	☐
Les Carrier		☐	☐	☐	☐
Tina Cottone		☐	☐	☐	☐
Peggy Hale		☐	☐	☐	☐
Pete Marsh		☐	☐	☐	☐
Cynthia Vermillion		☐	☐	☐	☐

Council Memo: Legislation (22-10)

Subject: Authorizing Issuance of Bond for Recreation & Wellness Campus
From: Michelle Crandall, City Manager
Initiated by: David Delande, Director of Finance
Date: February 28, 2022

Executive Summary

This legislation authorizes the City Manager and Director of Finance to proceed with the bonding of 2022 Income Tax Revenue of an amount not to exceed $95,000,000 in order to fund the Recreation & Wellness Campus Project.

Staff Recommendation

Staff recommends adoption of this Ordinance in order to begin the process for the issuance of bonds.

Background

On November 2, 2021, a 0.5% increase in the City's Income Tax was approved. The funds received from this additional amount are to be used specifically for Recreation and Parks, including the development of the Recreation and Wellness Campus on the Jerman Property.

In order to move forward, it is necessary to authorize the issuance of bonds in an amount not to exceed $95,000,000, with a projected closing date of May 11, 2022. The City's financial team is continuing to review the exact amount that will be issued, but it is necessary to start the process with this ordinance. The final bond issuance amount will be provided to Council prior to closing.

Th City's financial consulting team, including bond counsel, will be at Council's Committee of the Whole meeting on February 28, 2022 to provide more details and asnwer any questions Council may have.

Attached is a schedule of events that was developed for internal use among the City staff, bond counsel, underwriters, and financial advisor in order to meet an April 27 bond pricing and May 11 close on the issuance. This schedule includes the development of a Preliminary Official Statement, the development of materials for a rating presentation with Moody's Investor Services and potentially with S&P Global Ratings, the actual rating presentation, and other steps necessary to gather and prepare information needed for the rating presentation and the issuance.

Financial Impacts

This legislation will authorize the City to issue bonds in an amount not to exceed $95,000,000. The City's bond counsel and underwriters are continuing to monitor projected rate increases and will ensure that the final amount of issuance and closing date is in the City's best interest

Attachments

- Schedule of Events for issuance of Income Tax Revenue Bonds

Schedule of Events

City of Hilliard, Franklin County, Ohio

$95,000,000 (Not to Exceed) Series 2022 Income Tax Revenue Bonds - Recreation & Wellness Campus Project

Pricing: 4/27/2022
Dated: 5/11/2022

Version: February 16, 2022

FEBRUARY						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

MARCH						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Holidays: February 21st, April 15th, & May 30th

Responsible Parties:	**Issuer:**	City of Hilliard	H
	Bond Counsel:	Bricker & Eckler	BE
	Municipal Advisor	Bradley Payne Advisors	BP
	Underwriter:	KeyBanc Capital Markets	KEY

Date	Description	Responsibility
February 10	Plan of Finance Meeting	ALL
Week of February 14	Circulate Draft Bond Ordinance	BE
Week of February 28	Circulate Draft Preliminary Offering Statement (POS)	BE
February 28	City Council Hears 1st Reading of Bond Ordinance	H
March 9	Comments Due on Draft POS	ALL
Week of March 14	Circulate 2nd Draft of POS	BE
March 14	City Council Considers Approval of Bond Ordinance	H
Week of March 21	POS Comments Finalized	ALL
Week of March 21	Circulate Near Final POS	BE
Week of March 28	Rating Prep Meeting	ALL
Week of March 28	Send Documents to Rating Agency(s)	BP
Week of April 4	Rating Presentation	ALL
April 18	Rating Released	ALL
April 19	Request OMAC Report	KEY
April 19	Distribute Final POS to Team	BE
April 20	Distribute Final POS to Printer & Investors	BE
April 26	Pre-Pricing Meeting / Call	ALL
April 27	Bond Pricing	ALL
May 11	Close Bonds - Proceeds Wired	ALL

Attachment: Schedule of Events.Hilliard Recreation & Wellness Campus (22-10 : Authorizing Issuance of Bond for Recreation & Wellness

Distribution List

City of Hilliard, Franklin County, Ohio

$95,000,000 (Not to Exceed) Series 2022 Income Tax Revenue Bonds - Recreation & Wellness Campus Project

Pricing Date: 4/27/2022
Dated Date: 5/11/2022

Version: February 16, 2022

Issuer

City of Hilliard
3800 Municipal Way
Hilliard, Ohio 43026

Michelle Crandall City Manager	(614) 334-2344 mcrandall@hilliardohio.gov
Dan Ralley Asst. City Manager	(614) 527-4165 DRalley@hilliardohio.gov
Dave Delande Finance Director	(614) 334-2354 ddelande@hilliardohio.gov
Greg Tantari Deputy Finance Director	(614) 334-2465 gtantari@hilliardohio.gov
Karrie Martin Fiscal Officer	(614) 334-2363 kmartin@hilliardohio.gov
Ed Merritt Director of Recreation & Parks	(614) 419-9891 emerritt@hilliardohio.gov
David Meadows Economic Dev. Director	(614) 334-2357 dmeadows@hilliardohio.gov

Bond Counsel

Bricker & Eckler
100 South Third Street
Columbus, Ohio 43215

Matt Stout Partner	(614) 227-8861 mstout@bricker.com
Jason Tiemeier Associate	(614) 227-6067 JTiemeier@bricker.com

Rating Agency

Moody's Investors Services, Ltd.
100 N. Riverside Plaza, Suite 2220
Chicago, Illinois 60606

TBD

Rating Agency

S&P Global Ratings
130 East Randolph Street, Suite 2900
Chicago, Illinois 60601

TBD

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Columbus, Ohio 43215

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Charles Wise Sr. Vice President	(614) 460-3479 charles.wise@key.com
Ben Gamble Vice President	(614) 460-3407 ben.gamble@key.com

Municipal Advisor

Bradley Payne Advisors, LLC
11260 Chester Road, Suite 375
Cincinnati, Ohio 45246

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Zach Logan Director	(513) 772-5595 ZL@BPayneAdvisors.com
Heather Arling Director	(513) 772-5597 HA@BPayneAdvisors.com

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Columbus, Ohio 43215

John Payne Partner	(740) 500-1088 JP@bpaynegroup.com
Michael Bernth Director	(313) 605-0200 MB@BPayneAdvisors.com

Paying Agent

Huntington National Bank Corporate Trust
7 Easton Oval
Columbus, Ohio 43219

Jim Schultz Vice President	(614) 331-8698 James.Schultz@huntington.com

Attachment: Schedule of Events.Hilliard Recreation & Wellness Campus (22-10 : Authorizing Issuance of Bond for Recreation & Wellness

Ordinance: 22-10 **Passed:**

Page 1 of **Effective:**

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $95,000,000 OF INCOME TAX SPECIAL OBLIGATION SECURITIES FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING AND EQUIPPING A RECREATION AND WELLNESS CAMPUS FOR FITNESS, RECREATION, AND GROUP ACTIVITIES FOR SENIORS, FAMILIES, YOUTH, AND OTHERS NEAR THE INTERSECTION OF ALTON DARBY CREEK ROAD AND SCIOTO DARBY ROAD, INCLUDING LANDSCAPING AND MAKING SITE IMPROVEMENTS, ACQUIRING LAND AND INTERESTS IN LAND, AND REIMBURSING PRIOR EXPENDITURES OF THE CITY IN CONNECTION WITH THE SAME; PROVIDING FOR THE PLEDGE OF CERTAIN REVENUES FROM THE CITYÕS 2.5% INCOME TAX TO SECURE THE PAYMENT OF PRINCIPAL OF AND INTEREST ON THE SECURITIES; AUTHORIZING THE USE AND DELIVERY OF AN OFFICIAL STATEMENT RELATING TO THE SECURITIES.

WHEREAS, the City of Hilliard, Ohio (the "City") levies an income tax at a rate of 2.00% pursuant to Chapter 183 of the Codified Ordinances of the City for the purposes of general municipal operations, maintenance, new equipment and capital improvements and to provide for the payment of principal and interest on certain bond issues of the City (the "2.0% Income Tax"); and

WHEREAS, the City levies an additional income tax of 0.5% (together with the 2.0% Income Tax, the "Income Tax") pursuant to Ordinance No. 21-22, which was approved by the electors of the City on November 2, 2021, to provide funds for recreational and parks capital, programming, and operational expenses; and

WHEREAS, pursuant to Article XVIII, Section 3 of the Ohio Constitution, the City is authorized to issue special obligation revenue securities supported by the Income Tax and in anticipation of the receipt of revenues of the Income Tax (the "Revenues"); and

WHEREAS, the City has determined to acquire, construct, improve, furnish and equip a new recreation and wellness campus for fitness, recreation, and group activities for seniors, families, youth, and others near the intersection of Alton Darby Creek Road and Scioto Darby Road, including landscaping and site improvements, to acquire land and interests in land, and reimburse prior expenditures of the City in connection with the same (the "Project"); and

WHEREAS, the City Council (the "Council") of the City has determined that it is now necessary and proper to authorize the issuance of not to exceed $95,000,000 of such income tax special obligation securities of the City for the purpose of providing funds to pay costs of the Project.

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

SECTION 1. **Definitions and Interpretation**. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Additional Securities" means any additional bonds, or notes issued in anticipation of bonds, of the City which may be subsequently issued and payable solely from the Revenues on a parity with the Securities.

"Authorized Denominations" means, except as otherwise provided in the Certificate of Award, (A) in the case of Bonds, the denomination of $5,000 or any integral multiple in excess thereof, and (B) in the case of Notes, the denomination of $100,000 or any integral multiple of $5,000 in excess thereof.

"Bond Counsel" means the law firm of Bricker & Eckler LLP.

"Bonds" means the Recreation and Wellness Campus Income Tax Special Obligation Bonds, Series 2022, authorized in Section 2 hereof.

"Book-entry form" or "book-entry system" means a form or system under which (a) the ownership of book-entry interests in Securities and the principal of and interest on the Securities may be transferred only through a book-entry, and (b) physical certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Securities "immobilized" in the custody of the Depository or its designated agent. The book-entry maintained by others than the City is the record that identifies the owners of book-entry interests in those Securities and that principal and interest.

"Certificate of Award" means one or more certificates authorized by Section 4, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Securities and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

"Code" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book-entry system to record ownership of book-entry interests in Securities or the principal of and interest on Securities, and to effect transfers of Securities, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Financing Costs" means any Original Purchaser compensation, rating fees, Registrar fees, Municipal Advisor fees, printing and distribution costs, Bond Counsel and other legal fees, and other miscellaneous expenses associated with the issuance of the Securities.

"Holder" or "holder" or "registered owner", or any similar term means the person in whose name any of the Securities are registered, or the Holder or owner of Securities as may otherwise be prescribed by the Certificate of Award.

"Interest Payment Dates" means the dates specified in the Certificate of Award.

"Municipal Advisor" means Bradley Payne, LLC.

"Notes" means the notes, if any, issued in anticipation of the Bonds and authorized in Section 2 hereof.

"Original Purchaser" means KeyBanc Capital Markets Inc.

"Participant" means any participant contracting with a Depository under a book-entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Purchase Agreement" means the Purchase Agreement between the City and the Original Purchaser, and executed by the Director of Finance in accordance with Section 12.

"Register" means all books and records necessary for the registration, exchange and transfer of Securities as provided in Section 9.

"Registrar" means a bank or trust company authorized to do business in the State of Ohio and designated by the Director of Finance in the Certificate of Award pursuant to Section 9 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Securities under the Registrar Agreement and until a successor Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Registrar" shall mean the successor Registrar.

"Registrar Agreement" means the Registrar Agreement between the City and the Registrar, and executed by the Director of Finance in accordance with Section 9.

"Regulations" means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

"Revenues" means, proceeds of the Income Tax, except for any proceeds to be transferred to the City's Street Improvement Fund pursuant to Chapter 183 of the Codified Ordinances of the City and not pledged for payment of the Securities, which amount is currently 8% of the Revenues.

"Securities" means, collectively, the Bonds and Notes.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 2. **Authorization of Issuance of Securities**. It is hereby declared necessary to issue bonds of the City, or notes in anticipation of the issuance of bonds, in one or more series, in anticipation of the levy of the 0.5% Income Tax and receipt of the Revenues, in the aggregate principal sum of not to exceed $95,000,000, or such lesser amount as shall be determined by the Director of Finance and certified to this Council, which Securities shall be designated "Recreation and Wellness Campus Income Tax Special Obligation Bonds, Series 2022" or as otherwise designated by the Director of Finance, for the Project.

SECTION 3. **Authorized Denominations**. The Securities shall be issued as fully registered bonds in Authorized Denominations; shall be numbered consecutively from R-1 upward, as determined by the Director of Finance; shall be dated the date determined by the Director of Finance and set forth in the Certificate of Award provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Director of Finance and set forth in the Certificate of Award, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months. Coupons shall not be attached to the Securities.

SECTION 4. **Certificate of Award**. The sale and award of the Securities shall be evidenced by one or more Certificates of Award. Each Certificate of Award shall (a) set forth the aggregate principal amount and the final terms of the Securities, which aggregate principal amount and terms, subject to the limitations set forth in this Ordinance, (b) the dated date for the Securities, (c) the dates on which interest on the Securities is to be paid (each, an "Interest Payment Date"), (d) the purchase price for the Securities (which shall be not less than 97% of the face value thereof), (e) the maturity schedule for the Securities, (f) the interest rates for the Securities (provided that the true interest cost for all Bonds in the aggregate shall not exceed 5.00% per annum), (g) the optional and mandatory redemption provisions, if any, and (h) such other terms not inconsistent with this Ordinance as the Director of Finance shall deem appropriate.

SECTION 5. **Interest Payments on the Securities**. The Bonds shall be issued with interest payable semiannually on each Interest Payment Date until the principal sum is paid or provision has been duly made therefor (the "Current Interest Bonds") or with interest compounded on each Interest Payment Date but payable only at maturity (the "Capital Appreciation Bonds") in such proportions as shall be set forth in the Certificate of Award. The Current Interest Bonds shall be in Authorized Denominations, and the Capital Appreciation Bonds shall be in the denominations on the date of their issuance and delivery equal to the principal amount which, when interest is accrued and compounded thereon, beginning on the date of delivery to the Original Purchaser (as defined hereinbelow), and each Interest Payment Date thereafter, will equal the Authorized Denominations. The Current Interest Bonds shall be dated such date as shall be determined by the Director of Finance and set forth in the Certificate of Award and the Capital Appreciation Bonds shall be dated their date of delivery to the Original Purchaser. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months. Coupons shall not be attached to the Securities. Any Notes issued pursuant to this Ordinance shall be issued with interest payable at maturity or as otherwise specified in the Certificate of Award.

SECTION 6. **Redemption Provisions**. The Current Interest Bonds shall be subject to optional and mandatory redemption prior to stated maturity as provided in the Certificate of Award. If optional redemption of the Current Interest Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Current Interest Bonds of the same maturity will take place, the Current Interest Bonds to be redeemed by optional redemption shall be selected by the Registrar prior to the selection of the Current Interest Bonds to be redeemed at par pursuant to mandatory redemption on the same date.

When partial redemption is authorized, the Registrar shall select a Current Interest Bond or portions thereof by lot within a maturity in such manner and in such denominations as the Registrar may determine, provided, however, that the portion of any Current Interest Bond so selected will be in Authorized Denominations.

The notice of the call for redemption of a Current Interest Bond shall identify (i) by designation, letters, numbers or other distinguishing marks, the Current Interest Bond or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Current Interest Bond (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each Holder of the Current Interest Bond to be redeemed at the address shown in the Register on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Current Interest Bond.

Any Notes issued pursuant to this Ordinance shall be subject to redemption as provided in the Certificate of Award.

SECTION 7. **Execution and Authentication of Securities**. The Securities shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance and shall be executed by the Director of Finance and the City Manager of the City (the "City Manager"), in their official capacities; provided that either or both of their signatures may be a facsimile. No Securities shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Securities, is signed by the Registrar as authenticating agent. Authentication by the Registrar shall be conclusive evidence that the Securities so authenticated have been duly issued and delivered under this Ordinance and are entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Registrar or by such other person acting as an agent of the Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Securities.

SECTION 8. **Interest Payments**. The principal of and interest on the Securities shall be payable in lawful money of the United States of America without deduction for the services of the Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Registrar. Each of the Securities shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any of the Securities is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Except in the case where interest on the Notes is payable at maturity, interest on any of the Securities shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Securities are registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Register at the address appearing therein.

Unless otherwise provided in the Certificate of Award, the principal of and interest on the Notes shall be payable upon presentation and surrender of the Notes at the office of the Registrar.

Any interest on any Securities which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Securities are registered at the close of business on a date (the "Special Record Date") to be fixed by the Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Holder, at such Holder's address as it appears in the Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Securities are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, any Securities delivered by the Registrar upon transfer of or in exchange for or in lieu of any other Securities shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Securities.

SECTION 9. **Registration; Transfer and Exchange**. The Director of Finance is hereby authorized and directed to serve as the Registrar or to execute on behalf of the City a Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as the Registrar for the Securities. If at any time the Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Registrar hereunder. Each such successor Registrar shall promptly advise all Holders of the change in identity and new address of the Registrar. So long as any of the Securities remain outstanding, the City shall cause to be maintained and kept by the Registrar, at the office of the Registrar, the Register. Subject to the provisions hereof, the person in whose name any Bond shall be registered on the Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Securities shall be made only to or upon the order of that person. Neither the City nor the Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Securities, including the interest thereon, to the extent of the amount or amounts so paid.

Any Securities, upon presentation and surrender at the office of the Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Registrar, may be exchanged for Securities of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured

principal amount of the Securities surrendered, and bearing interest at the same rate and maturing on the same date.

Securities may be transferred only on the Register upon presentation and surrender thereof at the office of the Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Registrar. Upon that transfer, the Registrar shall complete, authenticate and deliver Securities of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Securities surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Registrar shall not be required to transfer or exchange (i) any Securities during a period beginning at the opening of business fifteen (15) days before the day of mailing of a notice of redemption of Securities, and ending at the close of business on the day of such mailing, or (ii) any Securities selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Securities are exchanged or transferred hereunder, the City shall cause to be executed and the Registrar shall authenticate and deliver Securities in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Securities. All Securities issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Securities surrendered upon that transfer or exchange.

SECTION 10. **Book-entry System**. All or any portion of the Securities may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance: (i) there shall be a single Bond of each maturity; (ii) those Securities shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Securities in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Securities in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (v) the Securities as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Bond service charges on Securities in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Securities as provided in this Ordinance.

The Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Registrar and the City. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Registrar shall furnish a copy of each of those agreements, certified to be correct by the Registrar, to other paying agents for Securities and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

If requested, the Director of Finance, or any other officer of the City, is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, a letter agreement among the City, the Registrar and The Depository Trust Company, as depository, to be delivered in connection with the issuance of the Securities to the Depository for use in a book-entry system in substantially the form submitted to this Council.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, physical Securities certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as the depository for the Securities for use in a book-entry system, the City and the Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Registrar do not or are unable to do so, the City and the Registrar, after the Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Securities from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Securities), if the event is not the result of action or inaction by the City or the Registrar, of those persons requesting such issuance.

SECTION 11. **Security for and Covenants Relating to Securities**. The Securities and any Additional Securities that may be issued hereafter on a parity therewith, shall be special obligations of the City, and the principal of and interest and any premium on the Securities shall be payable solely from the Revenues, and such payment shall be secured by a pledge of the Revenues as provided in this Ordinance.

The City hereby covenants and pledges, subject and pursuant to the Constitution and laws of the State of Ohio, to appropriate from the Revenues amounts sufficient to pay principal and interest due on the Securities on each Interest Payment Date any other amounts that may be required in connection with the issuance of the Securities. The City hereby covenants and agrees that, so long as the Securities are outstanding and except in the case of Additional Securities, the City shall not attempt to create or otherwise permit a pledge or any other lien on the Revenues that is senior to or on a parity with the pledge of the Revenues contained in this Ordinance to pay the principal of and interest on the Securities; provided, however, that this provision shall not be read to limit the City’s ability to issue general obligation debt for any municipal purpose. The City hereby covenants and agrees that, so long as the Securities are outstanding, it shall not suffer the repeal, amendment or any other change in this Ordinance or in the City's income tax ordinances that in any way materially and adversely affects or impairs (i) the sufficiency of the Revenues levied and collected or otherwise available for the payment of the Securities or (ii) the pledge or the application of the Revenues to the payment of the Securities.

Nothing in this Ordinance, the Securities or any Additional Securities shall constitute a general obligation, debt or bonded indebtedness of the City; neither the general resources of the City shall be required to be used, nor the general credit of the City pledged for the performance of any duty under this Ordinance, the Securities and the Additional Securities; and further, nothing therein gives the Holders of the Securities or any Additional Securities, and they do not have, the right to have excises or taxes levied by the City, or by the State or the taxing authority of any other political subdivision, for the payment of principal of, redemption premium, if any, and interest on the Securities and any Additional Securities, but the Securities and any Additional Securities are payable from the Revenues and any funds established in accordance with this Ordinance, and each of the Securities and any Additional Securities shall contain on the face thereof a statement to that effect; provided, however, that nothing herein shall be construed as requiring the City to use or apply to the payment of principal of and interest on the Securities or any Additional Securities any funds or revenues from any source other than Revenues and, provided further, that nothing herein, however, shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Ordinance, the Securities or any Additional Securities.

The City will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions to be performed on its part under this Ordinance and the Securities and under all proceedings of this Council pertaining thereto. The City represents that (i) it is, and upon delivery of the Securities covenants that it will be, duly authorized by the Constitution and laws of the State and its Charter, to issue the Securities and to provide the security for payment of the debt service charges in the manner and to the extent set forth herein and in the Securities; (ii) all actions on its part for the issuance of the Securities have been or will be taken duly and effectively; and (iii) the Securities will be valid and enforceable special obligations of the City according to their terms. Each obligation of the City required to be undertaken pursuant to this Ordinance and the Securities is binding upon the City, and upon each officer or employee of the City as may from time to time have the authority under law to take any action on behalf of the City as may be necessary to perform all or any part of such obligation, as a duty of the City and of each of those officers and employee resulting from an office, trust or station within the meaning of Section 2731.01, Ohio Revised Code, providing for enforcement by writ of mandamus.

The Director of Finance is hereby authorized, based upon input from the Municipal Advisor, Bond Counsel, and the Original Purchaser, to agree to additional covenants regarding the Securities and the pledge of Revenues, including the establishment of any funds necessary in connection with the sale of the Securities. Such additional provisions shall be set forth in the Certificate of Award.

SECTION 12. Additional Securities. The City shall have the right from time to time to issue Additional Securities on a parity with the Securities, which Additional Securities shall be payable solely from the Revenues, and such payment shall be secured by a pledge of and a lien on the Revenues and by an ordinance passed by this Council authorizing the issuance of those Additional Securities.

Before any Additional Securities are issued, the City shall be required to furnish a certificate of the Director of Finance showing that the aggregate amount of Income Tax, less any amounts allocated to the City's Street Improvement Fund, received during the fiscal year immediately preceding the issuance of those Additional Securities is at least equal to 150% of the largest amount required to be paid in any succeeding calendar year to meet interest and principal maturities of the Bonds and any Additional Securities to be outstanding immediately after the issuance of such Additional Securities, or in the case of the issuance of notes issued in anticipation of Additional Securities, the largest amount required to be paid in any succeeding calendar year to meet the estimated interest and principal maturities of those Additional Securities in anticipation of which the notes are issued.

The proceeds of any sale of Additional Securities shall be allocated in the manner provided in the ordinance authorizing their issuance. Junior lien or other subordinate bonds and other subordinate City obligations payable from the Income Tax, less any amounts allocated to the City's Street Improvement Fund, may be issued or incurred without limitation.

The Additional Securities shall bear such designation as may be necessary to distinguish them from the Bonds or other Additional Securities having different provisions and shall have maturities, interest rates, interest payment dates, redemption provisions, denominations and other provisions as provided in the ordinances hereafter adopted providing for the issuance of the Additional Securities; provided, however, that those terms and provisions shall not be inconsistent with this Ordinance to the extent it governs the issuance and terms of Additional Securities.

The Director of Finance is hereby authorized, based upon input from the Municipal Advisor, Bond Counsel, and the Original Purchaser, to agree to the provisions under which Additional Securities may be issued. Such additional provisions shall be set forth in the Certificate of Award.

SECTION 13. Sale of the Securities to the Original Purchaser. The Securities shall be sold at private sale to the Original Purchaser at the purchase price set forth in the Certificate of Award, plus interest accrued to the date of delivery of the Securities to the Original Purchaser. The Director of Finance and the City Manager, or either of them individually, are authorized and directed to execute on behalf of the City a Purchase Agreement with the Original Purchaser, setting forth the conditions under which the Securities are

to be sold and delivered, which Purchase Agreement shall be in such form, not inconsistent with this Ordinance, as the Director of Finance shall determine.

The proceeds from the sale of the Securities received by the City (or withheld by the Original Purchaser or disbursed to and held by the Registrar on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purpose for which the Securities are being issued, including without limitation but only to the extent not paid by others, the payment of the costs of issuing and servicing the Securities, printing and delivery of the Securities, legal services including obtaining the approving legal opinion of Bond Counsel, fees and expenses of the Municipal Advisor, paying agent and rating agency, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Director of Finance, and all other Financing Costs and costs incurred incidental to those purposes. The Certificate of Award and the Purchase Agreement may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Securities or to deposit such proceeds with the Registrar in order to provide for the payment of Financing Costs related to the Securities on behalf of the City. Any portion of those proceeds received by the City representing premium (after payment of any Financing Costs identified in the Certificate of Award and the Purchase Agreement) or accrued interest shall be paid into the bond retirement fund.

SECTION 14. **Federal Tax Considerations**. The Director of Finance may determine to issue all or any series or portion of the Securities as obligations that the interest thereon is excluded from the bondholders' gross income for federal income tax purposes, and the following provisions of this Section shall apply to such Securities (or series or portions thereof):

The City hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Securities that is intended to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code") is and will continue to be excluded from gross income for federal income tax purposes. The City further covenants that it shall restrict the use of the proceeds of the Securities in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Securities are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the Regulations.

The Director of Finance, or any other officer, including the Clerk, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Securities as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Securities or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer, including the Clerk, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure such exclusion of interest from gross income and the intended tax status of the Securities; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Securities sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Securities which limits the amount of proceeds of the Securities which may be invested at an unrestricted yield or requires the City to rebate arbitrage profits (or penalties in lieu thereof) to the United States Department of the Treasury. The Director of Finance is hereby authorized and directed to file such reports with, and rebate arbitrage profits (or penalties in lieu thereof) to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Securities requires any such reports or rebates, and moneys necessary to make such rebates are hereby appropriated for such purpose. The payment of any rebate arbitrage profits (or penalties in lieu thereof) made to the United States Department of the Treasury shall be authorized and paid from such fund or funds as determined by the Director of Finance.

SECTION 15. **Official Statement**. The distribution of an Official Statement of the City, in preliminary and final form, relating to the original issuance of the Securities is hereby authorized if the Director of Finance determines that it is necessary or advisable to prepare and distribute an Official Statement in connection with the original issuance of the Securities. If the Director of Finance so determines, then the Director of Finance and City Manager are hereby authorized and directed to negotiate, prepare and execute, on behalf of the City and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Securities, and they are authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Securities as they deem necessary or appropriate to protect the interests of the City. The Director of Finance, City Manager, and Director of Law (the "Director of Law") are each authorized to execute and deliver, on behalf of the City and in their official capacities, such certificates in connection with the accuracy of an Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

SECTION 16. **Ratings**. The obtaining or updating of a rating or ratings on the Securities and the City is hereby authorized if the Director of Finance determines that it is necessary or advisable in connection with the original issuance of the Securities. If the Director of Finance so determines, then the Director of Finance and City Manager are hereby authorized and directed to take all steps necessary to obtain such rating or ratings.

SECTION 17. **Municipal Advisor**. Bradley Payne, LLC is hereby appointed to serve as Municipal Advisor to the City for the Securities. The Director of Finance is hereby authorized to enter into any agreements necessary to memorialize this relationship. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from the proceeds of the Securities or as otherwise determined by the Director of Finance.

SECTION 18. **Bond Counsel**. Bricker & Eckler LLP is hereby appointed to serve as Bond Counsel to the City for the Securities. The Director of Finance is hereby authorized to enter into any agreements necessary to memorialize this relationship. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from the proceeds of the Securities or as otherwise determined by the Director of Finance.

SECTION 19. **Transcript**. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Securities and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Securities and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Director of Finance and a no-litigation certificate of

the City Manager and the Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein. Except for the procedure for authenticating the Securities set forth herein, documents (including this Ordinance) executed, scanned and transmitted electronically and electronic and digital signatures shall be deemed original signatures for said transcript of the Securities, for the purposes of this Ordinance, and for all matters related thereto, with any such scanned, electronic, and digital signatures having the same legal effect as original signatures.

SECTION 20. **Additional Agreements and Instruments**. This Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Clerk of Council, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions, that may be appropriate to implement and that are in substantial compliance with this Ordinance.

SECTION 21. **Satisfaction of Conditions for Issuance of Securities**. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Securities in order to make them legal, valid and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Securities have been performed and have been met, in regular and due form as required by law; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Securities; and that the Securities are being authorized and issued pursuant to the Constitution and laws of the State, the Charter of the City, this Ordinance, the Certificate of Award and other authorizing provisions of law.

SECTION 22. **Compliance with Open Meeting Requirements**. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 23. **Effective Date**. 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 22-10

☐ Adopted
☐ Adopted as Amended
☐ Passed
☐ Defeated
☐ Tabled
☐ Held Over
☐ Referred
☐ Withdrawn
☐ First Reading
☐ Positive Recommendation
☐ No Recommendation

		Yes/Aye	No/Nay	Abstain	Absent
Andy Teater		☐	☐	☐	☐
Omar Tarazi		☐	☐	☐	☐
Les Carrier		☐	☐	☐	☐
Tina Cottone		☐	☐	☐	☐
Peggy Hale		☐	☐	☐	☐
Pete Marsh		☐	☐	☐	☐
Cynthia Vermillion		☐	☐	☐	☐

Council Memo: Legislation (22-R-10)

Subject: Alton Place HCD development text modification
From: Michelle Crandall, City Manager
Initiated by: Carson Combs,
Date: February 28, 2022

Executive Summary

This is a resolution to adopt changes to the approved Alton Place HCD development text. The developer is requesting minor changes to architectural, site and fence standards that permit better site placement of garages, allow for a higher-quality line of homes and creates more oversight for materials. The amendments are consistent with the high quality and intent of the original zoning and will not alter the approved development plan.

Staff Recommendation

Staff recommends that this resolution be adopted.

Background

The Alton Place development includes approximately 343 acres at the northwest corner of Roberts Road and Alton Darby Road that was annexed into the City of Hilliard in 2009. In 2014, the site was rezoned from A-1, Agricultural District to the R-R, Rural Residential District (Ordinance No. 14-29). Council approved a rezoning of this site for the Alton Place HCD on June 8, 2020 (Ordinance No. 19-26) for a total of 167 single-family lots, 280 attached residential units, 53 acres of commercial uses and approximately 177 acres of open space. On February 10, 2022, the Planning and Zoning Commission approved the final plat for Section 1, Phase 1. As part of that review, the Commission made a positive recommendation to approve minor modifications to the Alton Place HCD development text.

Financial Impacts

There are no anticipated financial costs to the City.

Expected Benefits

The proposal will accommodate a higher-end product line of homes and improve the placement of homes on lots to de-emphasize garage doors within the single-family subareas. Additional text modifications address roof pitch will avoid disproportionate roof massing and height. Material standards are also minimally expanded while establishing added oversight by the builder's architectural review committee. The text further adds limitations to lots that back onto regional path connections to maintain clear visibility and avoid future encroachments.

Attachments

- Exhibit "A": Alton Place HCD Development Plan Text
- Approved Development Plan and Subarea Map
- Planning Commission Staff Report – February 10, 2022
- Record of Action – February 10, 2022

Attachment: Alton Place Plan and Subarea Map (22-R-10 : Alton Place HCD development text modification)

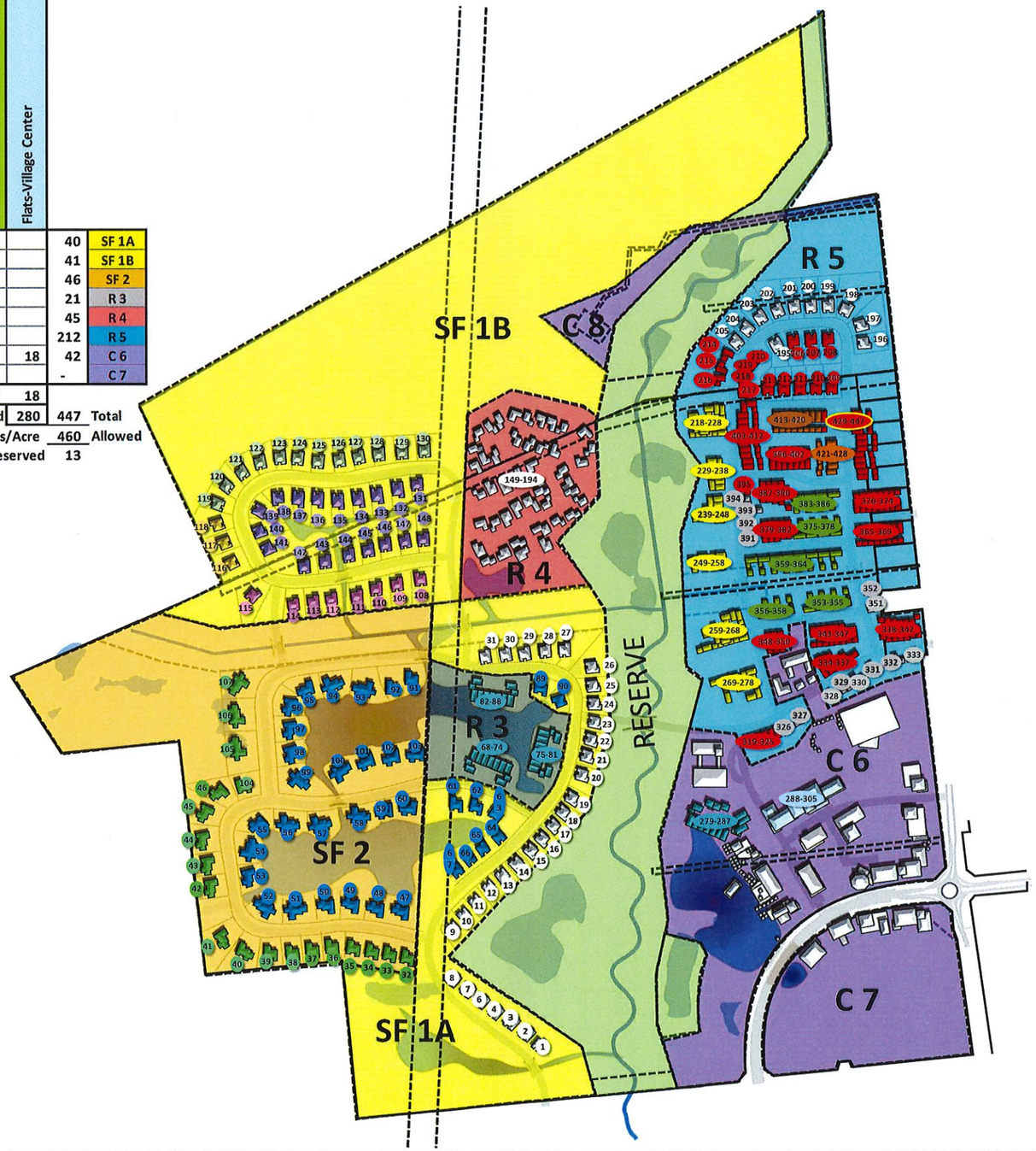
Single Family									Attached Housing								
Single Family-Executive Reserve/Stream	Single Family-Greenspace	Single Family-Grassland	Single Family-High School	Single Family-Streamlet	Single Family-Stream	Single Family-Executive Woods	Single Family -Executive Lake Front	Single Family-Urban	Patio Homes	LA Courtyard	Brownstone	Townhome	Brownstone-Lake	Rowhomes	Flats-Village Center		
31							9									40	SF 1A
		12	3	18	8											41	SF 1B
						19	27									46	SF 2
													21			21	R 3
									45							45	R 4
11								14		60	97	10		20		212	R 5
						15							9		18	42	C 6
																-	C 7
42	-	12	3	18	8	34	36	14	45	60	97	10	30	20	18		

Total Single Family 167

Total Attached 280 447 Total

354.011 Acres at 1.3 Units/Acre 460 Allowed

Reserved 13



ALTON Place

SUBAREA & UNIT PLAN

UPDATED 05.22.20

0' 200' 400' 800'

NORTH

Attachment: Alton Place Plan and Subarea Map (22-R-10 : Alton Place HCD development text modification)

CASE 3: PZ-22-2 – Alton Place Section 1 Phase 1 – Final Plat – North side of Roberts Road approximately 2,000 feet west of Alton Darby Road
PARCEL NUMBERS: 053-000615, 053-000616, 053-000004 and 053-000006
APPLICANT: Alton Place LLC, c/o Dwight McCabe, 7361 Currier Road, Plain City, OH 43064; and Brian Johnson, American Structurepoint, 2550 Corporate Exchange Drive, Columbus OH 43231.
REQUEST: Review & approval of a modification of the HCD Development Text concerning architecture and fencing under the provisions of Hilliard Code Section 1115.04 and a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Alton Place HCD for a development consisting of 69 lots and 5 reserves on 77.932 acres.

BACKGROUND:
The Alton Place HCD includes approximately 343.4 acres located at the northwest corner of Roberts Road and Alton Darby Road. The site was annexed into the City of Hilliard in 2009 and was assigned the A-1, Agricultural, zoning classification. In 2014, the site was rezoned from A-1 to R-R, Rural Residential (Ordinance 14-29). The site is within the Big Darby Watershed, and the Big Darby Accord Panel recommended approval with conditions of the Alton Place HCD on December 11, 2018.

Rezoning of the site was approved by City Council on June 8, 2020 (Ordinance 19-26) and included 148 single-family lots, 297 attached residential units, 53 acres of commercial uses and 171.7 acres of open space. The proposed final plat for Alton Place Section 1, Phase 1 includes 69 single-family lots on 26.082 acres; 42.886 acres of dedicated reserves/open space; and 8.964 acres of dedicated right-of-way located at the southwest corner of the development along Roberts Road.

COMMISSION ROLE:
As part of final details for this section of single-family homes, the applicant has requested minor modifications to the approved development text for architectural and fencing details. The Commission is to make a recommendation on the proposed text changes, which will be forwarded to City Council for final disposition. The Commission is also to review the proposed final plat for conformance to the Alton Place HCD Concept Plan and Hilliard Code Section 1188.05.

STAFF RECOMMENDATION:
Staff finds that the proposed final plat is consistent with the provisions of the Alton Farms HCD Concept Plan and Code Section 1188.05. Staff also finds that the minor adjustments to the previously adopted development text is consistent with the original intent of the zoning and is also consistent with Code Section 1188.05. Based on these findings, staff recommends approval of the proposed final plat and development text modifications with the following conditions:

1) That the number of houses available for construction be limited, as determined by the Norwich Township Fire Department, until such time as a second access point is available;
2) That the plat includes a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82;

Attachment: PZ-22-2 Alton Place Sec1P1 staff report 2.10.22 (22-R-10 : Alton Place HCD development text modification)

3) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda; and
4) That all Homeowners Association (HOA) declarations and New Community Authority (NCA) declarations be recorded prior to recording of the plat.

CONSIDERATIONS:

- *Fire and Safety.* The proposed phasing of the plat includes a total of 69 lots that will access Roberts Road temporarily through one access point. Staff recommends that the construction of lots within Section 1 Phase 1 of the development be limited as determined by the Norwich Township Fire Department until such time as the second street connection is made through the reserve area to the east. Additional development within Subareas SF-1A, SF-1B and R-3 may also be restricted if determined by the Fire Chief to be a safety concern.
- *Text Updates.* Proposed modifications to the Alton Place HCD Text include changing PUD references to **HCD**. The updates will make needed corrections.
- *Lot Setbacks*. Typical Minimum Lot Setback Standards (Text Section 8.4.2) in the adopted chart have been simplified into categories that are **70-88 feet** in width and **>88 feet**. No single-family lot shall be less than 70 feet in width, which has not changed.
- *Typical Lot Width Standards.* The minimum required lot width for Subarea SF2 has been reduced from **110 feet** to **88 feet**. The proposed change remains consistent with the approved preliminary development plan and provides greater flexibility for housing choice.
- *Garages.* Subarea SF2 (Section 8.5.4) will only be permitted to use **side-loaded garages** to minimize visibility from the street. Additional requirements are proposed for Subareas SF1A and SF1B (Section 8.5.5) to **prohibit garage doors from being forward of the front building façade**. The proposed changes are intended to enhance streetscape appearance.
- *Roof Pitch.* Standards for roof pitch (Section 8.6.5.2) are changed to accommodate homes that have greater depth. A **6/12 minimum pitch** is proposed to avoid long roof lines from front to back that will exceed the maximum permitted building height. 10/12 pitch will still be maintained for gables facing the street.
- *Regional Bike Connector.* This section of Alton Place includes a regional bike path that will be located along the west side of Sycamore Place and cross behind Lots #69 through 82. The bikeway will be located within Reserve D, which is 20-feet in width. **Staff recommends that the plat include a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82.**
- *Buffer Requirement.* The development text has also been amended in Section 8.7.4.2 to **restrict homeowners from placing a fence, landscaping or any other construction within 10 feet of any multi-use path**. The proposed amendment is intended to minimize visual/physical obstructions to the path and to minimize encroachments onto public reserve areas that necessitate future code enforcement action.

Attachment: PZ-22-2 Alton Place Sec1P1 staff report 2.10.22 (22-R-10 : Alton Place HCD development text modification)

3800 Municipal Way, Hilliard, Ohio 43026 | Phone 614.876.7361 | www.hilliardohio.gov

PLANNING & ZONING COMMISSION
RECORD OF ACTION

Thursday, February 10, 2022

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

CASE 3: PZ-22-2 – Alton Place Section 1 Phase 1 – Final Plat – North side of Roberts Road approximately 2,000 feet west of Alton Darby Road
PARCEL NUMBERS: 053-000615, 053-000616, 053-000004 and 053-000006
APPLICANT: Alton Place LLC, c/o Dwight McCabe, 7361 Currier Road, Plain City, OH 43064; and Brian Johnson, American Structurepoint, 2550 Corporate Exchange Drive, Columbus OH 43231.
REQUEST: Review & approval of a modification of the HCD Development Text concerning architecture and fencing under the provisions of Hilliard Code Section 1115.04 and a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Alton Place HCD for a development consisting of 69 lots and 5 reserves on 77.932 acres.

MOTION: Mr. Uttley made a motion to approve a modification to the HCD Development Text concerning architecture and fencing under the provisions of Hilliard Code Section 1115.04 and a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Alton Place HCD for a development consisting of 69 lots and 5 reserves on 77.932 acres with the following conditions:

1) That the number of houses available for construction be limited, as determined by the Norwich Township Fire Department, until such time as a second access point is available;
2) That the plat includes a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82;
3) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda; and
4) That all Homeowners Association (HOA) declarations and New Community Authority (NCA) declarations be recorded prior to recording of the plat.

Mr. Lewie 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	Yes

Attachment: PZ-22-2 ROA Alton Place Sec1P1 2.10.22 (22-R-10 : Alton Place HCD development text modification)

STATUS: Case #3: PZ-22-2 has been approved by the Commission. The Final Plat for Section 1 Phase 1 has been approved, and a positive recommendation will be forwarded to City Council for the development text amendment.

CERTIFICATION:

Carson Combs, Acting Clerk
February 16, 2022

Attachment: PZ-22-2 ROA Alton Place Sec1P1 2.10.22 (22-R-10 : Alton Place HCD development text modification)

APPROVING A MODIFICATION TO THE HILLIARD CONSERVATION DISTRICT (HCD) TEXT FOR THE 343.426Ñ ACRES KNOWN AS THE ALTON PLACE DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF ROBERTS ROAD AND ALTON DARBY ROAD TO AMEND THE ARCHITECTURAL AND FENCE REQUIREMENTS.

WHEREAS, City Council approved a Hilliard Conservation District ("HCD") consisting of 343.426± acres of land for the Alton Place Development by passage of Ordinance No. 19-26, effective August 8, 2020; and

WHEREAS, on May 28, 2020, at its regularly scheduled and advertised meeting, the Planning and Zoning Commission approved a HCD development plan consisting of 167 single-family lots, 280 attached residential units, 53 acres of commercial uses and 177.01 acres of open space on 343.426± acres; and

WHEREAS, Alton Place LLC and American Structurepoint (the "Applicant") submitted application number PZ-22-2 to the City's Planning and Zoning Commission to modify the Alton Place HCD Development Plan text concerning architecture, fencing and related provisions; and

WHEREAS, the proposal calls for amending architecture requirements regarding garages, site placement, roof pitches, materials review and fence/buffer restrictions to encourage high-quality homes; 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 approved development plan.

WHEREAS, at its regularly scheduled and advertised meeting on February 10, 2022, the City's Planning and Zoning Commission voted to forward a positive recommendation to City Council that the Alton Place HCD text be revised as proposed; and

WHEREAS, a copy of the amended portions of the Development Text for the Alton Place HCD is attached hereto as Exhibit "A" and incorporated herein by reference ("Alton Place HCD Development Plan and Text").

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

SECTION 1. The Alton Place HCD Development Text is amended to modify architecture, fence and related requirements 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 Alton Place HCD Development Plan and Text.

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-10						
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Held Over ☐ Withdrawn ☐ Positive Recommendation ☐ No Recommendation ☐ Referred Back To Committee			**Yes/Aye**	**No/Nay**	**Abstain**	**Absent**
	Andy Teater		☐	☐	☐	☐
	Omar Tarazi		☐	☐	☐	☐
	Les Carrier		☐	☐	☐	☐
	Tina Cottone		☐	☐	☐	☐
	Peggy Hale		☐	☐	☐	☐
	Pete Marsh		☐	☐	☐	☐
	Cynthia Vermillion		☐	☐	☐	☐

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-10** passed by the Hilliard City Council on the 28th day of February 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 28th day of February 2022.

_____

Diane C. Werbrich, MMC

ALTON PLACE

Hilliard Conservation District (HCD) Development Text

Property Location: Alton & Darby Creek Road, NW corner of Roberts.

Owners: Homewood Corporation; H & G LLC

Applicant: Dublin-Cosgray LLC

Existing Zoning: RR and R-1

Proposed Zoning: ~~PUD~~HCD

Application Number: _____-2018

Application Date: October 3, 2018

Revision Date: June 2, 2020 (As approved by City Council Ord. 19-26)

January 31, 2022 (City Council Resolution – February 28, 2022)

CONTENTS

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8.0 Subareas SF1A and SF1B and SF2-Single Family Residential

9.0 Subareas R3, R4, and R5 Attached Residential

10.0 Subareas C6 and C7 and C8-Commercial

11.0 Public and Private Open Space

Attachment: Exhibit A Alton Meadows HCD Development Text (22-R-10 : Alton Place HCD development text modification)

1.0 INTRODUCTION

The subject property involves approximately 354.0±acres and is generally located on the west side of Alton Darby Creek Road, and generally north of Roberts Road. The Applicant/Developer is applying to rezone this property from R-R and R-1 to HCD, Hilliard Conservation District, for the entire 354.0 acres to permit the development of a cohesive, residential community with high end estate single family residential together with inter-generational housing types, all integrated together with purposeful walkability to a neighborhood service and retail core component which provides both the development and the broader west Hilliard community a central gathering place, all in compliance with conservation development principles and the Hilliard Comprehensive Plan.

2.0 GENERAL INTENT

2.1 It is the intent of the rezoning to create a unified, high quality, inter-generational residential development designed around the bisecting Hamilton Ditch/wetland preserve area complimented by an integrated, walkable neighborhood service and retail core component which serves as a community activity and gathering place.

2.2 Final Development Plans for all buildings and development (except detached single family houses) within each individual Subarea shall be reviewed and approved by the Hilliard Planning and Zoning Commission in accordance with the requirements of City Code and this Text and Plans as they may be approved by Hilliard City Council.

2.3 The development is divided into four broad use categories: Single Family Residential, Attached Residential, Commercial/Community Gathering Core, and Open Space/Preserve which are as shown on the Land Use/Housing Types Exhibit attached hereto in the Plan Set. Within the four use categories are 9 different Subareas, also shown on the Land Use/Housing Types Exhibit, each with different uses and development standards which are further articulated herein.

2.4. Definitions and Abbreviations. Words in this Text which have common, ordinary meaning should be understood as having the same common and ordinary meaning herein. Words and terms which are separately defined in the Hilliard City Code shall be understood to have the definition contained within the City Code, provided, however, in the event the definition provided herein conflicts with the City Code definition, the definition provided herein shall control.

2.4.1 ADCR. Alton & Darby Creek Road

2.4.2 [Reserved] 2.4.3 Architectural Review Committee. A committee organized and controlled initially by the Developer, established by the deed restrictions for the Development,

Attachment: Exhibit A Alton Meadows HCD Development Text (22-R-10 : Alton Place HCD development text modification)

which shall review and enforce architectural and design standards for construction of buildings within the Development, and other duties established by such restrictions.

2.4.3 Brownstone. An attached residential unit with a zero side yard setback, attached to one or more residences at the side yard, where the primary entrance is one-half story above grade, and the one half story below grade is habitable, conditioned space.

2.4.4 Building height. A building's height is determined by an average between the height of the eave at the gutter/drip line as its low point, with the peak of the gable as its apex. The building height is exclusive of any chimney or other architectural projections which protrude above the top of the gable ridge.

2.4.5 CDA. Community Development Authority created by the City in cooperation with the Developer which collects additional tax millage from improvements within the Development pursuant to the Developer's Agreement between the Developer and the City and expends those funds on improvements within the Development or within the west Hilliard area which benefit the Development.

2.4.6 City. The City of Hilliard, Ohio, an Ohio municipal corporation.

2.4.7 Courtyard Residential. A congregate form of attached residential units of two and three story attached buildings constructed around a central courtyard.

2.4.7 Developer. Dublin-Cosgray LLC, the contract purchaser from property owners Homewood Corporation and H & G LLC.

2.4.8 Development. The proposed development addressed in this Text.

2.4.9 Drive up. Is a form of retail or restaurant use where the customer stays in their automobile and is served by the business through communication via only one window.

2.4.10 Drive-through. Is a form of retail or restaurant use where the customer stays in their automobile and is served by the business through more than one window or a window with a separate or remote speaker system.

2.4.11 ERU. Equivalent Residential Unit. Means equivalent residential unit of sanitary sewer capacity the definition for which is administered by the city of Columbus to mean 400gpd of treatment capacity necessary to service one single family home.

2.4.12 HDPA. Hamilton Ditch Preserve Area. The area which is subject to an easement to the City of Hilliard which bisects the property and is more specifically shown on the Master Plan of the Plan Set. The HDPA is currently encumbered by an easement which enables vehicular, pedestrian and utility crossings of the HDPA. The location of these crossing can be changed

Attachment: Exhibit A Alton Meadows HCD Development Text (22-R-10 : Alton Place HCD development text modification)

subject to the approval of the Ohio Public Works Commission and the City of Hilliard and are addressed in the Development Agreement.

2.4.13 HOA. Home Owners Association.

2.4.14 Mother-in-law suite. A mother-in-law suite is a semi-separate living unit located within a single family residence which contains a separate kitchenette and bath facilities which shall be occupied only by a member(s) of the same family as the occupants of the primary residence within which the suite is located. It shall further be connected to an internal access to the primary residence, shall not be separately identifiable as a separate living unit from the adjacent right-of-way, and shall not have separate utility connections or metering from the residence which contains the suite.

2.4.15 New Roberts Road. That portion of Roberts Road which lies west of ADCR and generally north of Olde Roberts Road as both are identified on the Franklin County Engineer's Map and Street Locator.

2.4.16 Required Minimum Sq.ft. The minimum house size, including conditioned space, and walk-out basements, excluding standard basements, unconditioned breezeways, screened in porches, and garages.

2.4.17 Side Loaded Garage. Garages having the vehicular door facing perpendicular to the home frontage street. Garages on corner lots that load from the secondary street (the street on which the front door of the house is not located) shall be considered side-loaded.

2.4.18 SF. Single Family Home or single family residential unit.

2.4.19 Townhouse. An attached residential unit with a zero side yard setback, attached to one or more residences at the side yard, where the primary entrance is approximately at grade. Townhouse shall also include the term Row house or Rowhouse.

3.0 GENERAL DEVELOPMENT STANDARDS

3.1 General. Unless otherwise specified in the submitted Plans, drawings or in this written Text, the development standards of the Codified Ordinances of the City of Hilliard for R-3 shall apply to the single family residential subareas (Subareas SF1A, SF1B, and SF2), R-4 zoning and development standards shall apply to the attached residential subareas (Subareas R3, R4, and R5), and Chapter 1111 zoning and development standards for B-2 shall apply to the commercial subareas (Subareas C6 and C7). Subarea C8 is a communication tower. Basic development standards are provided regarding the overall density, site issues, traffic, circulation, landscape, and architectural standards. These component standards ensure consistency and quality throughout the Development. In the event a more specific standard is provided within the applicable Subarea Development Standards than these General Development Standards, the more specific standard shall apply.

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3.2. Sanitary Sewer Demand Calculation. There are a maximum total of approximately 167 single family homes proposed for Subareas SF1 and SF2. There are a maximum total of approximately 280 attached residential units proposed for Subareas R3, R4, and R5. In accordance with the historic sanitary sewer formula administered by the City of Columbus Sanitary Sewer Department in cooperation with the City of Hilliard for attached residential units, one attached residential unit is allocated the equivalent of 0.65 single family ERU. Thus, the 280 attached residential units are the calculated accepted sanitary sewer capacity equivalent of 182 single family homes in accordance with this administrative formula. In addition, the Land Use/Housing Types Plan allocates approximately 90 ERU's (based on acreage, use, and anticipated demand) to commercial development within Subarea C6 and C7. There are also 30 attached residential units over first floor commercial provided within Subarea C6, which equals 20 ERU's, for a total sanitary sewer ERU calculated demand of 439 ERU's within the Development. The permitted sanitary ERU allocated to the properties included within the development is 439 ERU's, thus, the development has the flexibility to add ERU units of additional development. Total SF unit count in Subareas SF1 and SF2 may increase or decrease subject to final engineering and in accordance to the allocation of additional ERU's to the Development by City Council, provided however the total ERU's shall not be less than 1.3du/ac within the entire Development.

3.2.1 Utilities. All utility lines internal to the Development shall be placed underground, including water service, electricity, telephone, gas, and their connections or feeder lines. Meters, transformers, etc. may be placed above ground, but reasonable attempts shall be made to discreetly locate and screen such utility fixtures at the rear of lots when possible.

3.3 Open Space. The Hilliard Comprehensive Plan and the Big Darby Accord recommends 50% of the property be designated as open space, or approximately 177.0 acres. The proposed plan complies with this recommendation by providing 177.0± acres (50.0%). The open space and internal conservation areas as shown on the Land Use/Housing Types Plan and Nature Areas/Tree Plan shall be either publicly owned or privately owned by the Homeowners Association, as identified on the Development Plan or in this Text. The HDPA is currently encumbered by a preservation easement to the City of Hilliard. Upon development of Phase I of the project, the Developer shall dedicate this area to the City of Hilliard (or its third party designee as provided in the Developer's Agreement) as publicly owned open space subject to crossings as shown on the Multi-use Path/Pedestrian Walk System plan for the extension of walking paths, and utilities, and roadways as otherwise required to deliver the street and pedestrian systems set forth in the Plans.

3.4 Land Dedication for Recreational Facilities. Hilliard City Code requires the provision of 10 acres of parkland for every 1000 people that the development will create; The 2010 U.S. Census indicates the "average family size" for the City of Hilliard Zoning Code specifies 3.5 persons per residential unit for parkland dedication calculations.

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((439 d.u. x 3.5) / 1000) x 10 = 15.365 acres required parkland dedication

The proposed plan exceeds this requirement by providing 50.95 ± acres of publicly dedicated open space contained within the dedication of the HDPA.

3.4.1 Public and private open space shall be permitted to vary with final engineering provided the total open space does not change by more than +/- 3%.

3.4.2 The Multi-use paths shall be constructed as shown on the Multi-Use Path Pedestrian Walk System Plan, the maintenance of such paths shall be either by the City of Hilliard (if in the right-of-way) or a third party public entity like Metro Parks, the CDA, or HOA as determined and agreed in the Developer's Agreement.

3.4.3 Open space areas are located and identified on the Greenspace Plan, Final acreages contained within individual open space areas are subject to Final Engineering.

3.4.4 Plan Package for the Development includes the following Plans in the Plan Set: Master Plan, Proposed Phasing Plan, Greenspace Plan, Subarea and Unit Plan, Phasing and Unit Plan, Roadway Plan, Typical Sections, Multi Use/Pedestrian Walk System, Land Takedown Splits and Subarea ROW Plan with Data Table.

3.4.5 The Developer shall work with the City and other non-profit stakeholders concerning the ownership, use and condition of the tree stand and open space located at the westernmost portion of the property which is south of Hilliard High School.

3.4.63.4.7 Concurrently with zoning and prior to issuance of a building permit, the Developer/ builder shall enter into a Developer's Agreement with the City as necessary to construct the project and further provide for the disposition and maintenance of the publicly owned portions of the development which shall supersede the provision of this zoning text.

3.4.8 This Text may be amended by HCD modification obtained from the City Planning and Zoning Commission or Council, or in the event of a minor-ministerial amendment, by ministerial approval by the Planning Commission as a part of the Final Development Plan or Preliminary Plat process. Significant changes to this text, which shall be determined in accordance with Hilliard City Code, shall be processed as provided in such section, provided, however, any such amendment shall be limited to the Subarea within which the revision, amendment, or subject of such amendment is located.

3.4.9 All 90-degree parking spaces provided within the Development shall be 9 feet wide by 18 feet in length.

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4.0 HOME OWNERS ASSOCIATION

4.1 Establishment. One or more private Home-Owners Associations (HOA) shall be established in accordance with the laws of the State of Ohio, which shall own and maintain all private open spaces and other community or recreational facilities within residential subareas of the Development. The HOA shall be comprised of all residential units within the development, but may be divided into separate HOA associations containing solely single-family residences and those which contain attached residential development areas.

4.2 Architectural Review. The HOA shall establish recorded deed restrictions and an Architectural Review Committee (ARC) for the purpose of upholding architectural and appearance standards established in this Text and in an accompanying deed restrictions establishing architectural guidelines for all new construction, exterior alterations or additions, or change to architectural appearance (colors or materials), clearing, grading, landscaping, fencing, or site improvements.

5.0 STREETS AND CIRCULATION

5.1 Access to Existing Road Network. The Development shall access the existing road network at the following access points (See Master Plan):

5.1.1 Access to Alton Darby Creek Road The Developer shall construct intersections with ADCR and the Development as shown on the Master Plan and as otherwise provided in the Developer's Agreement.

5.1.2 Access to ADCR north of Roberts Road shall be at three locations, located as shown on the Master Plan

5.1.3 Access to the Subarea C7 from ADCR south of "New" Roberts Road shall be at one point, shown on the Master Plan.

5.1.4.

5.1.5 The northernmost access from the Development to ADCR shall be as shown on the Master Plan.

5.2.1 Access to New Roberts Road. Access to Roberts Road from Subareas C6 and C7 shall be as shown on the Development Plan. Access to New Roberts Road shall be at a four way intersection which shall be either a four way stop or as determined by the City Engineer.

5.2.2. Access to Roberts Road west of HDPA shall be at a neighborhood collector as shown on the Master Plan, provided however, an additional drive way access may be located west of this collector for the purpose of providing access to the open space area north of Roberts Road. The

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design of the neighborhood collector-Roberts Road intersection shall be determined at the time of final engineering.

5.2.3. Access to Old Roberts Road from Subarea C7 west of ADCR shall be at one intersection, the location of which is determined at the time of Final Development Plan for Subarea C7 but shall be approximately equidistant from ADCR and the ADCR intersection with New Roberts Road.

5.3.1 Internal Roads and Connectivity. Access to neighborhood streets west of the HDPA are shown on the Master Plan attached hereto.

5.3.2 Street Specifications. The dimensional specifications for streets are provided on the Roadway Plan and Typical Sections Plan, attached hereto and made a part hereof.

5.3.2.1 All road designs and improvements shall be as illustrated in the street sections included herein It is expected that road alignments may be adjusted as requested by the Developer at the time of Final Development Plan and/or Final Engineering and based on final engineering and site survey data.

5.3.2.2 Raised pavement markers may be installed as directed by the City Engineer.

5.4.1.1 Right of Ways. Road rights of way within the Development shall be conveyed to the City of Hilliard at no cost to the City.

5.4.1.2 ADCR Right-of-way shall be dedicated by the Developer to the City of Hilliard for west side of ADCR. Dedication shall occur when the Final Development Plan or Final Plat, as appropriate, for the adjacent subarea receives final and irrevocable approved by the City of Hilliard.

5.4.1.3 Developer shall construct pedestrian crossing safety features on ADCR to link the development with Alton Darby Creek Elementary School in a configuration and design as approved by the City Engineer, generally as shown on the Master Plan

5.4.1.4 Except where noted herein, all internal streets shall be built by the Developer and publicly dedicated, provided however within Subareas R3, and R4, streets are not required to be publicly dedicated as these subareas are anticipated to be developed as condominium attached residential. In these Subareas, streets and driveways shall be built by the Developer or condominium builder and remain privately owned and maintained by the condominium association.

5.5 Right-of-Way Improvements

5.5.1 Roadway Lighting/Fixtures. Lighting shall be required at intersection and intersection approaches, shall be designed to the standards of NCHRP Report 672, and approved by the City Engineer. One fixture shall be located at each street intersection and other high-priority safety

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locations, such as shared-use path crossing locations. Further lighting of roadways shall not be required but may be provided by the Developer. All light fixtures, posts, bases, arms, and accessories shall be decorative in nature. Light source shall be Light-Emitting Diode (LED) or other best available technology at the time of installation or approval. Fixtures shall be as approved at the time of Final Development Plan for a subarea or as otherwise approved by the City Engineer. Street light fixtures shall be full cut-off. Street light poles, arms, and bases shall be approved by the City Engineer. Constant foot-candle light levels shall not be required, and light locations may be staggered on opposite sides of the road.

5.5.2 Islands may be provided at cul-de-sacs, courts, eyebrows, as determined with final site engineering.

5.5.3 Sidewalks, Multi-Use Paths and Pedestrian Walkway System.

5.5.3.1 5 Sidewalks or 8 foot wide multi-use paths, as appropriate shall be built as shown on the Multi-Use Plan/Pedestrian Walk System Plan contained within the Plan Package.

5.5.3.2 Sidewalks, if constructed, shall be located on the same side of the street as the on-street parking.

5.5.3.3. Multi-Use Paths shall be permitted to meander within the right of way, and shall be located a minimum of 6 feet from the back of curb or edge of pavement, and 1 foot from the right-of-way line, subject to approval by the City Engineer, provided however, the width and location of sidewalks located in Subarea R5 and C6 shall be determined at the time of Final Development Plan to encourage and reflect that these subareas provide a Semi-Urban Street Scape. Sections of Multi-use paths will be located outside of right-of-way lines as indicated on the Development Plan. Multi-use paths may also be constructed of boardwalks in Subareas R5 and C6 where adjacent to the HDPA and within the HDPA, or as required to address sensitive ecological areas.

5.5.3.4 Main utility lines shall not be located directly beneath a meandering sidewalk so as to maintain accessibility. Utility lines shall be placed on a side of the street where a sidewalk is not located, or within the tree lawn between a sidewalk and the curb.

5.5.3.5 A multi-use path shall cross the HCPA in two locations, approximately located as shown on the Multi Use Path/Pedestrian Walk System Plan contained within the Plan Package. These multi-use paths shall be field located in accordance with the advice and consent of the City staff to minimize ecological damage during construction.

5.5.3.6 Curbs and sidewalks may be omitted at the Developer's discretion, to be determined with the Final Development Plan and with approval by the City Engineer.

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5.5.3.7 Alleys in Subareas R5 and C6, which are identified on the Master Plan of the Plan Set, shall be privately owned by either the adjacent residential development or an HOA which contains the development who shall be responsible for their maintenance and repair.

5.5.4 In the event of a conflict between this section and the Developer's Agreement, the Developer's Agreement shall control.

6.0 LANDSCAPE, BUFFERING AND MOUNDING

6.1. Tree Protection and Replacement

6.1.1. Developer shall make reasonable good faith efforts to preserve existing healthy trees on site during construction.

6.1.2 A tree survey will be completed in areas where necessary at the time of the Final Development Plan or Preliminary Plat for single family subareas and shall meet the requirements of the City Code.

6.1.3 Tree replacement shall meet City code requirements. Replacement quantities and locations shall be determined at time of Final Development Plan approval.

6.2 Exterior landscaping hardscapes. Exterior landscaping hardscapes: patios, brick paver areas, decks, or similar non-conditioned ground level improvements, shall be permitted within all Subareas with a 0' setback from any adjacent lot line, provided, however, non-conditioned vertical improvements which typically accompany such landscaping hardscapes: outdoor fireplaces, chimneys, grills, fire pits, outdoor kitchens, or similar shall be located in a side or rear yard and have a minimum setback of 15' from any adjacent lot line or as otherwise approved on the Plat or approved Final Development Plan.

6.3 Street Trees

6.3.1 Street Trees shall only be required along single-family lot frontage and on one side of the street in attached residential subareas. Street trees shall not be required, but may be permitted at the Developer's discretion, along lengths of streets adjoining open spaces and/or natural areas. Street trees may be informally located, grouped and placed within an adjoining open space. A street tree plan shall be provided for each Subarea as a part of a Final Development Plan or Plat submittal which delineates street species and location within the subarea.

6.3.2 Street trees along all streets shall be permitted to vary in species from one another. Native species will be used.

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6.3.3. Street trees along roads shall be permitted, with City Engineer approval, to be planted with variable spacing within the right-of-way and, on either side of the sidewalk, if provided, so as to allow clustering and an informal arrangement. Tree quantities shall be determined with 1 tree required per 50 lineal feet of eligible street frontage.

6.3.4 At time of installation, all street trees shall have a clear canopy height of at least five feet above the ground for traffic safety purposes.

6.3.5 Within the right-of-way of local streets and within any provided sidewalk and landscape easement the Developer may install massings of ornamental shrubs, grasses, or perennials, provided that they do not obstruct sight-distance at intersections, encroach upon pedestrian facilities, or obstruct pedestrian visibility, and subject to approval by the City Engineer.

6.4 Screening and Mounding.

6.4.1. Mounding shall range in height from 3 feet to 8 feet. Mounding shall be provided for each Subarea as a part of a Final Development Plan or Plat submittal which delineates mound height, grade and location within the subarea.

6.4.2 Slopes for mounding may vary with the typical maximum slope of 4:1

6.4.3 Surface of any mound shall be planted in turf grass at a minimum. The screen mounding may be planted with deciduous shade trees, understory/ ornamental trees, and/ or evergreen trees, shrubs and native or ornamental grasses. Shrubs shall consist of a mix of deciduous and evergreen materials.

6.4.4 Mounding shall be varied in height and slope and shall have a rolling, natural appearance.

6.4.5 Mounding shall generally be located outside the public right-of-way and shall not obstruct site distance at any driveways or public intersections, provided, however, mounding may be located in the right-of-way as approved in the Final Development Plan for such area.

6.4.6 Existing quantities of trees 2 inches in caliper and larger in good condition may be credited toward any screening requirements with staff approval.

6.5 Landscape Materials

6.5.1 Quality: All plant materials used in conformance with the provisions of this text shall conform to the standards of the ANSI Z.60 and shall have passed any inspection required under

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state regulations.

6.5.2 Invasive plant species as listed by the ODNR shall be prohibited from being planted within this P.U.D. The use of native plants is encouraged.

6.5.3 Plant material shall be installed with a minimum size requirement at installation as follows:

6.5.4 Deciduous trees: 2 ½ inch caliper

6.5.5 Evergreen trees: 6 feet height

6.5.6 Ornamental trees: 1 ½ inch caliper (single-stem) or 6 feet height (multi-stem)

6.5.7 Evergreen and deciduous shrubs used for purpose of screening: 24 inch height and spread

6.5.8 All other evergreen and deciduous shrubs: 2 gallon container

6.5.9 A landscape plan shall be provided at each round-about in accordance with provisions of NCHRP Report 672 and shall be approved by the City Engineer.

7. 0 GRAPHICS AND SIGNAGE

7.1 All graphics and signage shall conform to Chapter 1129 of the City's Codified Ordinances , unless approved otherwise by Planning and Zoning Commission at the time of Final Development Plan.

7.2 A final signage package shall be submitted for review and approval by the Planning and Zoning Commission at the time of Final Development Plan submission for each subarea.

7.3 Design and materials for street-name signs and roadway regulatory signs shall be consistent with street name signs for other residential development west of ADCR, subject to approval by the City Engineer.

7.4 All signage shall be contained within a Master Sign Package submitted, which may be submitted on a per Subarea basis, to address all signage within the Development.

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8.0 SUBAREAS SF1A and SF1 B AND SF2-SINGLE FAMILY RESIDENTIAL

8.1 Introduction.

8.1.1 The single-family development subareas of the PUD are generally, located west of the HDPA.. The single-family areas in the Development are generally adjacent to open spaces, ponds, lakes, tree stands, the HDPA, or ground water recharge areas and have been designed to advantage each lot with such natural features and amenities.

8.1.2 The Single Family development Subareas are identified as Subareas SF1A, SF1B, and SF2 of the Subarea/Unit Plan,

8.2 Permitted Uses in Subarea SF1 and SF2

8.2.3 Single-family residential

8.2.4 Public and private open spaces

8.2.4 Storm water management facilities.

8.2.5 Accessory uses in accordance with Hilliard City Code.

8.2.6 Attached mother-in-law suites.

8.2.7 Home occupations in accordance with Hilliard City Code.

8.2.8 Short term rentals of residential units in these Subareas less than 7 days shall be prohibited, and all short term rentals are limited to not more than 30 days in one calendar year. This provision shall be included in the deed restrictions for the Development and enforced by the HOA.

8.3 Private Open Spaces

8.3.1 Privately owned and maintained open space including ponds, lakes, ground water recharge areas, and streams shall be provided within the Single-Family Subareas, generally located as shown on the Master Plan and Green Space Plan of the Plan Set.

8.3.2 A 10 foot wide easement shall be provided in Subarea SF1A and R-4 for the routing of the multi-use path on the west side of the HDPA boundary as shown in the Multi-Use

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Path/Pedestrian Walk System of the Plan Set and the Master Plan, which shall be publicly owned and maintained. This multi-use path shall be located in a reserve which shall be between the privately owned lot and the HDPA.

8.3.3 Entry features, including fencing, walls, signage, columns, fountains, and related landscaping and lighting shall be permitted within the private open space as approved by the Planning and Zoning Commission.

8.3.4 The areas identified as ponds, lakes, (and ground water recharge areas on the final plat or any final development plan) or streams on the Master Plan, of the Plan Set, shall be privately owned by the HOA of the adjacent residential subarea, provided however, such ponds, lakes or recharge areas shall be encumbered by an easement for public use, which shall include non-commercial kayaking, canoeing, rowing, fishing, swimming and boating within such waterways and recharge areas.

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

8.4.1 Subject to other provisions of this Text, there shall be a maximum of 167 total single family residences and lots in the Single Family Subareas: Subarea SF1A, SF1B, and Subarea SF2.

8.4.2 Typical Minimum* Lot Setback Standards:

~~Min.~~ Lot Width	Min. Front Setback	Min. Side Yard	Min. Building Separation	Min. Rear Yard
70 feet Minimum	24 feet	6 feet	14 feet	20 feet
~~80~~ 71-88 feet	24 feet	6 feet		20 feet
~~90 feet~~	~~24 feet~~	~~8 feet~~		~~20 feet~~
>~~90~~88 feet	24 feet	8 feet		20 feet

* the above chart establish Minimums, setbacks can be varied above these minimum requirements.

8.4.3 Typical Lot Width Standards*

Subarea	Lot widths permitted	Required minimum (sq.ft.)
Sub SF1A	80ft.~~ft.~~	1,800

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Sub SF1B	80ft.ft.	1,800
~~Sub~~ SF2	~~11~~088 ft. ft.	2,100

* the above chart establishes minimum lot widths for standard lots. Lot widths for corner lots shall be increased by 10' for each Subarea from the minimum standard set forth above.

8.4.4 Subarea Lot Count:

See Table on Subarea and Unit Plan

8.4.5 Lot width shall be measured at the front setback line.

8.4.6 The maximum building height shall be 38 feet to midpoint of gable, however, on walk-out basement lots, the maximum building height shall be measured from the floor plate of the front elevation.

8.4.7 The minimum front yard setback shall be measured from the right-of-way line. Corner lots shall apply a front yard setback against all adjoining street rights-of-way. Corner lots shall be increased a minimum of 10 feet in width as noted on the chart at 8.4.3.

8.4.8 Minimum lot depth shall be shown as part of the final development plan or plat for the subarea.

8.4.9 Above-ground swimming pools shall be prohibited. In-ground swimming pools and detached hot tubs shall be permitted with approval of the ARC, and shall meet all City code requirements.

8.5. Parking in Single Family Subareas

8.5.1 There shall be a minimum of four off-street parking spaces per unit, including 2 garages and 2 driveway stack spaces. All houses shall have a minimum two-car garage.

8.5.2 Garages may be front-load or side-load. On front entry garages, no more than three bays may face the street, with at least one of the doors setback not less than 2 feet from the other two. In Subarea SF2, garages which contain not more than 2 standard garage spaces may be detached, provided however, any detached garage shall meet all building setback lines as the principal building.

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8.5.3 Decorative garage doors (i.e. decorative hinges, windows, architectural trims, etc.) shall be in accordance with compliance with the applicable deed restrictions as evidenced by ARC approval and shall further be consistent with the architecture of the primary residence.

8.5.4 In Subarea SF2, garages shall be side-loaded. ~~or shall be setback not less than 2 feet from the face of the house. The "face of the house" shall mean the forward-most building element, which generally contains the primary house entrance, including bump-outs, overhangs, and porches.~~

8.5.5 Garages on homes in Subarea SF1A and SF1B shall not extend beyond the face of the house. The "face of the house" shall mean the forward-most building element, which generally contains the primary house entrance, including bump-outs, overhangs, and porches.

8.5.6 Driveways shall be a maximum of 16' in width at the right-of-way line, shall be setback a minimum of 1 foot from all side property lines, and shall not direct runoff onto adjoining properties.

8.6 Architectural Standards

8.6.1 Architecture in Subareas SF1 and SF2 shall conform to the following minimum requirements. In order to obtain a building permit in Subareas SF1 or SF2, an application therefore shall first obtain an approval from the ARC in accordance with its procedures and requirements. No building permit shall be issued by the City without satisfactory evidence of ARC approval of such improvement.

8.6.2 Color Palette: Exterior siding wall colors shall be based on traditional or historic color palettes, and/or to those color palettes found in nature. A variety of color will be encouraged. Accent colors in brighter hues are generally encouraged and only permitted for building accent features such as awnings, doors, window frames, limited trim, etc. A mixed palette on a single building should be carefully selected so that all colors are harmonious with each other. All colors shall be approved by the ARC.

8.6.3 Materials.

8.6.3.1 Exterior Cladding: Permitted materials shall include the following:

8.6.3.2 Brick Veneer
8.6.3.3 Stone/Cultured Stone or stone veneer
8.6.3.4 Ohio Limestone stucco stone or comparable

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8.6.3.5 Wood board and batten siding, composite board and batten siding and cedar shake siding (painted or stained). Limited horizontal siding may be permitted as accents on front elevations, subject to the discretion of the Architectural Review Committee. Horizontal siding is permitted on side and rear elevations only.
8.6.3.6 Stucco – per industry standards – light to medium textures
8.6.3.7 Vinyl siding vertical board-and-batten, with a gauge of .044 minimum thickness shall be permitted on homes in Subarea SF1.

8.6.5 Roofs

8.6.5.1 Permitted materials shall be cedar shakes, tile, slate, synthetic slate, standing seam metal or, dimensional look asphalt or fiberglass shingles and solar panel materials which mimic standard roofing materials.

8.6.5.2 Roof pitches for SF houses in Subareas SF1A, SF1B, and SF2 shall be not less than 10/12 rise over run for ~~the primary roof plane~~ for any gables facing primary frontage street, provided however, the slope of roofs over pediments and other architectural roof projections may be flat or reduced below this standard to meet architectural appropriateness. All other roof pitches shall be 6/12 rise over run or greater.

8.6.6 Chimneys

8.6.6.1 No exposed metal flues or caps, cantilevered chimneys or wood framed chimney shall be permitted.

8.6.6.2 Gas direct-vent fireplace projections without full chimneys shall be permitted.

8.6.6.3 Full chimneys shall be either full masonry, or full stone/ cultured stone or brick veneer.

8.7 Landscaping

8.7.1 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 tree lawns, preservation zones, entry features or other community amenities, landscaping shall be maintained to meet the minimum standards specified in Hilliard City Code.

8.7.2 Within individual lots, existing trees shall be preserved whenever possible. The subarea layout shall generally maximize the use and preservation of existing tree rows.

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8.7.3 Minimum Single-Family Landscaping: All homes be provided with and shall maintain landscaping in accordance with the Hilliard City Code. Additionally, each lot shall be provided with a minimum of two (2) 2 1/2" caliper deciduous trees in the rear yard.

8.7.4 All fencing must meet Hilliard Fence Code Chapter 1721, unless noted otherwise herein. There shall be no chain link fences installed on any lot. Fence types and heights shall be submitted and approved at the time of Final Development Plan or Plat.

8.7.4.1 All fences and enclosures are subject to approval by the ARC. No privacy fencing shall be permitted adjacent to HDPA, lakes, ponds, water recharge areas, streams or rights-of-way.

8.7.4.2. ~~[Reserved]~~ No fence shall be located within 10' of any multi-use path. No landscaping or other constructions shall be located within 10' of any multi-use path.

8.8 Lighting

8.8.1 See General Development Standards for street lighting requirements.

8.8.2 Landscape lighting from a concealed source and "cut-off" fixtures shall be required.

8.8.3 All lights shall be arranged to direct light away from any exterior street or adjacent property.

8.9 Model Homes

8.9.1 Individual homes may be used as model homes for the purpose of marketing and sales.

8.9.2 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.

8.9.3 Construction trailers may be used during construction in accordance with Hilliard City Code.

9.0 SUBAREAS R3, R4, AND R5 ATTACHED RESIDENTIAL

9.1 Introduction. The attached residential development areas of the HCD are shown on the Subarea and Unit Plan and the Master Plan of the Plan Set. Subareas R3, R4 and R5 are adjacent to ponds, lakes, groundwater recharge areas, streams or the HDPA to provide vistas and adjacent recreational amenities and pedestrian opportunities, easy walking access to the

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commercial/community gathering areas and in the case of Subareas R5, a Semi-Urban Street Scape.

9.1.2 The attached residential development Subareas are identified as Subarea R3, R4 and R5 of the Subarea and Unit Plan of the Plan Set.

9.2 Permitted Uses: Attached Residential Units as further set forth herein.

9.2.1 Subarea R3 Two- and one-half story or three-story Lakefront Brownstones. Each unit shall be located on its own lot with a zero side yard.

9.2.2 Subarea R4. Patio Home Condominiums or similar congregated ownership form.

9.2.3 Subarea R5. Attached Residential including: Townhomes, Brownstones, Condominiums, Courtyard, accessory dwelling units, attached and detached Single-family Residential.

9.2.4 Public and Private Open Space

9.2.5 Accessory Recreational Amenities in all Subareas

9.2.5.1 Swimming pool and patio

9.2.5.2 Exercise facility, yoga/aerobics studio

9.2.5.3 Community building, gathering room, workshop

9.2.5.4 Outdoor kitchen, patio, community fireplace, gazebo

9.2.5.5 Outdoor recreation, walking paths

9.2.6 Accessory support facilities

9.2.6.1 Maintenance building, shop

9.2.6.2 Garages, mailbox structures

9.2.6.3 Trash enclosures

9.2.7 Attached Mother-in-law suites

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9.2.8 Home Occupations

9.2.9 Short Term Rentals. Short term rentals of residential units in these Subareas less than 7 days shall be prohibited, and all short term rentals are limited to not more than 30 days in one calendar year. This provision shall be included in the deed restrictions for the Development and enforced by the HOA.

9.3 Development Standards

9.3.1 Development standards for Subarea R3

9.3.1.1 Minimum lot depth 75feet.

9.3.1.2 Minimum dwelling unit square footage: 1,000sq.ft.

9.3.1.3 Minimum lot width 22 feet.

9.3.1.4 Minimum garage spaces / unit: 1

9.3.1.5 Trash receptacle: stored within individual garage for public pick-up or in community container for private removal

9.3.1.6 Setbacks

9.3.1.6.1 Minimum front yard: 5 feet

9.3.1.6.2 Minimum side yard: 0 feet

9.3.1.6.3 Minimum rear yard: 5 feet

9.3.1.7 Bedroom count

9.3.1.7.1 Minimum 2 bedroom/unit

9.3.1.7.2 Maximum 4 bedroom/unit

9.3.1.7 Building Height – maximum building height is 48feet

9.3.1.8 Total unit count in Subarea: The unit count in Subarea R3 shall not exceed the number of dwelling units shown on the Phasing and Unit Plan or as otherwise approved by Council.

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9.3.1.9 Parking

9.3.1.9.1 Each dwelling unit shall have not less than 2 parking spaces per unit

9.3.1.9.2 [Reserved]

9.3.2 Development Standards for Subarea R4

9.3.2.1 Minimum lot size: N/A condominium, (lot size is the entire Subarea R4)

9.3.2.2 Minimum dwelling unit sq. ft.: 1,500 sq.ft.

9.3.2.3 Minimum lot width: N/A condominium, lot width is shown on the Master Plan, subject to final engineering.

9.3.2.4 Minimum garage spaces/unit 1.5 (based on average within the project)

9.3.2.5 Trash receptacles stored within individual garages for pick-up or in community containers for private removal.

9.3.2.6 Minimum building setbacks for entire development within Subarea:

9.3.2.6.1 [Reserved]

9.3.2.6.2 [Reserved]'

9.3.2.6.3 From the HDPA 20 feet

9.3.2.6.4 From the south property line 20 feet

9.3.2.7 Bedroom Count

9.3.2.7.1 Minimum 2 bedrooms/unit

9.3.2.7.2 Maximum 3 bedrooms/unit

9.3.2.8 Building Height. Maximum building height is 35 feet as defined in this Text

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9.3.2.9 The unit count in the Subarea shall not exceed the number of dwelling units shown on the Phasing and Unit Plan or as otherwise approved by Council.

9.3.2.10 Parking. Each dwelling unit shall have not less than 1 or 2 garage spaces per unit.

9.3.3 Development Standards for Subarea R5

9.3.3.1 Minimum lot size

9.3.3.1.1 Townhouse: n/a

9.3.3.1.2 Brownstone: n/a

9.3.3.1.3 Courtyard: 1 acre or as otherwise determined at the time of Final Development Plan.

9.3.3.1.4 Single-family: n/a

9.3.3.2 Minimum dwelling unit sq. ft.

9.3.3.2.1 Townhouse: 1,200 sq.ft.

9.3.3.2.2 Brownstone: 1,500 sq.ft.

9.3.3.2.3 Courtyard: 1BR: 800 sq. ft. 2 BR: 1,000 sq. ft.

9.3.3.2.4 Single-family: 1,500 sq. ft.

9.3.3.3 Minimum lot width

9.3.3.3.1 Townhouse: 22 feet

9.3.3.3.2 Brownstone 24 feet

9.3.3.3.3 Courtyard: 60 feet

9.3.3.3.4 Single-family 40 feet

9.3.3.4 Minimum Garage Spaces/unit

9.3.3.4.1 Townhouses: One

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9.3.3.4.2 Brownstone: 2

9.3.3.4.3 Courtyard: 0

9.3.3.4.4 Single-family: 2

9.3.3.5 Trash Receptacles:

9.3.3.5.1 Townhouse: individual

9.3.3.5.2 Brownstone: individual

9.3.3.5.3 Courtyard: community container

9.3.3.5.4 Single-family: individual

9.3.3.5 Building Setbacks

9.3.3.5.1 Townhouse

9.3.3.5.1 (a) Sideyard: 0
(b) Frontyard: 5 feet
(c) Rearyard: 5 feet

9.3.3.5.2 Brownstone

9.3.3.5.2 (a) Sideyard: 0
(b) Frontyard: 5 feet
(c) Rearyard: 5 feet

9.3.3.5.3 Courtyard

9.3.3.5.3 (a) Sideyard: 12 feet
(b) Frontyard: 5 feet
(c) Rearyard: 20 feet
(d) from HDPA: 20 feet

9.3.3.6 Bedroom Count

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9.3.3.6.1 Townhouse: Minimum of 2
9.3.3.6.2 Brownstone: Minimum of 2
9.3.3.6.3 Courtyard: Minimum of 1
9.3.3.6.4 Single-family: Minimum of 2

9.3.3.7 Building Height

9.3.3.7.1 Townhouse: 35 feet
9.3.3.7.2 Brownstone: 48 feet
9.3.3.7.3 Courtyard : 60 feet
9.3.3.7.4 Single-family: 35 feet

9.3.3.8 Total Unit Count (maximum)*

9.3.3.8.1 Townhouses: See Phasing and Unit Plan of the Plan Set
9.3.3.8.2 Brownstone: See Phasing and Unit Plan of the Plan Set
9.3.3.8.3 Courtyard: See Phasing and Unit Plan of the Plan Set
9.3.3.8.4 Single-family: See Phasing and Unit Plan of the Plan Set

9.3.3.8* The current Master Plan shows the above delineated unit counts for each unit type. This maximum unit count is based upon current sanitary sewer ERU allocations determined by contract between the City and the City of Columbus. In the event the Developer is allocated or obtains the right to add additional sanitary sewer ERU's to this development, the maximum unit counts set forth above may be increased or decreased as set forth in the Developer's Agreement.

9.3.3.9 Off Street Parking (including spaces in the garage)

9.3.3.9.1 Townhouse: 2/unit
9.3.3.9.2 Brownstone: 2/unit
9.3.3.9.3 Courtyard : 1.5/unit
9.3.3.9.4 Single-family: 2/unit

9.4 Architectural Standards

9.4.1 Color Palette: Earth tones, muted and natural tones are required. Trim colors may include white or black or similar. Accent colors in brighter hues are permitted and encouraged for building accent features only such as awnings, doors, window frames, limited trim, etc. A mixed palette on a single building should be carefully selected so that all colors are harmonious with

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each other.

9.4.2 Materials:

9.4.2.1 Warm-tone brick, stone veneer or Ohio Limestone stucco stone (equal or better than Stone Products Corporation, type: Ohio Limestone).
9.4.2.2 Exterior Cladding: shall be within the color palette described and be comprised of traditional materials commonly found on similar building types. These materials shall include the following:

9.4.2.2.1 Brick Veneer
9.4.2.2.2 Stone/Cultured Stone or stone veneer
9.4.2.2.3 Wood board and batten, composite board and batten siding and cedar shake siding (painted or stained) Limited horizontal siding may be permitted as accents.
9.4.2.2.4 Vinyl siding vertical board-and-batten – minimum of .044" nominal thickness
9.4.2.2.5 Vinyl shake siding – minimum of .044" nominal
9.4.2.2.6 Stucco – per industry standards – light to medium textures

9.4.2.3 Roof materials: cedar shakes, tile, slate, synthetic slate, standing seam metal or dimensional asphaltic or fiberglass shingles. Shingles shall be medium weight dimensional or dimensional-look shingles.

9.4.2.4 Wall Articulation/Fenestration

9.4.2.4.1 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).

9.4.2.4.2 In addition to using building elements to articulate building mass, individual walls must be articulated with fenestration and pattern on each exterior elevation.

9.4.2.4.3 The amount of fenestration should be balanced with the amount of solid facade.

9.4.2.4.4 Roof decks, roof top patios or terraces shall be permitted for all uses within Subarea R5.

9.4.2.4.5 Garage setbacks: garage doors shall be set back not less than 4' from the plane of the primary façade of the house.

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9.4.2.4.6 In the event a garage is located on the side of a residence on a corner lot, the garage setback shall be the same as the side yard setback for the house.

9.4.2.4.7 Any garage door which is screened from an adjacent street by a wall, fence, or other architectural projection or is entered via a private court or courtyard shall not be required to meet the provisions set forth in 9.4.2.4.5 and .6 above.

9.4.3 In order to obtain a building permit in Subareas R3, R4 or R5, an application therefore shall first obtain an approval from the ARC in accordance with its procedures and requirements. No building permit shall be issued by the City without satisfactory evidence of ARC approval of such improvement.

9.5 Landscape Buffering and Screening

9.5.1 Landscaping Requirements

9.5.1.1 Any portion of a lot upon which a building or parking area is not constructed shall be landscaped with lawn or other decorative ground cover as 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 City Code.

9.5.1.2 Screening

9.5.1.2.1 All mechanical, service, and utility equipment, including air conditioner condensers, utility meters, trash enclosures and compactors, transformers, whether on the ground, on building walls, or on roofs, shall be screened per city code.

9.5.1.2.2 All fencing must meet Hilliard Fence Code Chapter 1139, unless noted otherwise herein.

9.5.1.2.3 Surface parking screening shall be per City Code with any combination of plant materials and mounding, except that required screen height shall be a minimum 3 feet. If provided, screens shall include breaks for pedestrian connections.

9.5.2 Waste and Refuse:

9.5.2.1 All common 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 main buildings' materials and at least as tall as the height of the container. The fourth side shall contain a 100 % opacity wood or painted metal gate, which shall also be at least as tall as the

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height of the container.

9.5.2.2 Except for on trash pickup day prior to pick-up, gates must be kept in a permanently closed position. The enclosure must be sized to ensure that no open trash needs to be stored outside the enclosure between scheduled pickups.

9.5.2.3 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 within the screening materials 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.

9.5.3 Planting Requirements:

9.5.3.1 Parking areas shall be landscaped per City Code. Trees shall be at least 2.0 inches in caliper at the time of installation. All trees within parking areas or along streets shall have a minimum clear canopy height of 5 feet.

9.5.3.2 Trees per square foot of building coverage shall be installed per City 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.

9.6 Lighting

9.6.1 Site Lighting

9.6.1.1 Interior private street and parking area lighting shall not exceed 15 feet in height. All light fixtures, posts, bases, arms, and accessories shall be decorative in nature. Light source shall be Light-Emitting Diode (LED) or other best economically available technology.

9.6.1.2 All lighting shall be full cut-off type fixtures.

9.6.1.3 All types of parking, pedestrian and other lighting shall be on poles or mounted on individual units, and shall be of the same type and style.

9.6.1.4 Landscape and building up-lighting from a concealed source shall be permitted.

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9.6.1.5 All lights shall be arranged to direct light away from any exterior street or adjacent property.

9.7 Graphics and Signage

9.7.1 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

9.7.2 A final signage package shall be submitted for review and approval by the Planning Commission at the time of final development plan submission.

10.0 SUBAREAS C6, C7 AND C8-COMMERCIAL

10.1 Permitted Uses:

10.1.1 Permitted Uses in Subarea C6.

10.1.1.1Commercial schools & studios (including art, dance, martial arts, yoga and music)

10.1.1.2 Elementary School

10.1.1.3Training centers (including corporate, engineering & sales)

10.1.1.4 Restaurants, bars, taverns serving alcoholic beverages

10.1.1.5 Hotels & motels

10.1.1.6 Microbrewery, distillery, wine bar

10.1.1.7 Restaurants, without drive-thru facilities

10.1.1.8 Wharf uses: recreation, boat, kayak, stand up paddleboard, paddleboat, fishing retail or rental,

10.1.1.9 Medical & dental offices/clinics

10.1.1.10 Banks, credit unions and similar financial institutions, including drive thru facilities and automated teller kiosks

10.1.1.11 Corporate offices

10.1.1.12 Offices for executive, administrative, professional, real estate, accounting and similar professional activities

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10.1.1.13 Day care, nursery schools and child care establishments

10.1.1.14 Dry cleaners and laundromats

10.1.1.15 Health and fitness facilities

10.1.1.16 Personal services establishments such as but not limited to pet grooming and training, barber and beauty shops, tailors, photo studios, nail salons and spas (tattoo parlors prohibited)

10.1.1.17 Pet day care, grooming and accessary services, not including overnight boarding

10.1.1.18 Veterinary clinics

10.1.1.19 Government offices, building & facilities (but no service)

10.1.1.20 Libraries

10.1.1.21 Places of Public Worship

10.1.1.22 Art galleries, museums and similar cultural facilities

10.1.1.23 Assembly and performance halls, wedding reception venue

10.1.1.24 Community centers

10.1.1.25 Indoor commercial recreation such as movie theatres, bowling lanes and skating rinks (gun ranges prohibited)

10.1.1.26 Outdoor commercial recreation such as mini-golf, volley ball, batting cages, and similar court sport uses

10.1.1.27 Continuing care retirement community, congregate care, developmental disability residential, rehab clinic, transitional residential housing, dormitory housing as accessory to an educational institution located within the subarea.

10.1.1.28 Dwelling multiple family

10.1.1.29 Dwelling units on the upper floors of buildings with non-residential uses at street level

10.1.1.30 General retail businesses, less than 15,000 square feet usable floor area (UFA)

10.1.1.31 Grocery retail businesses, 35,000 square feet UFA or more

10.1.1.32 Radio, television and recording studios

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10.1.1.33Vehicle service stations

10.1.1.34 Cafeteria facilities located within a principal use

10.1.1.35 Drive-in or drive-thru facilities for pharmacies, dry cleaners or other businesses not specifically noted elsewhere

10.1.1.36 Laboratories, Scientific research facilities, incubator or start up space

10.1.1.37 Printing, photocopy and publishing services

10.1.1.38 Mail order business and fulfillment,

10.1.39 Parcel drop box, post office, (Fed X, UPS, Amazon)

10.1.1.40 Bicycle, scooter, electric vehicle sales, service, rental and storage

10.1.2 Prohibited Uses.

10.1.2.1 Tattoo Parlor

10.1.2.2 Pet Store

10.1.2.3 Adult entertainment

10.1.2.4 Gun Store,

10.1.2.5 Gun range, shooting range

10.2 Permitted Uses in Subarea C7

10.2.1 All uses listed as Permitted uses in Subarea C6 above, (line items 10.1.1.1 to 10.1.1.40)

10.2.2 Restaurant, coffee shop or other food service with drive-up or drive-through service

10.2.3 Bank, financial institution, credit union with drive-up or drive-through service

10.2.4 Automobile service station, gas station, accessory convenience store (only one permitted in Subarea C7).

10.2.5 Pharmacy with or without drive-up or drive-through.

10.2.6 Other commercial uses which do not require sanitary sewer services;

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10.2.7 Electric automobile charging stations

10.2.8 Temporary valet parking for other uses within Subarea C6 or C7

10.2.9 Bicycle storage

10.2.9 [Reserved]

10.3 Prohibited Uses in Subarea C7

10.3.1 Tattoo Parlor

10.3.2 Pet Store

10.3.3 Adult entertainment

10.3.4 Gun Store

10.3.5 Gun range, shooting range

10.4 Permitted Uses in Subarea C8

10.4.1 public utilities, private utilities, transmission tower and accessory uses for such utilities, and open space.

10.5.1 Development Standards for Drive-up or Drive-through uses.

10.5.1.1 Lanes required for vehicle access to and waiting for use of a Drive-through or Drive-up shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility at any one time, based on a traffic analysis, and to minimize impacts on the use of other required parking or drives or on the use of abutting streets and hazards to pedestrians.

10.5.1.2 Drive-up or Drive-throughs which utilize microphones or other audible signals shall be designed to minimize sound impacts upon abutting uses. Drive-up and drive-through microphones shall not be audible beyond the property line.

10.5.1.3 The Development Plan of the use which proposes a drive-through or drive-up shall be designed to reduce the impacts of lighting, litter, noise and exhaust resulting from the drive-up or drive-through.

10.5.1.4 Drive-up and drive-throughs shall be located to minimize conflict with pedestrian and vehicular movements.

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10.5.1.5 Drive-up and drive-through windows and canopies shall be located on the side of buildings away from Roberts Road and shall not be visible from Roberts Road.

10.5.2. Development Standards for automotive service stations:

10.5.2.1 At the south west corner of ADCR and Roberts Road, the main building shall front New Roberts Road and there shall be no pavement between any portion of any building and New Roberts Road. Any pumps shall be located south of the main building.

10.5.2.2 No part of the canopy covering gas pumps shall exceed the width or height of the main building.

10.5.2.3 Vehicle sales, rental or leasing shall not be permitted on site.

10.5.2.4 There shall be not more than one car wash facility, provided however, intermittent use of the property for car washes for charitable causes shall be permitted.

10.5.2.5 No permanent or temporary outdoor storage, display or sale of goods, product, or stock shall be permitted unless specifically set forth on the approved Final Development Plan.

10.5.2.6 Air compressor pumps (e.g. for tire inflation) and other outdoor equipment shall be identified on the Final Development Plan and shall be located and screened from view of the public right-of-way and in a manner which minimizes noise impacts to the surrounding properties. Screening may include landscaping, fencing or walls.

10.5.2.7 Architecture for any automobile service or gas station located within Subarea 7 shall comply with the architectural forms, façade materials, and generally qualitative appearance of the architectural renderings and photographs provided with this Text.

10.5.2.8 Access to the automobile service station shall be via the full-service curb cut from the Subarea to New Roberts Road and via an access point to ADCR located at the south east corner of the automobile service station property. Design of these access points shall be as approved in the Final Development Plan.

10.6 Development Standards for Subarea C6 and C7

10.6.1 Building Height. The maximum building height in Subarea C6 and C7 shall be 48 feet as defined in this Text, provided, however an architectural featured/branded building element may be constructed in Subarea C6, just south of Subarea R5, and east of the HDPA which may exceed 48 feet but shall not exceed 60 feet in height. This provision applies to architectural elements and is not applicable to signs.

10.6.2 Building Setbacks.

10.6.2.1 Minimum front yard setback from public right-of-way: 0 feet

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10.6.2.2 Minimum side yard setback 0 feet

10.6.2.3 Minimum rear yard setback 0 feet, provided, however, in the event the use requires a loading dock, the minimum rear yard setback may be increased to allow such dock. No loading dock shall face ADCR unless specifically permitted at the time of Final Development Plan.

10.6.2.4 Minimum setback from private alley: 5 feet

10.6.2.5 Minimum setback from the HDPA: 5 feet

10.6.2.6 For structures adjacent to New Roberts Road in both Subarea C6 and C7, there shall be a "Build-to" line of 0 feet which requires that not less than 50% of the exterior façade wall of the adjacent building shall be located on such line. This Build-to line shall be established 0 feet north and 0 feet south of New Roberts Road right-of-way.

10.6.2.7 Minimum building setback from ADCR shall be 10 feet

10.6.3 Lot coverage for structures, pedestrian areas, parking areas and other hard surface or paved areas shall not cover more than 75% of the total lot area within the Subarea.

10.6.4 Parking Setbacks between internal property lines within each Subarea shall be as follows: minimum paving, parking and drive aisle setbacks between subdivided lots shall be five (5) feet. Paving setbacks shall be reduced to zero (0) feet if cross parking easements are in place. Shared curb-cuts are acceptable.

10.6.4 Buffering, Landscaping, Open Space and/or Screening.

10.6.4.1 In all parking areas, headlights shall be screened from the street and adjacent properties. Such screening shall be accomplished by the use of landscaped mounding, brick or stone walls, evergreen hedges, or combination thereof. The height of screening shall be at least 36 inches with maximum 4:1 slope for mounding.

10.6.4.2 For new buildings constructed along any public right-of-way where no parking is constructed between the building and the public right-of-way, no mounding or landscaping along the property frontage will be required.

10.6.4.3 Sidewalks shall be constructed within Subareas C6 and C7 as shown on the Multi-use/Pedestrian Walk System Plan of the Plan Set. Sidewalks shall be required on the south side of New Roberts Road only where on street parking is located. Sidewalks shall be required on the north side of New Roberts Road adjacent to any commercial structure.

10.6.4.4 No chain link fencing is permitted. Permitted fences include three-rail wood fences, and painted metal fences. Metal fences shall be powder coated black or other dark color.

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10.6.5 Rooftop mechanicals, ground mounted mechanical and electrical equipment shall be screened from view to the full height of the unit in accordance with the requirements of the Zoning Code.

10.7 Building Design and Exterior Treatment.

10..1 The architectural character of the buildings in the Subareas C6 and C7 shall convey a welcoming community gathering and commercial activity space. Traditional forms, colors, and detailing consistent with areas which surrounded Ohio's county courthouse towns and "Main Street" architecture will be provided. Strip commercial retail with undifferentiated facades, lack of architectural detail, and uniform flat roofs are specifically discouraged.

10.7.2 Color Palette, lively, exciting but tasteful and traditional color palette shall be used throughout Subarea C6 and C7.

10.7.3 Materials.

10.7.3.1 The same level of quality of architectural design and materials shall be provided on all building sides.

10.7.3.2 Roof materials shall be shingles, cedar shakes, slate or synthetic slate. Shingles shall be medium weight dimensional shingles. Standing seam metal roofs and other roofing materials are permitted as accents.

10.7.3.3 Flat Roofs are permitted. All rooftop mechanical units shall be screened to the full height of the unit.

10.7.4 Dumpsters, Lighting, Outdoor Display Areas

10.7.4.1 All exterior parking lot lighting shall be down lighting (cut off fixtures). All exterior lighting fixtures shall be reviewed and approved as a part of the Final Development Plan.

10.7.4.2 Parking lot lighting standards shall not exceed 20 feet in height from finished grade. There shall be no light trespass onto adjacent properties. In parking lots, light poles shall be placed in raised islands or medians to protect both lights and vehicles from damage.

10.7.4.3 All canopy lighting shall be recessed cut off fixtures with a flat lens mounted flush to the underside of the canopy structure.

10.7.4.4 Dumpsters and compactors shall be fully screened on all four sides to a minimum height of six feet or a height equal to that of the dumpster and compactor, whichever is greater. Such with a solid metal or wood gate and located so as to be in the most unobtrusive location within the property but still retaining its functionality. Dumpsters shall be located as approved on the Final Development Plan.

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10.7.4.5 In order to obtain a building permit in Subareas C6 or C7, an application therefore shall first obtain an approval from the ARC in accordance with its procedures and requirements. No building permit shall be issued by the City without satisfactory evidence of ARC approval of such improvement.

10.8 Graphic and/or Signage Commitments.

10.8.1 All graphics and signage shall be reviewed and approve as a part of a Master Sign Package application submitted to address all signage within each Subarea. Otherwise, all signage and graphics shall comply with the Hilliard Graphics and Sign Code.

10.8.2 All signage shall be externally illuminated or non-illuminated. Halo-lit or push-through letter signage is permitted. Exposed or visible light sources shall not be permitted.

10.8.3 Menu signs shall be permitted in Subarea C7 but shall not be located between the building and any right-of-way line and shall meet all other Code provisions concerning menu signs. Menu signs shall be screened from view from the public right-of-way.

10.9 Loading and Parking

10.9.1 Minimum parking requirements for permitted uses shall be determined by a shared parking matrix/analysis approved at the time of Final Development Plan. It is the intent of this shared parking analysis to provide adequate parking opportunities within each Subarea during non-holiday periods. However, "over-parking" or parking which is provided but only used during holiday periods is specifically discouraged. Parking shall be considered in the aggregate among adjacent lots and uses within each Subarea and not on a lot by lot basis.

10.9.2 All 90-degree parking spaces shall be a minimum of nine (9) feet in width and a minimum eighteen (18) feet in length. Parking aisles shall be a minimum of 24 feet wide.

10.9.3 Bicycle parking at a ratio of one bicycle space for every twenty-five (25) vehicular parking spaces shall be provided throughout the Subareas C6 and C7 and, at a minimum, in one location in each Subarea. Bicycle parking may count as required off-street parking up to a maximum of ten percent (10%) of the overall site's required parking.

11.0 PUBLIC AND PRIVATE OPEN SPACE

11.1 Introduction. The HDPA bisects the property and it includes over 50 acres currently subject to a preservation easement in favor of the City which area shall be dedicated to the City pursuant to the requirements of the preservation easement upon development of the property or as otherwise provided in the Developer's Agreement. This HPDA includes major woodlands, the now meandering Hamilton Ditch, wetlands and other ecologically sensitive areas which contribute to the wide variety of open space areas provided in this Development. Open Spaces serve as regional pedestrian and wildlife connections across the Development as encouraged by

Attachment: Exhibit A Alton Meadows HCD Development Text (22-R-10 : Alton Place HCD development text modification)

the Comprehensive Plan. The public open spaces provided in the proposed Development will connect the neighborhoods east of ADCR with the natural recreational opportunities found in the HDPA and connect the Development within the property with the educational institutions and neighborhoods which surround it. Subarea C8 contains a communication tower.

11.2 Permitted Uses

11.2.1. Public open space, including the HDPA, wetlands, ground water recharge areas, prairie restoration areas, tree preservation areas, ponds, lakes and streams.

11.2.2 Multi-use paths, sidewalks, leisure trails, and other pedestrian pathways.

11.2.3 Recreational uses as provided elsewhere in this Text

11.2.4 Public parking as identified for users of the public open spaces as such are determined in the future.

11.2.5 Community Supported Agriculture, truck garden, agricultural education or other similar agriculture, garden or other area for the cultivation and production of plants, fruits, or vegetables.

11.3. [Reserved]**11.3 Development Standards**

11.3.1 The Developer shall dedicate, in accordance with the terms of the HDPA stream restoration/preservation easement, not less than 50 acres of open space encumbered by the HDPA easement which shall be owned and maintained by the City or such other third party designee as agreed to between the City and the Developer.

11.3.2 Tree removal in the open space areas shall be permitted only in conjunction with the construction of multi-use paths and other developmental requirements (utility extensions, etc.) or as otherwise approved by the City Engineer. Dead or diseased trees that may pose a safety hazard may be felled and removed.

11.3.3 Sidewalks and multi-use paths are provided to connect open spaces provided within the Development as shown on the Multi-Use Path/Pedestrian Walk System of the Plan set.

11.3.4 Multi-use paths shall be 8 feet in width, and shall be placed within an easement, width to be determined with Final Development Plan.

11.3.5 Paths may be combined or narrowed at critical locations, such as street crossings or environmentally sensitive areas. The Developer shall be permitted to install any path in phases, and future installation of the path may be by the Developer, or the CDA.

11.3.6 Multi-use path material shall be asphalt or compacted crushed aggregate. Paths shall be permitted to be built as boardwalks, to allow access to sensitive areas, such as wetlands. Final design, details, and specifications shall be approved by the City Engineer.

Attachment: Exhibit A Alton Meadows HCD Development Text (22-R-10 : Alton Place HCD development text modification)

11.3.7 Multi-use path construction through the HDPA, wooded areas, or other environmentally sensitive areas shall be planned, field located and routed to minimize impact to existing trees and wetlands. Tree clearing shall be limited to the development footprint of the path plus 6 feet on each side, and "light" construction techniques shall be used to minimize disturbance of trees and wetlands.

11.4 Secondary Paths and Trails

11.4.1 Minimally improved hiking trails shall be permitted throughout the open spaces of the site. Trails shall be permitted to be dirt, mowed grass, mulch, or gravel, or asphalt.

11.4.2 Trails shall be routed as spurs from main multi-use path segments or streets.

11.5 Landscaping.

11.5.1 Final planting and seeding plans shall be provided at Final Development Plan or prior to dedication to any public entity. However, areas currently used as agricultural fields located east of Hilliard Darby High School shall be allowed to revert to their natural condition for regeneration of the existing seed bank without additional planting or seeding.

11.5.2 Seeding for native grasses, forbs, and or sedges or appropriate mixes

11.5.3 "Natural succession areas" may be planted with initial native plants and be managed for succession to woodlands.

11.5.4 Some open space areas may be maintained as mowed turf for the purpose of access, maintenance, as secondary paths, and where a more manicured appearance is suitable, such as at site entries, or as areas for passive recreation.

11.5.5 Ornamental plantings of native and adapted plants along roadways and near entry features is permitted.

11.5.6 A Community Garden may be located within any publicly dedicated open space as determined in the zoning process.

Attachment: Exhibit A Alton Meadows HCD Development Text (22-R-10 : Alton Place HCD development text modification)

Council Memo: Legislation (22-R-11)

Subject: Alton Place Section 1, Phase 1 Final Plat
From: Michelle Crandall, City Manager
Initiated by: Carson Combs,
Date: February 28, 2022

Executive Summary

This legislation is for the approval of a Final Plat for Alton Place Hilliard Conservation District ("HCD") Section 1, Phase 1 consisting of 69 single-family lots and 5 reserves on 77.932 acres.

Staff Recommendation

Staff recommends that Council adopt the resolution based on the finding that the proposed plat is consistent with the approved Alton Place HCD Development Plan.

Background

The Alton Place development includes approximately 343 acres at the northwest corner of Roberts Road and Alton Darby Road that was annexed into the City of Hilliard in 2009. In 2014, the site was rezoned from A-1, Agricultural District to the R-R, Rural Residential District (Ordinance No. 14-29). Council approved a rezoning of this site to HCD on June 8, 2020 (Ordinance No. 19-26), known as the Alton Place Development. The Alton Place Development consists of a total of 167 single-family lots, 280 attached residential units, 53 acres of commercial uses and approximately 177 acres of open space. On February 10, 2022, the Planning and Zoning Commission approved the final plat for Section 1, Phase 1.

Financial Impacts

There are no anticipated financial impacts to this legislation.

Expected Benefits

Approval of the Final Plat will enable the developer to record the plat and sell lots providing additional housing options for the public as anticipated with the original HCD zoning.

Attachments

- Exhibit "A": Final Plat
- Planning Commission Staff Report – February 10, 2022
- Record of Action – February 10, 2022

CASE 3: PZ-22-2 – Alton Place Section 1 Phase 1 – Final Plat – North side of Roberts Road approximately 2,000 feet west of Alton Darby Road
PARCEL NUMBERS: 053-000615, 053-000616, 053-000004 and 053-000006
APPLICANT: Alton Place LLC, c/o Dwight McCabe, 7361 Currier Road, Plain City, OH 43064; and Brian Johnson, American Structurepoint, 2550 Corporate Exchange Drive, Columbus OH 43231.
REQUEST: Review & approval of a modification of the HCD Development Text concerning architecture and fencing under the provisions of Hilliard Code Section 1115.04 and a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Alton Place HCD for a development consisting of 69 lots and 5 reserves on 77.932 acres.

BACKGROUND:
The Alton Place HCD includes approximately 343.4 acres located at the northwest corner of Roberts Road and Alton Darby Road. The site was annexed into the City of Hilliard in 2009 and was assigned the A-1, Agricultural, zoning classification. In 2014, the site was rezoned from A-1 to R-R, Rural Residential (Ordinance 14-29). The site is within the Big Darby Watershed, and the Big Darby Accord Panel recommended approval with conditions of the Alton Place HCD on December 11, 2018.

Rezoning of the site was approved by City Council on June 8, 2020 (Ordinance 19-26) and included 148 single-family lots, 297 attached residential units, 53 acres of commercial uses and 171.7 acres of open space. The proposed final plat for Alton Place Section 1, Phase 1 includes 69 single-family lots on 26.082 acres; 42.886 acres of dedicated reserves/open space; and 8.964 acres of dedicated right-of-way located at the southwest corner of the development along Roberts Road.

COMMISSION ROLE:
As part of final details for this section of single-family homes, the applicant has requested minor modifications to the approved development text for architectural and fencing details. The Commission is to make a recommendation on the proposed text changes, which will be forwarded to City Council for final disposition. The Commission is also to review the proposed final plat for conformance to the Alton Place HCD Concept Plan and Hilliard Code Section 1188.05.

STAFF RECOMMENDATION:
Staff finds that the proposed final plat is consistent with the provisions of the Alton Farms HCD Concept Plan and Code Section 1188.05. Staff also finds that the minor adjustments to the previously adopted development text is consistent with the original intent of the zoning and is also consistent with Code Section 1188.05. Based on these findings, staff recommends approval of the proposed final plat and development text modifications with the following conditions:

1) That the number of houses available for construction be limited, as determined by the Norwich Township Fire Department, until such time as a second access point is available;
2) That the plat includes a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82;

Attachment: PZ-22-2 Alton Place Sec1P1 staff report 2.10.22 (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

3) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda; and
4) That all Homeowners Association (HOA) declarations and New Community Authority (NCA) declarations be recorded prior to recording of the plat.

CONSIDERATIONS:

- *Fire and Safety.* The proposed phasing of the plat includes a total of 69 lots that will access Roberts Road temporarily through one access point. Staff recommends that the construction of lots within Section 1 Phase 1 of the development be limited as determined by the Norwich Township Fire Department until such time as the second street connection is made through the reserve area to the east. Additional development within Subareas SF-1A, SF-1B and R-3 may also be restricted if determined by the Fire Chief to be a safety concern.
- *Text Updates.* Proposed modifications to the Alton Place HCD Text include changing PUD references to **HCD**. The updates will make needed corrections.
- *Lot Setbacks*. Typical Minimum Lot Setback Standards (Text Section 8.4.2) in the adopted chart have been simplified into categories that are **70-88 feet** in width and **>88 feet**. No single-family lot shall be less than 70 feet in width, which has not changed.
- *Typical Lot Width Standards.* The minimum required lot width for Subarea SF2 has been reduced from **110 feet** to **88 feet**. The proposed change remains consistent with the approved preliminary development plan and provides greater flexibility for housing choice.
- *Garages.* Subarea SF2 (Section 8.5.4) will only be permitted to use **side-loaded garages** to minimize visibility from the street. Additional requirements are proposed for Subareas SF1A and SF1B (Section 8.5.5) to **prohibit garage doors from being forward of the front building façade**. The proposed changes are intended to enhance streetscape appearance.
- *Roof Pitch.* Standards for roof pitch (Section 8.6.5.2) are changed to accommodate homes that have greater depth. A **6/12 minimum pitch** is proposed to avoid long roof lines from front to back that will exceed the maximum permitted building height. 10/12 pitch will still be maintained for gables facing the street.
- *Regional Bike Connector.* This section of Alton Place includes a regional bike path that will be located along the west side of Sycamore Place and cross behind Lots #69 through 82. The bikeway will be located within Reserve D, which is 20-feet in width. **Staff recommends that the plat include a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82.**
- *Buffer Requirement.* The development text has also been amended in Section 8.7.4.2 to **restrict homeowners from placing a fence, landscaping or any other construction within 10 feet of any multi-use path**. The proposed amendment is intended to minimize visual/physical obstructions to the path and to minimize encroachments onto public reserve areas that necessitate future code enforcement action.

Attachment: PZ-22-2 Alton Place Sec1P1 staff report 2.10.22 (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

CITY OF HILLIARD est. 1853

3800 Municipal Way, Hilliard, Ohio 43026 | Phone 614.876.7361 | www.hilliardohio.gov

PLANNING & ZONING COMMISSION
RECORD OF ACTION

Thursday, February 10, 2022

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

CASE 3: PZ-22-2 – Alton Place Section 1 Phase 1 – Final Plat – North side of Roberts Road approximately 2,000 feet west of Alton Darby Road
PARCEL NUMBERS: 053-000615, 053-000616, 053-000004 and 053-000006
APPLICANT: Alton Place LLC, c/o Dwight McCabe, 7361 Currier Road, Plain City, OH 43064; and Brian Johnson, American Structurepoint, 2550 Corporate Exchange Drive, Columbus OH 43231.
REQUEST: Review & approval of a modification of the HCD Development Text concerning architecture and fencing under the provisions of Hilliard Code Section 1115.04 and a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Alton Place HCD for a development consisting of 69 lots and 5 reserves on 77.932 acres.

MOTION: Mr. Uttley made a motion to approve a modification to the HCD Development Text concerning architecture and fencing under the provisions of Hilliard Code Section 1115.04 and a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Alton Place HCD for a development consisting of 69 lots and 5 reserves on 77.932 acres with the following conditions:

1) That the number of houses available for construction be limited, as determined by the Norwich Township Fire Department, until such time as a second access point is available;
2) That the plat includes a notation that restricts fences, landscaping and other structures within 10 feet of the rear property line on Lots 69 through 82;
3) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda; and
4) That all Homeowners Association (HOA) declarations and New Community Authority (NCA) declarations be recorded prior to recording of the plat.

Mr. Lewie 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	Yes

Attachment: PZ-22-2 ROA Alton Place Sec1P1 2.10.22 (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

STATUS: Case #3: PZ-22-2 has been approved by the Commission. The Final Plat for Section 1 Phase 1 has been approved, and a positive recommendation will be forwarded to City Council for the development text amendment.

CERTIFICATION:

Carson Combs, Acting Clerk
February 16, 2022

Attachment: PZ-22-2 ROA Alton Place Sec1P1 2.10.22 (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

ACCEPTING THE DEDICATION OF ROADS AND EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR SECTION 1, PHASE 1 OF ALTON PLACE.

WHEREAS, on June 8, 2020, Council passed Ordinance No. 19-26 rezoning 343.426± acres of land owned by Homewood Corporation and H&G LLC, from R-R, Rural Residential, to Hilliard Conservation District consisting of 167 single-family lots, 280 attached residential units, 53 acres of commercial uses and 177.01 acres of open space which is identified as the Alton Place Development; and

WHEREAS, upon application by Alton Place LLC and American Structurepoint (collectively, the "Owner"), on February 10, 2022, at its regularly scheduled public meeting, the City's Planning and Zoning Commission approved the final plat ("Final Plat") for Section 1, Phase 1 of Alton Place for the development of 69 single-family lots and 5 reserves on 77.932± acres of land (the "Property"); and

WHEREAS, the Owner has offered to dedicate to the City of Hilliard the public roads known as Bridgeview Trace, Forest Lane, Lakeside Place, Sycamore Trace, Western Way and Woodedge Lane and 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, 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 Exhibit "A" 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 the public roads known as Bridgeview Trace, Forest Lane, Lakeside Place, Sycamore Trace, Western Way and Woodedge Lane and easements for public and private utilities, cable television, service connections and storm water drainage, within Alton Place Section 1, Phase 1, as shown on Exhibit "A", **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 identified on Exhibit "A" and is authorized to provide the Clerk of Council with a final recorded copy of said plat.

SECTION 3. 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.

SECTION 4. 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-11						
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Held Over ☐ Withdrawn ☐ Positive Recommendation ☐ No Recommendation ☐ Referred Back To Committee			**Yes/Aye**	**No/Nay**	**Abstain**	**Absent**
	Andy Teater		☐	☐	☐	☐
	Omar Tarazi		☐	☐	☐	☐
	Les Carrier		☐	☐	☐	☐
	Tina Cottone		☐	☐	☐	☐
	Peggy Hale		☐	☐	☐	☐
	Pete Marsh		☐	☐	☐	☐
	Cynthia Vermillion		☐	☐	☐	☐

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-11** passed by the Hilliard City Council on the 28th day of February 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 28th day of February 2022.

Diane C. Werbrich, MMC

ALTON PLACE
SECTION 1, PHASE 1

STATE OF OHIO, COUNTY OF FRANKLIN, BROWN TOWNSHIP,
CITY OF HILLIARD, VIRGINIA MILITARY SURVEY
NO. 6637, 6639 & 6616
FINAL PLAT

Surveyed and Platted By:

AMERICAN STRUCTUREPOINT INC.
2550 CORPORATE EXCHANGE DR
SUITE 300
COLUMBUS, OHIO 43231-7659
TEL 614.901.2235 FAX 614.901.2236
www.structurepoint.com

Owner and Developer:

THE MCCABE COMPANIES
7361 CURRIER ROAD
PLAIN CITY, OH 43064
CONTACT: DWIGHT MCCABE
PHONE: 614-579-1979
EMAIL: DRMCCABECOMPANIES.COM

VICINITY MAP
NO SCALE

LINETYPE LEGEND

- Plat Boundary
- Existing Easement
- Centerline R/W
- Historic Lot Line
- Property Line
- VMS Line
- Corporation Line
- R/W
- Building Setback
- Platted Easement

MONUMENT LEGEND

- ● PIN/PIPE FOUND (SEE PLAT NOTES) ** Denoates 5/8" iron pin found w/ "franklin county engineer" cap
- ■ FCGS MONUMENT FOUND
- ⬚ MONUMENT BOX SET
- ▲ SPIKE/NAIL FOUND
- △ MAG SPIKE SET
- ○ 1"x30" REBAR SET WITH CAP "ASI - PS8438" UNLESS OTHERWISE NOTED
- ◎ PERMANENT MONUMENT SET (1"x30" REBAR)

ACREAGE BREAKDOWN - The plat of Alton Place, Section 1, Phase 1 is comprised of the following Franklin County Parcel Numbers with the acreage being platted out of each.

Parcel Number 053-000004 - - - - - - - - 0.157 Ac.
Parcel Number 053-000006 - - - - - - - - 1.587 Ac.
Parcel Number 053-000615 - - - - - - - - 27.739 Ac.
Parcel Number 053-000616 - - - - - - - - 48.449 Ac.

Total Plat Acreage - - - - - - - - - - - - - - 77.932 Ac.

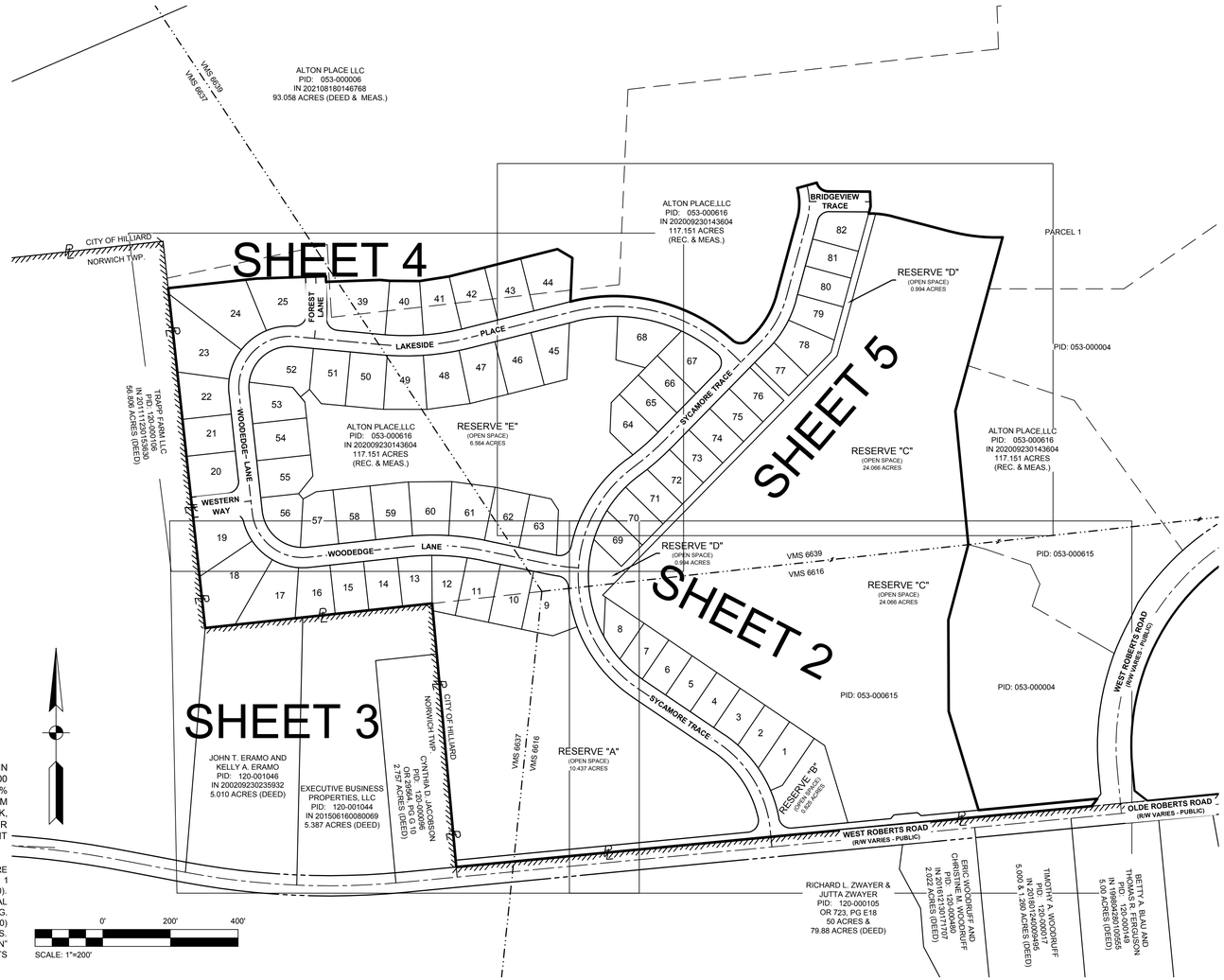
Acreage in Lots - - - - - - - - - - - - - - - - - 26.082 Ac.
Acreage in Reserves - - - - - - - - - - - - - - 42.886 Ac.
Acreage in Dedicated Right of Way - - - 8.964 Ac.

* Denotes acreage within path easement

FLOOD NOTE:

THE SUBJECT PROPERTY LIES IN ZONES "AE" (AREAS DETERMINED TO BE WITHIN THE REGULATORY FLOODWAY", "AE" (AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOOD PLAIN), AND "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DETERMINED BY GRAPHIC INTERPOLATION FROM THE FLOOD INSURANCE RATE MAP (FIRM), NUMBERS 39049C0140K, 309049C0143K, 39049C01277K & 39049C0281K ALL WITH EFFECTIVE DATES OF JUNE 17, 2008, LOMR 14-05-8003P EFF. 4/22/2015, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

LOTS 1, 2 AND 3 WERE PREVIOUSLY LOCATED IN THE FEMA 100-YEAR FLOOD PLAIN AND ARE PROPOSED TO BE REMOVED FROM THE FLOODPLAIN WITH THE ALTON PLACE SECTION 1 PUBLIC STREET, STORM SEWER, WATERLINE AND GRADING IMPROVEMENT PLANS (HP-960). PROPOSED HOMES ON THESE LOTS ARE REQUIRED TO ADHERE TO FEMA'S TECHNICAL BULLETIN (TB) 10-01 TO ENSURE THAT THE HOMES ARE REASONABLY SAFE FROM FLOODING. IN ADDITION TO BUILDING DESIGN REQUIREMENTS, THE ABOVEMENTIONED PLANS (HP-960) PROVIDE FOR ADDITIONAL NOTES AND DESIGN DETAILS ASSOCIATED WITH THESE LOTS. UPON BUILDING PERMIT APPLICATION FOR THESE LOTS, A "PROFESSIONAL CERTIFICATION" FROM A PROFESSIONAL ENGINEER (PE) IS REQUIRED TO ENSURE THAT THE REQUIREMENTS IN TB 10-01 ARE MET.



BASIS OF BEARINGS:

BEARINGS DESCRIBED HEREON ARE BASED ON NORTH 06 DEGREES 14 MINUTES 44 SECONDS WEST FOR THE CENTERLINE OF RIGHT-OF-WAY OF ALTON DARBY CREEK ROAD, MEASURED FROM GRID NORTH REFERENCED BY FCGS MONUMENTS FCGS 0020 RESET AND FCGS 1543, REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) AND THE NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT), AS ESTABLISHED UTILIZING A GPS SURVEY AND AN NGS OPUS SOLUTION.

CERTIFICATION:

WE DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE ATTACHED PREMISES, PREPARED THE ATTACHED PLAT, AND THAT SAID PLAT IS CORRECT. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. MONUMENTATION IS SET AS SHOWN HEREON:

Brian P. Bingham Date
Professional Land Surveyor 8438

RESERVES:

A HOMEOWNERS ASSOCIATION SHALL BE CREATED WHICH WILL BE RESPONSIBLE FOR THE MAINTENANCE OF RESERVES PLATTED HEREIN THAT ARE NOT CONVEYED OR DEDICATED TO THE CITY OF HILLIARD OR A COMMUNITY AUTHORITY EXCEPT THE PORTION OF ANY RESERVE THAT IS SUBJECT TO A STORM WATER MANAGEMENT EASEMENT DEDICATED TO THE CITY OF HILLIARD. A DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR THE PROPERTY ESTABLISHING THE ASSOCIATION WILL BE FILED WITH THE FRANKLIN COUNTY RECORDER PRIOR TO OCCUPANCY OF ANY BUILDING ON THE PROPERTY. THE ARTICLES OF INCORPORATION AND BY-LAWS FOR THE HOMEOWNER'S ASSOCIATION (THE "ASSOCIATION") SHALL CONTAIN A PROVISION STATING THAT IF THE ASSOCIATION FAILS TO FULFILL ITS MAINTENANCE OBLIGATIONS WITH RESPECT TO THE COMMON AREAS OR ANY RESERVES NOT CONVEYED OR DEDICATED TO THE CITY OF HILLIARD OR A COMMUNITY AUTHORITY THAT ARE NOT SUBJECT TO A DEDICATED STORM WATER MANAGEMENT EASEMENT, AND IT BECOMES NECESSARY FOR THE CITY OF HILLIARD TO ENTER UPON THE RESERVES OR COMMON AREAS TO PERFORM NECESSARY MAINTENANCE, UPON SUBMISSION OF AN INVOICE FOR THE AMOUNT OF THE CITY'S COSTS 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.

NEW COMMUNITY AUTHORITY NOTICE:

NEW COMMUNITY AUTHORITY AND COMMUNITY DEVELOPMENT CHARGE.
THE PROPERTY BEING PLATTED IS SUBJECT TO A COMMUNITY DEVELOPMENT CHARGE PURSUANT TO SECTION 349.07 OF THE OHIO REVISED CODE AS SET FORTH IN THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE _____ COMMUNITY AUTHORITY IN THE CITY OF HILLIARD OF RECORD IN INSTRUMENT NO. _____, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO AND IS A COVENANT RUNNING WITH THE LAND. OWNERS OF THE PROPERTY SHALL BE RESPONSIBLE FOR THE PAYMENT OF THE COMMUNITY DEVELOPMENT CHARGE TO THE _____ COMMUNITY AUTHORITY IN ACCORDANCE WITH SAID DECLARATION OF COVENANTS AND RESTRICTIONS. PAYMENT OF THE COMMUNITY DEVELOPMENT CHARGE IS IN ADDITION TO ANY ASSESSMENT THAT MAY BE IMPOSED BY A HOMEOWNER'S ASSOCIATION.

SUBJECT TO DECLARATION:

THIS SUBDIVISION IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND RESERVATION OF EASEMENTS FOR _____ RECORDED AS INSTRUMENT NUMBER _____ IN THE OFFICE OF THE RECORDER OF FRANKLIN COUNTY, OHIO, AND ALL AMENDMENTS THERETO.

SITUATE:

SITUATE IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF HILLIARD, LYING IN VIRGINIA MILITARY DISTRICT SURVEY NUMBERS 6637, 6639 AND 6616 CONTAINING 77.932 ACRES, INCLUDING 8.964 ACRE OF RIGHT-OF-WAY AREA, MORE OR LESS, AND BEING OUT OF THAT 117.151 ACRE TRACT AND THAT 93.058 ACRE TRACT AS CONVEYED TO ALTON PLACE, LLC BY THE INSTRUMENTS FILED AS INSTRUMENT NUMBERS 202009230143604 AND 202108180146768, ALL INSTRUMENTS REFERENCED HEREON ARE TO THE RECORDS OF THE FRANKLIN COUNTY RECORDER'S OFFICE.

OWNER/SUBDIVIDER CERTIFICATION:

ALTON PLACE, LLC, BEING THE OWNER OF THE LAND PLATTED HEREIN, DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS ITS "ALTON PLACE SECTION 1, PHASE 1" A SUBDIVISION OF LOTS NUMBERED 1-25 INCLUSIVE AND 39-82 INCLUSIVE, AND RESERVES "A", "B", "C" "D" AND "E" AND DOES HEREBY ACCEPT THIS PLAT OF SAME AND DEDICATE TO THE CITY OF HILLIARD FOR PUBLIC USE SYCAMORE TRACE,WOODEDGE LANE, WESTERN WAY, FOREST LANE, LAKESIDE PLACE, BRIDGEVIEW TRACE AND WEST ROBERTS ROAD, AND THOSE AREAS DESIGNATED AS "UTILITY EASEMENT", "STORM WATER MANAGEMENT EASEMENT" AND "PATH EASEMENT" SHOWN HEREON AND NOT HERETOFORE DEDICATED.

EASEMENTS AND DEDICATION:

EASEMENTS ARE HEREBY ESTABLISHED AND GRANTED IN, OVER AND UNDER AREAS DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT", "STORM WATER MANAGEMENT EASEMENT", AND "PATH EASEMENT". AREAS DESIGNATED AS "PATH EASEMENT" PERMIT THE CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC PEDESTRIAN TRAFFIC. AREAS DESIGNATED AS "UTILITY EASEMENT" PERMIT THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ALL PUBLIC AND QUASI-PUBLIC UTILITIES, INCLUDING CABLE TV AND STORM WATER AND DRAINAGE APPURTENANCES AND FACILITIES ABOVE AND BENEATH THE SURFACE OF THE GROUND, AND WHERE NECESSARY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS. AREAS DESIGNATED AS "STORM WATER MANAGEMENT EASEMENT" PERMIT THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ALL PUBLIC STORM WATER AND DRAINAGE APPURTENANCES AND FACILITIES ABOVE AND BENEATH THE SURFACE OF THE GROUND, AND WHERE NECESSARY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS. THOSE AREAS DESIGNATED "STORM WATER MANAGEMENT EASEMENT" ON THIS PLAT ARE FOR THE PURPOSES OF STORM WATER MANAGEMENT AND DRAINAGE INCLUDING COLLECTING, STORING, DISTRIBUTING, DELIVERING, RELEASING AND DISCHARGING STORM AND SURFACE WATERS. THE DESIGNATED "STORM WATER MANAGEMENT EASEMENTS" PERMIT THE CONSTRUCTION, OPERATION, AND MAINTENANCE AND REPAIR OF MAJOR STORM WATER DRAINAGE SWALES, DRAINAGE PIPES AND OUTFALLS AND/OR OTHER ABOVE OR UNDER GROUND STORM WATER MANAGEMENT OR DRAINAGE APPURTENANCES AND FACILITIES. NO ABOVE GROUND STRUCTURES, DAMS OR OTHER OBSTRUCTIONS TO THE FLOW OF STORM WATER RUNOFF, NOT ALTERING OF THE EXISTING AREAS, ARE PERMITTED WITHIN "STORM WATER MANAGEMENT EASEMENT" AS DELINEATED ON THIS PLAT UNLESS APPROVED BY THE CITY OF HILLIARD ENGINEER. THE "STORM WATER MANAGEMENT EASEMENTS" AS PROVIDED HEREIN INCLUDING REASONABLE ACCESS THERETO ARE HEREBY DEDICATED TO THE CITY OF HILLIARD.

OFFSITE EASEMENTS:

THE EASEMENTS SHOWN HEREON OUTSIDE THE PLATTED AREA ARE WITHIN THOSE TRACTS OF LAND OWNED BY ALTON PLACE, LLC, AND ARE DEDICATED FOR THE USES AND PURPOSES STATED IN THE PRECEDING PARAGRAPH.

AGRICULTURAL RECOUPMENT:

THE GRANTOR, BEING THE DULY AUTHORIZED REPRESENTATIVES OF THE DEVELOPER DEDICATING THE PROPERTY DESCRIBED IN THIS PLAT, HEREBY AGREE THAT THE GRANTOR WILL INDEMNIFY THE CITY OF HILLIARD FOR, AND HOLD IT HARMLESS FROM ANY AGRICULTURAL RECOUPMENTS ASSESSED OR LEVIED IN THE FUTURE AGAINST THE PROPERTY DEDICATED HEREIN, WHICH RESULT FROM THE GRANTORS CONVERSION OF THE PROPERTY FROM AGRICULTURAL USE.

WITNESSES:

IN WITNESS WHEREOF, ALTON PLACE, LLC, HAS CAUSED THIS PLAT TO BE EXECUTED BY ITS DULY AUTHORIZED OFFICER

THIS _____ DAY OF _____, 2022.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

_____ ALTON PLACE, LLC

PRINTED:_____

BY_____
DWIGHT MCCABE
PRINCIPAL

PRINTED:_____

ACKNOWLEDGMENT

STATE OF OHIO)
) SS:
FRANKLIN COUNTY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by Dwight McCabe, on behalf of Alton Place, LLC.

_____
Notary Public

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 SYCAMORE TRACE,WOODEDGE LANE, WESTERN WAY, FOREST LANE, LAKESIDE PLACE, BRIDGEVIEW TRACE AND WEST ROBERTS ROAD, AND THOSE AREAS DESIGNATED AS "UTILITY EASEMENT", "STORM WATER MANAGEMENT EASEMENT" AND "PATH EASEMENT" ARE DEDICATED HEREON ARE ACCEPTED AS SUCH BY THE COUNCIL OF THE CITY OF HILLIARD, OHIO

_____
CLERK OF COUNCIL, HILLIARD, OHIO

TRANSFERRED THIS ____ DAY OF _____, 2022

_____
AUDITOR, FRANKLIN COUNTY, OHIO

FILED FOR RECORD THIS _____ DAY OF _____, 2022 AT _____,M.

FEE_____ FILE NO._____

_____
RECORDER, FRANKLIN COUNTY, OHIO

RECORDED THIS _____ DAY OF _____, 2022. PLAT BOOK _____ PAGE _____.

ALTON PLACE
SECTION 1, PHASE 1
FINAL PLAT

PLOT SCALE: 1:1 EDIT DATE: 1/28/22 - 10:08 AM EDITED BY: BBINGHAM DRAWING FILE: O:\2017\021302 SECTION 1\D_DRAWINGS\SURVEY\PHASE 1\20170213 SV (07-07-2021 S1P1 PLAT.DWG

Attachment: Exhibit A. Alton Place Sec1 P1 Final Plat (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

CONTINUED ON SHEET 5

ALTON PLACE
SECTION 1, PHASE 1

* Denotes acreage within path easement

Note: no fences, landscaping or structures to be placed within 10 feet of the rear property lines for Lots 69-82.

RESERVE "C"
(Open Space)
24.066 AC

RESERVE "A"
(Open Space)
10.437 AC

RESERVE "B"
(Open Space)
0.825 AC

RESERVE "D"
(Open Space)
2.694 AC
2.749 Ac.

69 0.267 AC
8 0.273 AC
7 0.275 AC
6 0.268 AC
5 0.283 AC
4 0.268 AC
3 0.284 AC
2 0.308 AC
1 0.368 AC

SYCAMORE TRACE
(60' R/W - PUBLIC)

WEST ROBERTS ROAD
(R/W VARIES - PUBLIC)

PID: 053-000615

PID: 053-000004

VMS 6639
VMS 6616

S05°31'54"E 396.19'
S14°47'45"W - 230.59'
S00°12'40"E - 269.71'
S16°47'25"E - 305.40'
S16°47'25"E - 238.28'
S84°31'43"W - 1886.49'
N84°31'43"E - 1971.62'
N84°31'43"E - 352.46'
S36°43'49"W 27.00'
N84°31'43"E - 85.00'
N05°28'03"W 30.00'
N05°28'03"W - 402.81'

Conservation ease.
City of Hilliard, Ohio
IN 200910010142105
39.426 Ac.

Conservation ease.
City of Hilliard, Ohio
IN 201105260067317
IN 201108160102270
2.646 Ac.

Channel ease.
City of Hilliard, Ohio
IN 201108160102265
0.2848 Ac. 1-CH

Storm Sewer ease.
City of Hilliard, Ohio
IN 201108160102267
0.0863 Ac. 1-SW

Slope ease.
City of Hilliard, Ohio
IN 201108160102266
1-SL

Storm Water Drainage Ease.
City of Hilliard, Ohio
IN 200910010142105
0.623 Ac.

City of Hilliard, Ohio
Parcel 1-WD
5.9460 Acres
IN 201108160102262

City of Hilliard, Ohio
Parcel 1-WD
5.9460 Acres
IN 201108160102262

0' 50' 100'
SCALE: 1"=50'

FCGS 5608
FCGS 5607

20' UTILITY EASEMENT
24' BUILDING SETBACK (Typ.)
88.00' PATH EASEMENT
30' PATH EASEMENT
12.5' UTILITY EASEMENT
17' STORMWATER MANAGEMENT EASEMENT
15' Gas line ease. Columbia Gas of Ohio IN 200709190164817
0' power line ease. Columbus and Southern Ohio Electric Company OR 3043, PG 305

ERIC WOODRUFF AND CHRISTINE M. WOODRUFF
PID: 120-000480
IN 201612130171707
2.022 ACRES (DEED)

TIMOTHY A. WOODRUFF
PID: 120-000017
IN 201801240009495
5.000 & 1.260 ACRES (DEED)

BETTY A. BLAU AND THOMAS R. FERGUSON
PID: 120-000149
IN 199804280100555
5.00 ACRES (DEED)

RICHARD L. ZWAYER & JUTTA ZWAYER
PID: 120-000105
OR 723, PG E18
50 ACRES & 79.88 ACRES (DEED)

CONTINUED ON SHEET 3

ALTON PLACE
SECTION 1, PHASE 1
FINAL PLAT

PLOT SCALE: 1:1 EDIT DATE: 2/3/22 - 10:08 AM EDITED BY: BBINGHAM DRAWING FILE: O:\2017\02133\02 SECTION 1\D_DRAWINGS\SURVEY\PHASE 1\2017021333V_07-07-2021.S1P1 PLAT.DWG

Attachment: Exhibit A. Alton Place Sec1 P1 Final Plat (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

ALTON PLACE
SECTION 1, PHASE 1

CONTINUED ON SHEET 4

* Denotes acreage within path easement

0' 50' 100'
SCALE: 1"=50'

19 0.468 AC
18 0.731 AC
17 0.499 AC
16 0.354 AC
15 0.333 AC
14 0.333 AC
13 0.315 AC
12 0.337 AC
11 0.401 AC
10 0.402 AC
9 0.508 AC
63 0.363 AC
69 0.267 AC
8 0.273 AC

L5 104.87' 24' BUILDING SETBACK
M41°45'31"W Chd=44.27' 42.78'
175.73'
N55°53'20"E 187.72'
40' BUILDING SETBACK
N29°50'45"E 221.78'
152.69'
N05°13'35"W - 1009.69'
4" steel post found (held)
88.48'
** (S33°47'06"E, 1.33')
179.11'
S83°50'01"W - 674.50'
118.85'
100.00'
145.00'
N03°48'07"E 149.98'
N06°09'53"W 145.00'
N06°59'53"W 145.00'
N06°09'53"W 145.00'
N00°25'01"W 141.82'
88.07'
100.00'
100.00'
3/4" iron pipe found
21.67'
67.79'
99.97'
S78°14'21"E - 362.43'
100.00'
94.87'
N69°40'51"E 176.17'
20'
10' UTILITY EASEMENT
N11°45'39"E 172.58'
N11°45'39"E 175.00'
N11°45'39"E 175.00'
10'
N11°45'39"E 160.00'
24' BUILDING SETBACK (Typ.)
143.37' S03°08'06"W
C72 C131 C45 C46 C130 C10 C73 94.42' 289.23' 110.00' 84.81' C74 C75 C129 C76 C77 97.25' 198.58' 101.33' C79 C78 C58 C59
30' 30' 30' 30' 30' 30' 30' 30' 30'
WOODEDGE LANE (60' R/W - PUBLIC)
S83°50'01"W - 289.23'
N78°14'21"W - 198.58'
SEE DETAIL "A" (Page 3 of 6)
C11 C108 C49 C50 C51 54.73' 198.59' 100.00' C12 chd =3.09' (util. ease.) 43.86' C52 C53
C47 C48 61.73' 289.23' 100.00' 22.5' UTILITY EASEMENT (Typ.) 100.00' 27.50' 24' BUILDING SETBACK (Typ.)
S40°47'51"W 26.58'
VMS 6639
VMS 6616
SYCAMORE TRACE (60' R/W - PUBLIC)
chd =14.94' (path ease.)
C115 C54 S00°44'20"E - 201.00'
20' UTILITY EASEMENT
C112 C101 C114 C115
C102 C21 C59 C60 C61 C62 C63 C64 C65 C66 C67 C68 C69 C70 C71 C72 C73 C74 C75 C76 C77 C78 C79 C80 C81 C82 C83 C84 C85 C86 C87 C88 C89 C90 C91 C92 C93 C94 C95 C96 C97 C98 C99 C100 C101 C102 C103 C104 C105 C106 C107 C108 C109 C110 C111 C112 C113 C114 C115 C116 C117 C118 C119 C120 C121 C122 C123 C124 C125 C126 C127 C128 C129 C130 C131
S45°36'25"E 145.98'
22.5' 24' BUILDING SETBACK (Typ)
S45°36'25"E 173.50'
RESERVE "D" (Open Space) 0.904 AC 0.749 AC
88.00'
60' PATH EASEMENT
34.46'
chd =122.01' (path ease.)
N86°25'15"W 14.22'
20' UTILITY EASEMENT (Typ.)
44.74'
S85°47'51"W
20'
9.78'
RESERVE "C"
138.00'
116.22'
N02°31'09"E
24' BUILDING SETBACK (Typ)
N24°05'42"E 128.55'
S55°54'18"E 27.25'
C25 PATH EASEMENT
30'

EXECUTIVE BUSINESS PROPERTIES, LLC,
AN OHIO LIMITED LIABILITY COMPANY
PID: 120-001044
IN 201506160080069
5.387 ACRES (DEED)

JOHN T. ERAMO AND
KELLY A. ERAMO
PID: 120-001046
IN 200209230235932
5.010 ACRES (DEED)

CYNTHIA D. JACOBSON
PID: 120-000096
OR 29564, PG G10
2.757 ACRES (DEED)

CITY OF HILLIARD
NORWICH TWP.

RESERVE "A"
(Open Space)
10.437 AC

RESERVE "E"
63
C78 C79 C58
150.18'
20' UTILITY EASEMENT
chd =4.58' (util. ease.)
DETAIL "A"
NOT TO SCALE

N05°13'35"W - 740.36'
N05°13'35"W - 792.03'
VMS 6637
VMS 6616
150' power line ease.
Columbus and Southern
Ohio Electric Company
DB 3043, PG 305

FCGS 0056
FCGS 0057
S84°31'43"W - 159.91'
N05°13'35"W 30.00'
railroad spike found
20.00'
WEST ROBERTS ROAD
(R/W VARIES - PUBLIC)
15' Gas line ease.
Columbia Gas of Ohio
IN 200709190164817
S84°31'43"W - 143.71'
C128 C124 C125 C126 C127
PATH EASEMENT
866.75'
CITY OF HILLIARD
NORWICH TWP.
S84°31'43"W - 1886.49'
934.09'
N84°31'43"E - 1971.62'
30'
City of Hilliard, Ohio
Parcel 1-WD
5.9460 Acres
IN 201108160102262

CONTINUED ON SHEET 2

ALTON PLACE
SECTION 1, PHASE 1
FINAL PLAT

PLOT SCALE: 1:1 EDIT DATE: 2/3/22 - 10:08 AM EDITED BY: BBINGHAM DRAWING FILE: O:\2017\02133\02 SECTION 1\D_DRAWINGS\SURVEY\PHASE 1\2017\02133.SV.07-07-2021.S1P1 PLAT.DWG

Attachment: Exhibit A, Alton Place Sec1 P1 Final Plat (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

ALTON PLACE
SECTION 1, PHASE 1

ALTON PLACE
SECTION 1, PHASE 1
FINAL PLAT

4 of 6

Attachment: Exhibit A. Alton Place Sec1 P1 Final Plat (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

ALTON PLACE
SECTION 1, PHASE 1

CONTINUED ON SHEET 6

CONTINUED ON SHEET 4

CONTINUED ON SHEET 2

ALTON PLACE LLC
PID: 053-000006
IN 202108180146768
93.058 ACRES (DEED & MEAS.)

ALTON PLACE, LLC
PID: 053-000616
IN 202009230143604
117.151 ACRES (REC. & MEAS.)

ALTON PLACE, LLC
PID: 053-000006
IN 202108180146768
20.968 ACRES (DEED & MEAS.)

LAKESIDE PLACE
(60' R/W - PUBLIC)

SYCAMORE TRACE
(60' R/W - PUBLIC)

BRIDGEVIEW TRACE
(60' R/W - PUBLIC)

RESERVE "C"
(Open Space)
24.066 AC

RESERVE "D"
(Open Space)
0.993 AC *0.784 AC

Note: no fences, landscaping or structures to be placed within 10 feet of the rear property lines for Lots 69-82.

Note: no fences, landscaping or structures to be placed within 10 feet of the rear property lines for Lots 69-82.

* Denotes acreage within path easement

Conservation ease.
City of Hilliard, Ohio
IN 200910010142105
39.426 Ac.

Drainage Ease.
IN
1.494 Ac.

150' power line ease.
Columbus and Southern
Ohio Electric Company
DB 3043, PG 305

25' Sewer Ease.
Franklin County
Commissioners
IN 199812070314215
2S

SCALE: 1"=50'

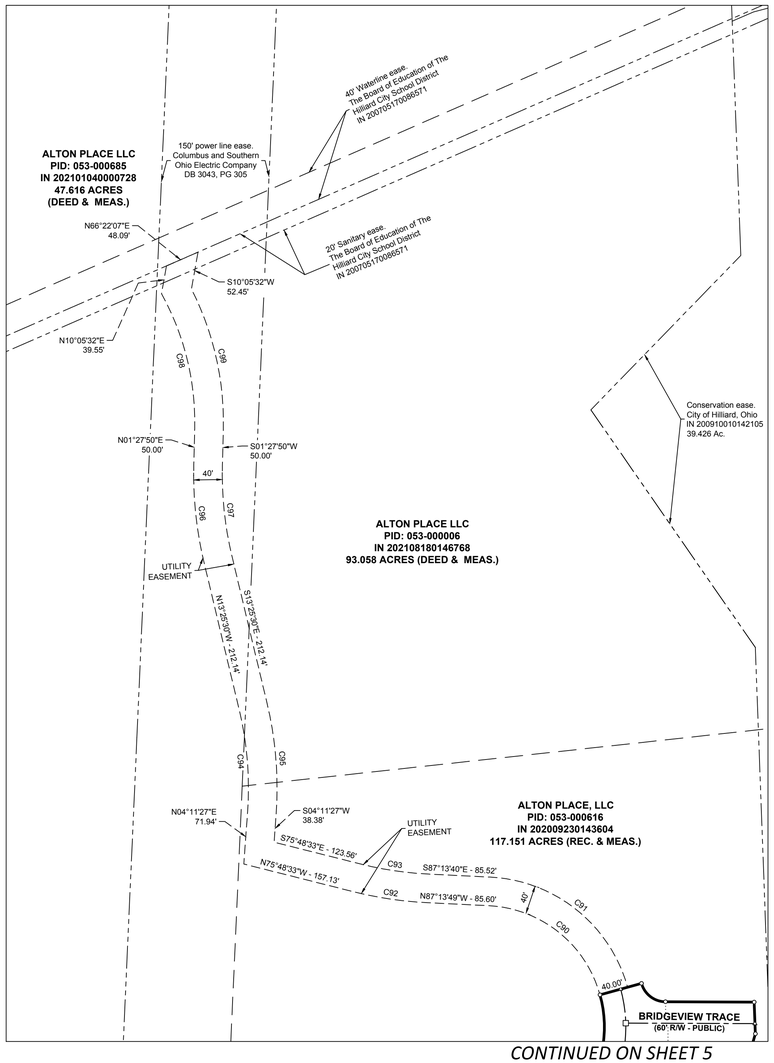
ALTON PLACE
SECTION 1, PHASE 1
FINAL PLAT

5 of 6

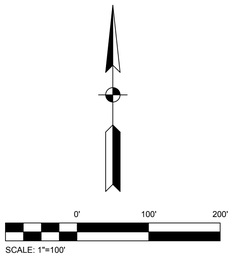
PLOT SCALE: 1:1 EDIT DATE: 2/3/22 - 10:08 AM EDITED BY: BBINGHAM DRAWING FILE: O:\2017\02133\02 SECTION 1\D. DRAWINGS\SURVEY\PHASE 1\02170213 3SV 07-07-2021 S1P1 PLAT.DWG

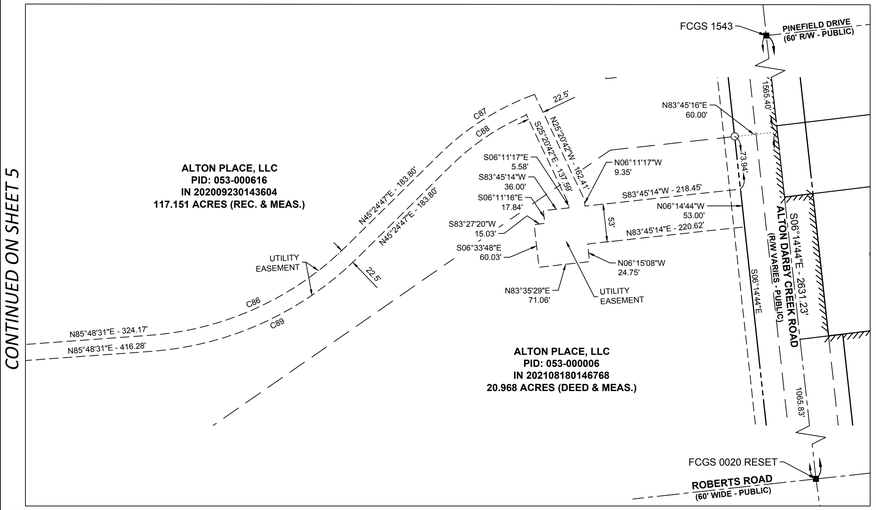
Attachment: Exhibit A. Alton Place Sec1 P1 Final Plat (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

ALTON PLACE
SECTION 1, PHASE 1



CONTINUED ON SHEET 5





CONTINUED ON SHEET 5

RIGHT-OF-WAY CURVES

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C13	52.04'	35.00'	085°11'47"	47.38'	S52°52'23"E
C14	86.23'	380.00'	013°00'06"	86.05'	N16°46'33"W
C15	75.62'	380.00'	011°24'05"	75.49'	N28°58'38"W
C16	91.06'	380.00'	013°43'46"	90.84'	N41°32'34"W
C17	49.73'	380.00'	007°29'52"	49.69'	N52°09'22"W
C18	88.98'	370.00'	013°46'44"	88.77'	S48°22'42"E
C19	82.71'	370.00'	012°48'29"	82.54'	S35°05'05"E
C20	295.65'	370.00'	045°46'56"	287.85'	S05°47'22"E
C21	93.91'	370.00'	014°32'33"	93.66'	S24°22'22"W
C22	88.68'	370.00'	013°43'55"	88.47'	S38°30'37"W
C23	52.38'	370.00'	008°06'38"	52.33'	S49°25'54"W
C24	30.17'	830.00'	002°04'57"	30.17'	N52°26'44"E
C25	88.25'	830.00'	006°05'32"	88.21'	N48°21'30"E
C26	13.31'	830.00'	000°55'09"	13.31'	N44°51'09"E
C27	25.42'	330.00'	004°24'51"	25.42'	N42°11'10"E
C28	79.24'	330.00'	013°45'27"	79.05'	N33°06'01"E
C29	63.46'	330.00'	011°01'05"	63.36'	N20°42'45"E
C30	45.83'	35.00'	075°01'49"	42.63'	S52°43'07"W
C31	11.11'	720.00'	000°53'03"	11.11'	N76°15'44"E
C32	113.79'	720.00'	009°03'19"	113.67'	N81°13'55"E
C33	113.79'	720.00'	009°03'19"	113.67'	S89°42'46"E
C34	6.56'	720.00'	000°31'20"	6.56'	S84°55'26"E
C35	53.78'	35.00'	088°02'19"	48.64'	S40°38'37"E
C36	49.47'	530.00'	005°20'53"	49.45'	N00°42'07"E
C37	39.13'	470.00'	004°46'14"	39.12'	N00°24'47"E
C38	55.65'	35.00'	091°05'33"	49.97'	N48°20'40"E
C39	82.28'	180.00'	026°11'28"	81.57'	S80°47'43"W
C40	94.29'	180.00'	030°00'43"	93.21'	S52°41'37"W
C41	94.29'	180.00'	030°00'43"	93.21'	S22°40'53"W
C42	43.65'	180.00'	013°53'37"	43.54'	S00°43'43"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C43	54.98'	35.00'	090°00'00"	49.50'	N38°46'54"E
C44	49.87'	35.00'	081°37'51"	45.75'	S55°24'10"E
C45	61.34'	180.00'	019°31'26"	61.04'	S24°20'57"E
C46	81.82'	180.00'	026°02'37"	81.12'	S47°07'58"E
C47	81.82'	180.00'	026°02'37"	81.12'	S73°10'35"E
C48	31.32'	180.00'	009°58'05"	31.28'	N88°49'04"E
C49	74.91'	720.00'	005°57'39"	74.87'	S86°48'51"W
C50	105.10'	720.00'	008°21'50"	105.01'	N86°01'25"W
C51	45.27'	720.00'	003°36'09"	45.26'	N80°02'26"W
C52	30.62'	530.00'	003°18'35"	30.61'	S79°53'39"E
C53	47.25'	35.00'	077°20'48"	43.74'	S42°52'32"E
C54	120.96'	430.00'	016°07'00"	120.56'	S12°15'39"E
C55	267.07'	430.00'	035°35'09"	262.80'	S38°06'44"E
C56	242.56'	320.00'	043°25'47"	236.79'	N34°11'24"W
C57	59.26'	35.00'	097°00'14"	52.43'	N36°01'36"E
C58	53.69'	35.00'	087°53'22"	48.58'	N55°52'51"E
C59	311.84'	430.00'	041°33'03"	305.05'	S32°42'41"W
C60	21.93'	770.00'	001°37'54"	21.93'	N52°40'16"E
C61	100.28'	770.00'	007°27'44"	100.21'	N48°07'27"E
C62	57.62'	35.00'	094°19'09"	51.33'	N02°45'59"W
C63	125.45'	470.00'	015°17'37"	125.08'	N57°34'22"W
C64	193.91'	470.00'	023°38'22"	192.54'	N77°02'21"W
C65	125.68'	470.00'	015°19'15"	125.30'	S83°28'50"W
C66	33.81'	780.00'	002°29'00"	33.80'	N77°03'42"E
C67	106.72'	780.00'	007°50'20"	106.63'	N82°13'22"E
C68	106.72'	780.00'	007°50'20"	106.63'	S89°56'17"E
C69	18.46'	780.00'	001°21'21"	18.46'	S85°20'27"E
C70	185.22'	120.00'	088°26'10"	167.37'	S51°07'09"W
C71	27.48'	120.00'	013°07'09"	27.42'	S00°20'29"W
C72	168.91'	120.00'	080°38'48"	155.30'	S46°32'30"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C73	19.48'	120.00'	009°18'05"	19.46'	N88°29'04"E
C74	24.44'	780.00'	001°47'42"	24.43'	S84°43'52"W
C75	106.72'	780.00'	007°50'20"	106.63'	S89°32'53"W
C76	106.72'	780.00'	007°50'20"	106.63'	N82°36'46"W
C77	6.18'	780.00'	000°27'15"	6.18'	N78°27'59"W
C78	12.55'	470.00'	001°31'47"	12.55'	S79°00'14"E
C79	3.33'	470.00'	000°24'21"	3.33'	S79°58'18"E
C80	4.12'	370.00'	000°38'14"	4.12'	S55°35'11"E
C83	706.42'	370.00'	109°23'31"	603.91'	N01°12'33"W
C105	302.63'	380.00'	045°37'48"	294.70'	S33°05'24"E
C108	225.28'	720.00'	017°55'38"	224.36'	S87°12'10"E
C112	388.02'	430.00'	051°42'09"	374.99'	N30°03'13"W
C129	244.05'	780.00'	017°55'38"	243.06'	S87°12'10"E
C130	256.29'	180.00'	081°34'45"	235.18'	S55°22'37"E
C131	188.39'	120.00'	089°56'53"	169.63'	S51°11'32"E
C132	314.50'	180.00'	100°06'32"	276.00'	N43°50'10"E
C133	212.70'	120.00'	101°33'19"	185.93'	N44°33'34"E
C134	245.26'	720.00'	019°31'01"	244.07'	N85°34'43"E
C135	265.70'	780.00'	019°31'01"	264.41'	N85°34'43"E
C136	445.05'	470.00'	054°15'14"	428.61'	S77°03'11"E
C137	122.21'	770.00'	009°05'38"	122.08'	N48°56'24"E
C138	131.74'	830.00'	009°05'38"	131.60'	S48°56'24"W
C139	168.12'	330.00'	029°11'23"	166.31'	S29°47'54"W

PATH EASEMENT CURVES

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C84	32.52'	45.00'	041°24'16"	31.82'	S65°05'43"W
C109	57.85'	50.00'	066°17'20"	54.68'	S65°17'38"E
C110	11.05'	10.00'	063°19'18"	10.50'	S63°48'38"E
C111	36.70'	95.00'	022°07'57"	36.47'	S84°24'18"E
C113	154.97'	452.00'	019°38'40"	154.22'	S14°33'24"E
C114	25.69'	93.00'	015°49'35"	25.61'	S16°27'56"E
C115	53.45'	120.00'	025°31'12"	53.01'	S21°18'45"E
C116	177.19'	465.00'	021°49'58"	176.12'	S44°59'19"E
C117	136.76'	480.00'	016°19'26"	136.29'	S47°44'35"E
C118	41.40'	30.00'	079°03'46"	38.19'	S79°06'45"E
C119	35.92'	40.00'	051°27'12"	34.73'	N87°04'58"E
C120	296.87'	300.00'	056°41'50"	284.90'	S38°50'31"E
C121	22.46'	40.00'	032°09'57"	22.16'	N82°21'19"W
C122	81.62'	101.00'	046°18'00"	79.41'	N89°25'21"W
C123	202.15'	299.00'	038°44'10"	198.32'	S86°47'44"W
C124	66.18'	51.00'	074°20'46"	61.63'	S68°59'26"W
C125	31.63'	55.00'	032°57'06"	31.20'	S48°17'36"W
C126	51.99'	90.00'	033°06'01"	51.27'	S81°19'10"W
C127	267.99'	510.00'	030°06'27"	264.92'	S82°48'57"W
C128	23.41'	80.00'	016°45'59"	23.33'	S76°08'44"W

CENTERLINE CURVES

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	308.08'	350.00'	050°26'01"	298.23'	S30°41'17"E
C2	763.70'	400.00'	109°23'31"	652.88'	S01°12'33"E
C3	126.97'	800.00'	009°05'38"	126.84'	S48°56'24"W
C4	152.84'	300.00'	029°11'23"	151.19'	S29°47'54"W
C5	106.84'	200.00'	030°36'25"	105.57'	S00°06'01"E
C6	511.14'	500.00'	058°34'22"	489.18'	S74°53'36"E
C7	255.48'	750.00'	019°31'01"	254.24'	N85°34'43"E
C8	63.79'	500.00'	007°18'33"	63.74'	N01°40'57"E
C9	265.87'	150.00'	101°33'19"	232.41'	N44°33'34"E
C10	235.48'	150.00'	089°56'53"	212.04'	N51°11'32"W
C11	234.67'	750.00'	017°55'38"	233.71'	N87°12'10"W
C12	71.40'	500.00'	008°10'54"	71.34'	N82°19'48"W
C101	415.28'	400.00'	059°29'03"	396.88'	S26°09'47"E
C102	348.42'	400.00'	049°54'28"	337.51'	S28°31'59"W
C103	58.69'	200.00'	016°48'43"	58.47'	S06°47'50"W
C104	48.15'	200.00'	013°47'42"	48.04'	N08°30'22"W

UTILITY EASEMENT CURVES

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C85	20.68'	535.00'	002°12'55"	20.68'	N86°54'58"E
C86	306.69'	435.00'	040°23'44"	300.38'	N65°36'39"E
C87	157.96'	365.00'	024°47'44"	156.73'	N57°48'39"E
C88	127.85'	342.50'	021°23'15"	127.11'	N56°06'25"E
C89	322.55'	457.50'	040°23'44"	315.91'	N65°36'39"E
C90	213.04'	170.01'	071°47'46"	199.37'	N51°18'10"W
C91	263.25'	210.00'	071°49'27"	246.35'	S51°18'57"E
C92	105.63'	530.00'	011°25'07"	105.45'	N81°31'07"W
C93	97.65'	490.00'	011°25'07"	97.49'	S81°31'07"E
C94	144.50'	470.00'	017°36'57"	143.93'	N04°37'02"W
C95	156.80'	510.00'	017°36'57"	156.18'	S04°37'02"E
C96	137.73'	529.70'	014°53'51"	137.34'	N05°58'50"W
C97	127.33'	490.00'	014°53'20"	126.97'	S05°58'50"E
C98	196.86'	370.00'	030°29'05"	194.55'	N13°46'43"W
C99	203.62'	410.00'	028°27'16"	201.53'	S12°45'48"E
C100	60.69'	242.50'	014°20'19"	60.53'	S82°35'49"E
C140	50.72'	265.00'	010°57'55"	50.64'	N80°54'37"W

ALTON PLACE
SECTION 1, PHASE 1
FINAL PLAT

PLOT SCALE: 1:1 EDIT DATE: 2/3/22 - 10:08 AM EDITED BY: BBINGHAM DRAWING FILE: O:\2017\02133\02 SECTION 1\D_DRAWINGS\SURVEY\PHASE 1\2017I02133.SV.07-07-2021.S1P1.PLAT.DWG

Attachment: Exhibit A. Alton Place Sec1 P1 Final Plat (22-R-11 : Alton Place Section 1, Phase 1 Final Plat)

Council Memo: Legislation (22-R-12)

Subject: Reappointments to Alton Place Community Authority
From: Michelle Crandall, City Manager
Initiated by: Kelly Clodfelder, Staff Attorney
Date: February 28, 2022

Executive Summary

This Resolution reappoints members to the Board of Trustee of the Alton Place Community Authority (the "Board").

Staff Recommendation

Staff recommends that Council adopt this Resolution.

Background

On June 8, 2020, City Council passed Ordinance No. 19-25 authorizing the City to enter into a Developer's Agreement regarding the Alton Place Hilliard Conservation District ("HCD"). As a requirement of the Developer's Agreement, the Developer committed to creating a new community authority in order to collect a development charge and use the amounts collected to reimburse the Developer for costs related to public infrastructure improvements. By the passage of Resolution No. 21-R-15 on February 22, 2022, the Alton Place Community Authority was established.

The board members are comprised of 3 developer appointments, 3 citizen members appointed by City Council, and one local government representative. Erin Duffee and Angela Zody, appointed as citizen members, were initially appointed to one-year terms. Following initial one-year terms, pursuant to Ohio Revised Code Section 349.04, members are to be reappointed for two-year terms to ensure overlapping terms.

Financial Impacts

There are no anticipated financial impacts.

Expected Benefits

N/A

Attachments

N/A

Resolution: 22-R-12 **Adopted:**

Page 2 of **Effective:**

RE-APPOINTING MEMBERS TO THE BOARD OF TRUSTEES OF THE ALTON PLACE COMMUNITY AUTHORITY.

WHEREAS, on February 22, 2021, City Council adopted Resolution No. 21-R-15 appointing Erin Duffee and Angela Zody as citizen members to the Board of Trustees of the Alton Place Community Authority ("Board"), for a term a term that expired February 21, 2022; and

WHEREAS, Angela Zody and Erin Duffee have expressed a desire and willingness to continue to serve as Trustee and to accept a reappointment to the Board; and

WHEREAS, pursuant to Ohio Revised Code Section 349.04, following the initial one-year terms, members shall serve two-year overlapping terms.

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

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

Erin Duffee	Citizen Member	Term: February 28, 2022 – February 26, 2024
Angela Zody	Citizen Member	Term: February 28, 2022 – February 26, 2024

SECTION 2. This Resolution is effective upon its adoption.

ATTEST: **SIGNED:**

_____ _____

Diane C. Werbrich, MMC **President of Council**
Clerk of Council

APPROVED AS TO FORM:

_____

Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-12						
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Held Over ☐ Withdrawn ☐ Positive Recommendation ☐ No Recommendation ☐ Referred Back To Committee			**Yes/Aye**	**No/Nay**	**Abstain**	**Absent**
	Andy Teater		☐	☐	☐	☐
	Omar Tarazi		☐	☐	☐	☐
	Les Carrier		☐	☐	☐	☐
	Tina Cottone		☐	☐	☐	☐
	Peggy Hale		☐	☐	☐	☐
	Pete Marsh		☐	☐	☐	☐
	Cynthia Vermillion		☐	☐	☐	☐

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-12** passed by the Hilliard City Council on the 28th day of February 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 28th day of February 2022.

_____

Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-13)

Subject: Courtyards at Carr Farms Section 5 Plat
From: Michelle Crandall, City Manager
Initiated by: John Talentino, City Planner
Date: February 28, 2022

Executive Summary

The proposal is for the approval of a Final Plat for the Courtyards at Carr Farms Section 5 consisting of 35 single-family lots (including 19 single-family detached lots and 16 townhouse lots) and 6 reserves on 13.297 acres.

Staff Recommendation

Staff recommends that Council adopt this resolution based on the finding that the proposed plat is consistent with the approved Carr Farms PUD Concept Plan.

Background

On July 11, 2016, Council adopted Ordinance No. 16-01 approving the Carr Farms PUD Concept Plan consisting of 157 single-family lots on 79.5 acres. The PUD Concept Plan constitutes the preliminary plat.

On April 12, 2018, the Planning and Zoning Commission (the "Commission") approved a 6-month extension of the PUD Concept Plan (through March 11, 2019). On September 13, 2018, the Commission forwarded a positive recommendation to Council concerning a modification of the PUD Concept Plan consisting of 59 traditional single-family homes and 179 empty-nester homes on 79.45 acres. On November 23, 2020, Council adopted Resolution No. 20-R-95 approving a modification of the PUD Concept Plan consisting of 59 traditional single-family homes and 179 empty-nester homes on 79.45 acres.

Following a positive recommendation from the Commission, on October 11, 2021, City Council adopted Resolution No. 21-R-62 approving a modification to the PUD Concept Plan to consist of 227 empty-nester homes and 16 townhomes. On February 10, 2022, the Planning and Zoning Commission approved a Final Plat consisting of 19 single-family lots and 16 townhouse lots on 13.297 acres.

Financial Impacts

There are no anticipated financial impacts.

Expected Benefits

Approval of this Final Plat will enable the developer to sell the lots providing additional housing options to the public.

Attachments

1) Exhibit A - The Courtyards at Carr Farms Section 5 Final Plat
2) P&Z staff report – Case PZ-22-1
3) P&Z record of action

CASE 2: PZ-22-1 – The Courtyards at Carr Farms Section 5 – Final Plat – 4852 Leppert Road

PARCEL NUMBER: 050-008252 and 050-011719

APPLICANT: Epcon Carr Farms LLC, c/o Joel Rhoades, 500 Stonehenge Parkway, Dublin, OH 43017; and Sydney Berry, EMH&T, 5500 New Albany Road, Columbus OH 43054.

REQUEST: Review & approval of a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Carr Farms PUD for a development consisting of 35 lots and 6 reserves on 13.297 acres.

BACKGROUND:

The site is 24.423 acres located on the east side of Leppert Road approximately 1,000 feet north of Davidson Road. On November 12, 2015, the Planning and Zoning Commission approved a PUD Concept Plan and consisting of 157 single-family lots on 79.5 acres. On April 12, 2018, The Commission approved a 6-month extension of the PUD Concept Plan (through March 11, 2019). On September 13, 2018, the Commission approved a modification of the PUD Concept Plan consisting of 59 traditional single-family homes and 179 empty nester homes on 79.45 acres. On April 8, 2021, the Commission approved a Final Plat for The Courtyards at Carr Farms Phase 1 consisting of 47 single-family lots on 24.423 acres. On October 11, 2021, adopted a resolution (21-R-62) modifying the Carr Farms PUD Concept Plan to permit 16 townhouse dwelling units and 50 empty nester homes on 21.44 acres consisting of Subarea "B".

The applicant is now requesting approval of a Final Plat consisting of 35 single-family lots and 6 reserves on 13.297 acres within Subarea "B".

COMMISSION ROLE:

The Commission is to review the proposed final plat for conformance to the provisions of the Courtyards at Carr Farms PUD Concept Plan and Hilliard Code Section 1188.05.

STAFF RECOMMENDATION:

Staff finds that the proposed final plat is consistent with the provisions of the Courtyards at Carr Farms PUD Concept Plan and Code Section 1188.05. Based on these findings, staff recommends approval of the proposed final plat with the following condition:

1) That the Final Plat meet the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

CONSIDERATIONS:

- The site consists of the western portion of the Courtyards at Carr Farms PUD Subarea "B". A maximum of 66 lots are permitted in this subarea including 50 empty nester homes and 16 townhouse dwelling units.
- Development standards for single-family courtyard homes include 52-foot minimum lot width, 120-foot minimum lot depth, minimum 20-foot front yard, minimum 15-foot minimum setback to sidewalk for corner lots, minimum 5-foot side yard, minimum 12.5-foot rear yard from internal property lines, minimum 65-foot building setback from the eastern and southern overall property boundaries, and minimum 1,400-square-foot floor area.

Attachment: PZ-22-1-StaffReport (22-R-13 : Courtyards at Carr Farms Section 5 Plat)

- Development standards for townhomes include 26-foot minimum lot width, 110-foot minimum lot depth, minimum 20-foot front yard, minimum 15-foot street side yard, no minimum side yard, minimum 12.5-foot rear yard, and minimum 1,400-square-foot floor area.
- A total of 35 single-family lots are proposed including 19 single-family detached lots and 16 townhouse lots. The proposed lots meet the minimum lot width and lot depth requirements. A 1.081-acre reserve (Reserve "F") is proposed at the northwest corner of the site and a stormwater basin. A 2.274-acre reserve (Reserve "G") is proposed in the southwest portion of the site and will contain landscaping and mounding. A 1.562-acre reserve (Reserve "H") is proposed in the center of the site and will contain a neighborhood trail, a storm water basin, and a pavilion. A 0.369-acre reserve (Reserve "I") is proposed in the eastern portion of the site, and will contain a neighborhood trail. A 0.100-acre reserve (Reserve "J") is proposed in the northeast corner of the plat at the vehicular connection to Subarea A. A 1.431-acre reserve (Reserve "K") is proposed to run throughout the site and contain private streets. The reserves will be owned and maintained by an association comprised of the property owners.
- A 10-foot multi-use path will be installed along Leppert Road within the right-of-way.

Attachment: PZ-22-1-StaffReport (22-R-13 : Courtyards at Carr Farms Section 5 Plat)

CITY OF HILLIARD est. 1853

3800 Municipal Way, Hilliard, Ohio 43026 | Phone 614.876.7361 | www.hilliardohio.gov

PLANNING & ZONING COMMISSION
RECORD OF ACTION

Thursday, February 10, 2022

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

CASE 2: PZ-22-1 – The Courtyards at Carr Farms Section 5 – Final Plat – 4852 Leppert Road
PARCEL NUMBER: 050-008252 and 050-011719
APPLICANT: Epcon Carr Farms LLC, c/o Joel Rhoades, 500 Stonehenge Parkway, Dublin, OH 43017; and Sydney Berry, EMH&T, 5500 New Albany Road, Columbus OH 43054.
REQUEST: Review & approval of a Final Plat under the provisions of Hilliard Code Section 1188.05 and the Carr Farms PUD for a development consisting of 35 lots and 6 reserves on 13.297 acres.

MOTION: A Motion was made by Ms. Nixon to approve the proposed Final Plat under the provisions of Hillard Code Section 1188.05 and the Carr Farms PUD for a development consisting of 35 lots and 6 reserves on 13.297 acres with the following condition:

1) That the Final Plat meets the requirements of the City Engineer for format and content prior to being scheduled on a City Council agenda.

Mr. Lewie seconded the motion.

VOTE:

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

STATUS: The motion passed 7-0 and Case #2: PZ-22-1 was approved with the above condition.

CERTIFICATION:

Carson Combs, Acting Clerk
February 16, 2022

Attachment: PZ-22-1 ROA Carr Farms Sec5 2.10.22 (22-R-13 : Courtyards at Carr Farms Section 5 Plat)

ACCEPTING THE DEDICATION OF RIGHT-OF-WAY AND EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR SECTION 5 OF THE COURTYARDS AT CARR FARMS.

WHEREAS, on October 11, 2021, Council adopted Resolution No. 21-R-62 approving a modification of the Carr Farms PUD Concept Plan consisting of 227 empty-nester homes and 16 townhomes on 79.45 acres; and

WHEREAS, upon application by Epcon Carr Farms, LLC, and EMH&T (collectively, the "Owner"), on February 10, 2022, at its regularly scheduled public meeting, the City's Planning and Zoning Commission approved the final plat ("Final Plat") for Section 5 of The Courtyards at Carr Farms for the development of 35 single-family lots (including 19 single-family detached lots and 16 townhouse lots) on 13.2973± acres of land (the "Property"); and

WHEREAS, the Owner has offered to dedicate to the City of Hilliard public right-of-way along Leppert Road and 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, 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 Exhibit "A" 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 the public right-of-way along Leppert Road, and easements for public and private utilities, cable television, service connections and storm water drainage, within The Courtyards at Carr Farms Section 5, as shown on Exhibit "A", **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 identified on Exhibit "A" and is authorized to provide the Clerk of Council with a final recorded copy of said plat.

SECTION 3. 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.

SECTION 4. 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-13						
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Held Over ☐ Withdrawn ☐ Positive Recommendation ☐ No Recommendation ☐ Referred Back To Committee			**Yes/Aye**	**No/Nay**	**Abstain**	**Absent**
	Andy Teater		☐	☐	☐	☐
	Omar Tarazi		☐	☐	☐	☐
	Les Carrier		☐	☐	☐	☐
	Tina Cottone		☐	☐	☐	☐
	Peggy Hale		☐	☐	☐	☐
	Pete Marsh		☐	☐	☐	☐
	Cynthia Vermillion		☐	☐	☐	☐

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-13** passed by the Hilliard City Council on the 28th day of February 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 28th day of February 2022.

_____

Diane C. Werbrich, MMC

THE COURTYARDS AT CARR FARMS SECTION 5

Situated in the State of Ohio, County of Franklin, City of Hilliard, and in Virginia Military Survey Number 3453, containing 13.297 acres of land, more or less, said 13.297 acres being part that tract of land conveyed to **EPCON CARR FARMS, LLC** by deed of record in Instrument Number 202110130185048, Recorder's Office, Franklin County, Ohio.

The undersigned, **EPCON CARR FARMS, LLC,** an Ohio limited liability company, by **JOEL D. RHOADES,** Regional President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its **"THE COURTYARDS AT CARR FARMS SECTION 5"**, a subdivision containing Lots numbered 201 to 207, 229 to 240 and 251 to 266, all inclusive, and areas designated as Reserve "F", Reserve "G", Reserve "H", Reserve "I", Reserve "J" and Reserve "K", does hereby accept this plat of same and dedicates to public use, as such, all of Leppert Road 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 "Easement" (Esmt), "Sanitary Easement" (S.E.), Reserve "K" or "Storm Water Management Easement" (SWME). Each of the aforementioned designated Easements permits the construction, operation and maintenance of all public and quasi public utilities 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. Within said Reserve "K", a non-exclusive easement is hereby granted to the City of Hilliard and other Governmental Employees for use in the course of providing Police, Fire, Medical or other Governmental services to Lots and Lands adjacent to said Reserve "K".

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 Easement"(SWME), 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.

Epcon Carr Farms, LLC, in recording this plat of The Courtyards at Carr Farms Section 5, has designated a certain area of land as reserve, which may contain but not be limited to, parking, walking, green areas, swimming pools, residential courtyard features, community facilities such as a community building, private streets, sidewalks and common parking areas, all of which are intended for use by the owners of the fee simple titles to the lots and reserve areas in The Courtyards at Carr Farms development. Reserve "K", is not hereby dedicated for use by the general public but is hereby dedicated to the common use and enjoyment of the owners of the fee simple titles to the lots and reserve areas in the The Courtyards at Carr Farms development as more fully provided in the declaration of covenants, conditions and restrictions applicable to The Courtyards at Carr Farms Section 5 ("Declaration"), which will be recorded subsequent to the recordation of this plat. The Declaration will be incorporated and made a part of this plat upon the recording of the Declaration.

The owners of the fee simple titles to lots 201 to 207, 229 to 240 and 251 to 266, all inclusive, and areas designated as Reserve "F", Reserve "G", Reserve "H", Reserve "I", Reserve "J" and Reserve "K", and to lots and reserve areas in existing and future sections of the The Courtyards at Carr Farms development shall have and are hereby granted a non-exclusive right-of-way and easement for access to and from public streets, in and over said Reserve "K" to be shared with the owners of the fee simple titles to each other of said lots 201 to 207, 229 to 240 and 251 to 266, all inclusive, and areas designated as Reserve "F", Reserve "G", Reserve "H", Reserve "I", Reserve "J" and Reserve "K", and with the owners of the fee simple titles to the lots and reserve areas in existing and future sections of the The Courtyards at Carr Farms development. Said owners of the fee simple titles to said lots 201 to 207, 229 to 240 and 251 to 266, all inclusive, and areas designated as Reserve "F", Reserve "G", Reserve "H", Reserve "I", Reserve "J" and Reserve "K", shall have a non-exclusive right-of-way and easement in and over similar such access ways to public streets that future sections of the The Courtyards at Carr Farms development may provide.

In Witness Whereof, **JOEL D. RHOADES,** Regional President of **EPCON CARR FARMS, LLC,** has hereunto set his hand this _____ day of _____, 20___.

Signed and Acknowledged In the presence of:

EPCON CARR FARMS, LLC

_____

By _____
JOEL D. RHOADES, Regional President

_____

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **JOEL D. RHOADES,** Regional President of **EPCON CARR FARMS, LLC** who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **EPCON CARR FARMS, LLC** for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

CITY OF HILLIARD

Approved this ____ day of _____, 20___, by the Planning and Zoning Commission

_____
Chairman, Planning and Zoning Commission, Hilliard, Ohio

Approved this ____ day of _____, 20___.

_____
City Engineer, Hilliard, Ohio

Approved and accepted this _____ day of _____, 20__; by Resolution No. _____, wherein all of the easements shown dedicated heron are accepted, as such, by the Council for the City of Hilliard, Ohio.

_____
Clerk of Council, Hilliard, Ohio

Transferred this ____ day of _____, 20___.

_____
Auditor, Franklin County, Ohio

_____
Deputy Auditor, Franklin County, Ohio

Filed for record this ___ day of _____, 20___ at _____ M. Fee $_____

_____
Recorder, Franklin County, Ohio

File No. _____

Recorded this ____ day of _____, 20___.

_____
Deputy Recorder, Franklin County, Ohio

Plat Book _____, Pages _____

LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2007). Control for bearings was from coordinates of monuments FCGS 5068 and FCGS 5069, having a bearing of North 06° 41' 27" East between said monuments, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated, and set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED BY

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
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.

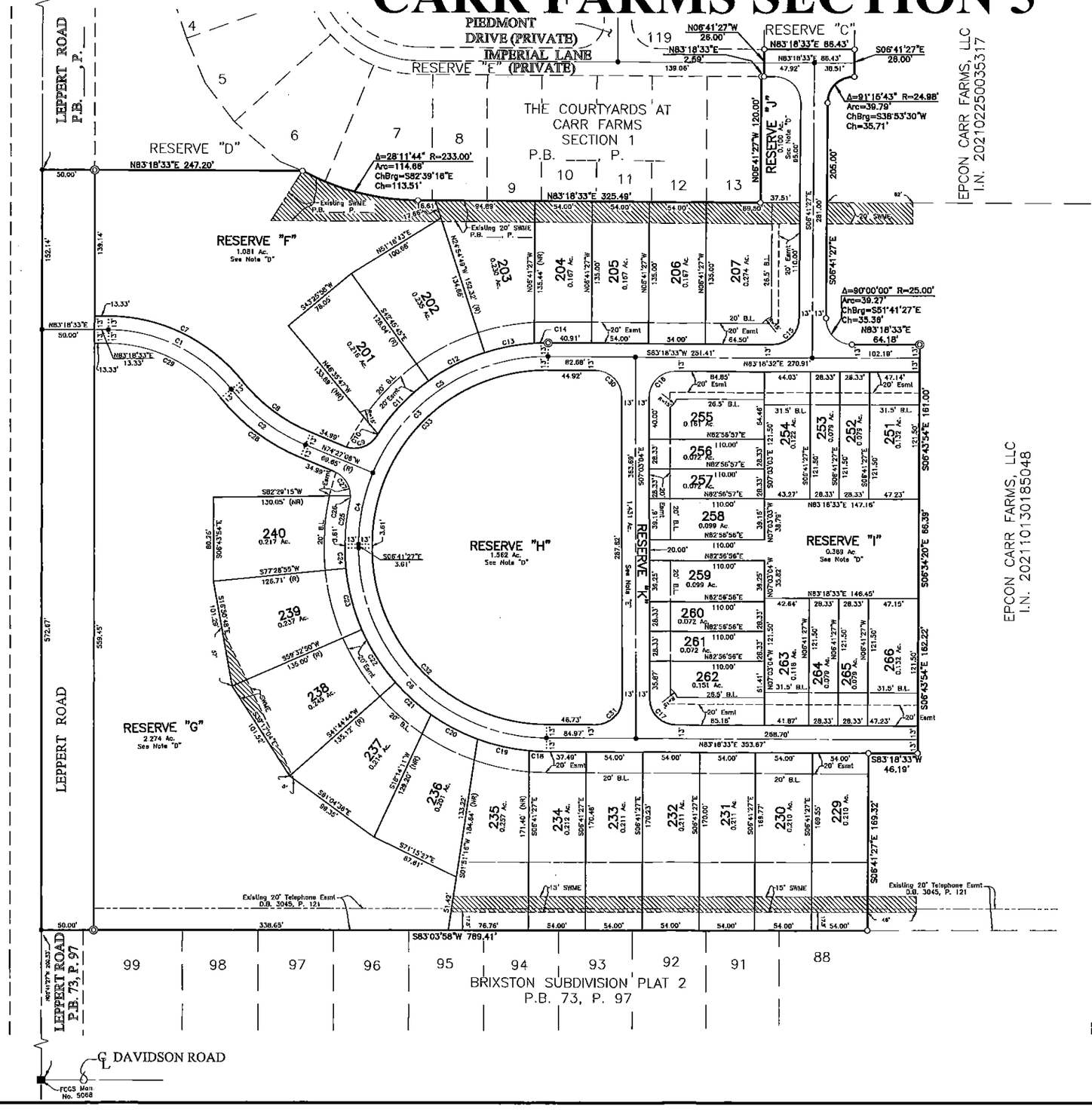
○ = Iron Pin (See Survey Data)
● = MAG Nail to be set
◎ = Permanent Marker (See Survey Data)

By _____ _____
Professional Surveyor No. 7865 Date

Attachment: Exhibit A.PZ-22-1-FinalPlat (22-R-13 : Courtyards at Carr Farms Section 5 Plat)

J:\2021\1018\DWG\SHEETS\PLAT\20211018-PLAT-SEC5.DWG saved by KIRK MATTHEW on 1/5/2022 12:40:13 PM last saved by JOHNSTON on 1/5/2022 12:50:28 PM
Xrefs: 20201184-XS-PLAT-FINAL.DWG

THE COURTYARDS AT CARR FARMS SECTION 5



NOTE "A" - ACREAGE BREAKDOWN:

Total acreage:	13.297 Ac.
Acreage in right-way	0.833 Ac.
Acreage in Reserve "K" (private streets)	1.431 Ac.
Acreage in Reserves.	5.368 Ac.
Acreage in remaining lots:	5.665 Ac.

NOTE "B" : At the time of platting, all of the land hereby being platted as The Courtyards at Carr Farms Section 5 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 39049C0141K with effective date of June 17, 2008.

NOTE "C" - ACREAGE BREAKDOWN: The Courtyards at Carr Farms Section 5 is out of the following Franklin County Parcel Numbers:

050-008252	13.068 Ac.
050-011719	0.229 Ac.

NOTE "D" - RESERVE "F", RESERVE "G", RESERVE "H", RESERVE "I" AND RESERVE "J": A homeowner's association ("Association") shall be created which will be responsible for the maintenance of designated reserves that are not conveyed or dedicated to the City of Hilliard or a community authority. The articles of incorporation creating the Association will be filed with the Ohio Secretary of State prior to occupancy of any building on the property. The Declaration shall contain a provision that states, after the City of Hilliard provides written notice to the Association and a right-to-cure period, the City of Hilliard shall have the right to enter upon the designated reserves and perform any necessary maintenance work to said designated reserves if the Association fails to timely fulfill its maintenance obligations in accordance with the Declaration. In such an event, the City of Hilliard shall be entitled to recover from the Association its costs associated with performing said necessary maintenance work. Notwithstanding the foregoing, the City of Hilliard may neither (i) enter the clubhouse building or any other amenity facilities constructed within or upon the designated reserves nor (ii) have any obligation to maintain such amenity facilities, if any. Prior to filing the Declaration, Epcon Carr Farms, LLC shall deliver a draft of the Declaration to the law director for the City of Hilliard to confirm the Declaration contains the above-mentioned language.

Reserve "F", Reserve "G", Reserve "H", Reserve "I" and Reserve "J", as designated and delineated hereon, shall be owned and maintained by the Association.

Refer to the recorded operation and maintenance agreement for the post-construction stormwater best management practices and for additional restrictions in Reserves "F", "G", "H", "I" and "J".

NOTE "E" - RESERVE "K": Reserve "K ", as designated and delineated hereon, shall be owned and maintained by the Association. The street and lanes constructed within said Reserve "K" will be private streets and lanes which will not be dedicated to the City of Hilliard and the City of Hilliard will not be responsible for the maintenance of said streets.

Line Type Legend

- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Subdivision Boundary Line
- Lot Line
- R/W Line
- R/W Centerline
- Easement Line

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	51°19'45"	150.00'	134.38'	N 71°01'35" W	129.93'
C2	29°05'24"	175.00'	88.85'	S 59°54'24" E	87.90'
C3	90°00'00"	180.00'	282.74'	S 38°18'33" W	254.56'
C4	22°14'21"	180.00'	69.87'	S 04°25'43" W	69.43'
C5	67°45'39"	180.00'	212.88'	S 49°25'43" W	200.69'
C6	90°00'00"	180.00'	282.74'	S 51°41'27" E	254.56'
C7	51°19'45"	163.00'	146.03'	N 71°01'35" W	141.19'
C8	29°05'24"	162.00'	82.25'	S 59°54'24" E	81.37'
C9	79°57'41"	25.00'	34.89'	N 65°34'03" E	32.13'
C10	0°43'40"	193.00'	2.45'	S 25°57'02" W	2.45'
C11	20°55'23"	193.00'	70.48'	S 36°46'34" W	70.09'
C12	17°50'55"	193.00'	60.12'	S 58°09'43" W	59.88'
C13	14°19'57"	193.00'	48.28'	S 72°15'09" W	48.15'
C14	3°53'25"	193.00'	13.10'	S 81°21'50" W	13.10'
C15	90°00'00"	25.00'	39.27'	N 38°18'33" E	35.36'
C16	90°21'37"	25.00'	39.43'	S 36°07'44" W	35.47'
C17	89°38'23"	25.00'	39.11'	S 51°52'16" E	35.24'
C18	4°54'24"	193.00'	16.53'	N 85°45'45" E	16.52'
C19	15°02'12"	193.00'	50.65'	S 84°15'57" E	50.51'
C20	14°54'32"	193.00'	50.22'	S 69°17'35" E	50.08'
C21	13°35'03"	193.00'	45.76'	S 55°02'47" E	45.65'
C22	17°48'05"	193.00'	59.96'	S 39°21'13" E	59.72'
C23	17°56'05"	193.00'	60.41'	S 21°29'06" E	60.17'
C24	5°49'38"	193.00'	19.63'	S 08°36'16" E	19.62'
C25	12°11'57"	193.04'	41.10'	S 00°35'29" E	41.02'
C26	12°09'44"	25.00'	5.31'	N 00°34'22" W	5.30'
C27	67°47'53"	25.00'	29.58'	N 40°33'10" W	27.89'
C28	29°05'24"	188.00'	95.45'	S 59°54'24" E	94.43'
C29	51°19'45"	137.00'	122.73'	N 71°01'35" W	118.67'
C30	89°38'23"	25.00'	39.11'	N 51°52'16" W	35.24'
C31	90°21'37"	25.00'	39.43'	N 36°07'44" E	35.47'
C32	90°00'00"	187.00'	282.32'	S 51°41'27" E	236.17'
C33	90°00'00"	167.00'	282.32'	S 38°18'33" W	238.17'

B.L. = Building Line
Esmt = Easement
S.E. = Sanitary Easement

(R) = radial to street centerline
(NR) = non-radial to street centerline

= Storm Water Management Easement (SWME). See paragraph regarding "Easements" and "Storm Water Management Easements" on sheet 1 for restrictions within this easement.

Attachment: Exhibit A.PZ-22-1-FinalPlat (22-R-13 : Courtyards at Carr Farms Section 5 Plat)

THE COURTYARDS AT CARR FARMS SECTION 5

This sheet is to clearly designate and delineate the Sanitary Easement (S.E.). All information about Lots and Reserves can be found on Sheet 2 of 3 of this plat.

Line Type Legend

- Existing Property Line
- Existing R/W Line
- Existing R/W Centerline
- Existing Easement Line
- Subdivision Boundary Line
- Lot Line
- R/W Line
- R/W Centerline
- Easement Line

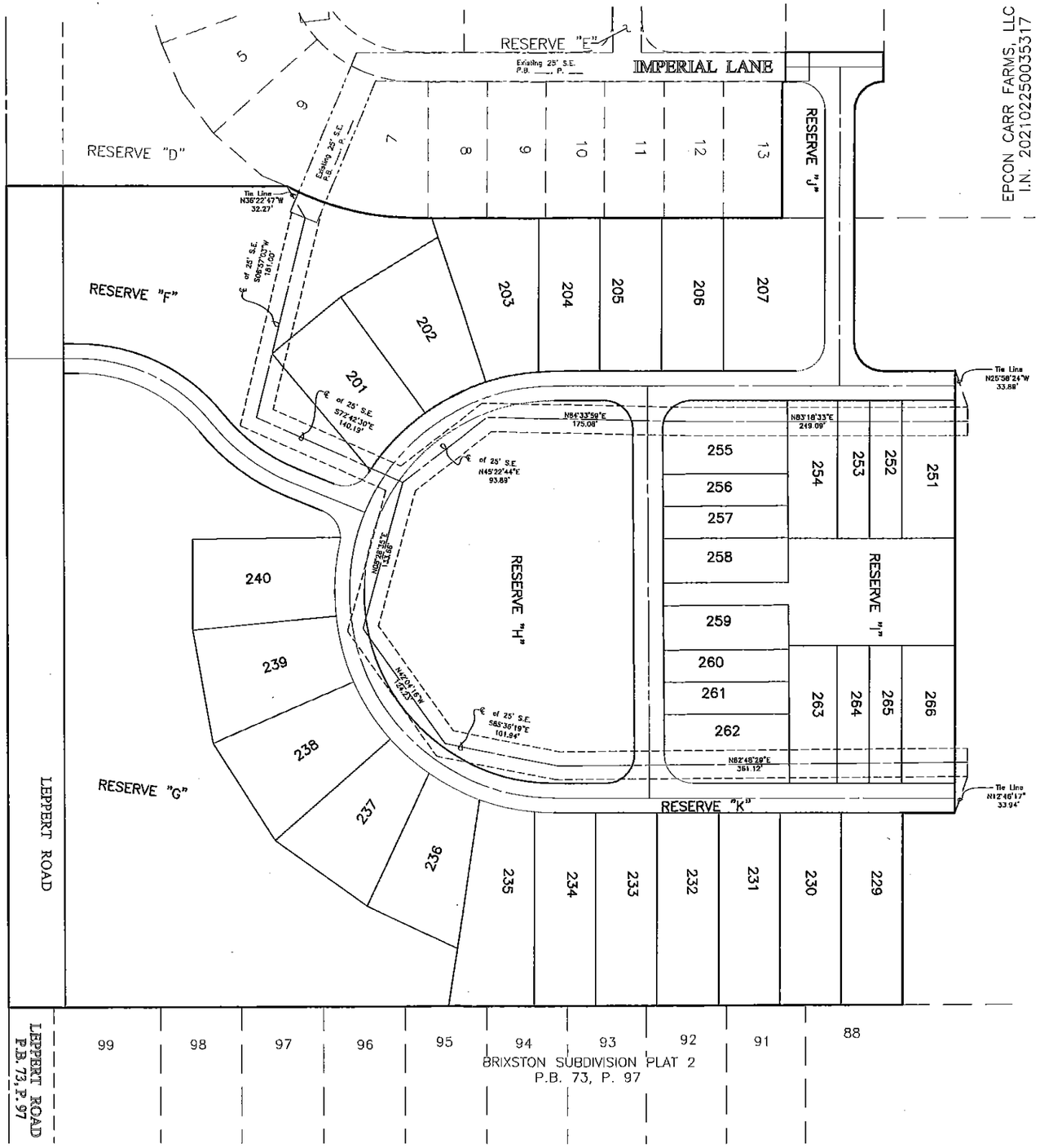
SCALE 1" = 50'

GRAPHIC SCALE (in feet)

B.L. = Building Line
Esmt = Easement
S.E. = Sanitary Easement

(R) = radial to street centerline
(NR) = non-radial to street centerline

= Storm Water Management Easement (SWME). See paragraph regarding "Easements" and "Storm Water Management Easements" on sheet 1 for restrictions within this easement.



Attachment: Exhibit A.PZ-22-1-FinalPlat (22-R-13 : Courtyards at Carr Farms Section 5 Plat)

Council Memo: Legislation (22-R-14)

Subject: Ferguson Conservation Easement
From: Michelle Crandall, City Manager
Initiated by: Clark Rausch, City Engineer
Date: February 28, 2022

Executive Summary

Ferguson Enterprises, LLC, 4363 Lyman Drive, has offered to dedicate a permanent conservation easement on their property along the eastern bank of Holcomb Ditch for purposes of limiting development and activity in this easement area. The protections in the conservation easement will allow this stream bank area to function as it normally would for erosion protection, flood storage, and water quality protection.

Staff Recommendation

City Council is being asked to approve a 0.458± acre conservation easement across a portion of the Ferguson Enterprises property. The purpose of the easement is to protect the riparian corridor along Ferguson's frontage of Holcomb Ditch. Staff recommends approval of this conservation easement along Holcomb Ditch.

Background

Ferguson Enterprises, LLC owns 3.48± acres of property located at 4363 Lyman Drive. The property abuts Holcomb Ditch, one of the streams in the northern part of the City that is tributary to the Scioto River. Section 7.1.3 of the City's Engineering Design Manual deals with Stream Corridor Protection Zones (SCPZ). The City requires SCPZ's along all watercourses in the City. The purpose of these SCPZ's is to protect the riparian corridor along streams. A healthy riparian corridor along a stream provides many benefits, including erosion protection for the streambank, flood storage for the watercourse, habitat for animals, and water quality protection for runoff entering the stream. Ferguson recently submitted plans to the City for an expansion of their existing building on this property. A condition of approval of these plans is for Ferguson to establish a SCPZ on the portion of their property abutting Holcomb Ditch. A SCPZ is normally defined in a conservation easement granted over the SCPZ. Ferguson has agreed to dedicate a 0.458± acre conservation easement to the City, described in Exhibit "A", attached hereto and incorporated herein. The conservation easement restricts the use of this area in an effort to maintain the area in its natural condition. The conservation easement is attached hereto as Exhibit "B" and incorporated herein.

Financial Impacts

There are no anticipated financial impacts to the City due to the granting of this easement by Ferguson Enterprises, LLC.

Expected Benefits

This conservation easement will allow the area defined in the easement to be classified as a SCPZ, thereby protecting the riparian border along this portion of Holcomb Ditch by restricting various activities as defined in the attached conservation easement. The benefits of a healthy riparian corridor include streambank erosion protection, additional flood storage, and water quality for the stream.

Attachments

- Exhibit "A", legal description and exhibit for the easement
- Exhibit "B", the "Deed of Easement".

AUTHORIZING THE CITY MANAGER TO ACCEPT A PERMANENT CONSERVATION EASEMENT FROM FERGUSON ENTERPRISES, LLC ALONG HOLCOMB DITCH, SAID EASEMENT BEING LOCATED ALONG THE WEST SIDE OF LYMAN DRIVE NORTH OF ANSMIL DRIVE

WHEREAS, Ferguson Enterprises, LLC ("Ferguson") owns 3.48± acres of property at 4363 Lyman Drive, identified as parcel number 050-003400 by the Franklin County Auditor's Office, in the City of Hilliard; and

WHEREAS, the City of Hilliard ("City") recently approved plans for a building addition to the existing building on the Ferguson property; and

WHEREAS, the Ferguson property abuts Holcomb Ditch in the City, and Section 7.1.3 of the City's Engineering Design Manual requires a Stream Corridor Protection Zone (SCPZ) be designated along any active stream channel in the City as a means of establishing a riparian corridor along the water course to perform its inherent function of erosion protection, flood storage, and water quality protection; and

WHEREAS, as a condition of their building addition approval, Ferguson has agreed to establish a SCPZ on their property by dedicating a permanent conservation easement, being 0.458± acres, to the City, described in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, this conservation easement restricts the use and activities allowed in the easement area in an effort to maintain the area in as natural a state as possible so it can perform its inherent function of erosion protection, flood storage, and water quality protection, consistent with the restrictions and conditions of the Deed of Easement from Ferguson to the City, attached hereto as Exhibit "B" and incorporated herein; and

WHEREAS, it is to the interest and benefit of the City and the public at large that the easement from Ferguson be accepted by the City of Hilliard for the aforementioned purpose.

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

SECTION 1. The City of Hilliard accepts a permanent 0.458± acre conservation easement from Ferguson Enterprises, LLC, as described in Exhibit "A" attached hereto and incorporated herein.

SECTION 2. The City Manager is authorized to execute and deliver a "Deed of Easement" document with the aforementioned property owner, in a form substantially similar to the one attached hereto as Exhibit "B", for and in the name of the City, with such changes approved by the City Engineer that are not adverse to the City and that shall not be inconsistent with this Resolution, which approval shall be evidenced conclusively by her execution thereof, and the City Manager is authorized to execute and deliver all documents necessary and appropriate to consummate acceptance of the easements, and to require conveyance documents to be delivered and recorded evidencing the granting of such easement to the City.

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-14						
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Held Over ☐ Withdrawn ☐ Positive Recommendation ☐ No Recommendation ☐ Referred Back To Committee			**Yes/Aye**	**No/Nay**	**Abstain**	**Absent**
	Andy Teater		☐	☐	☐	☐
	Omar Tarazi		☐	☐	☐	☐
	Les Carrier		☐	☐	☐	☐
	Tina Cottone		☐	☐	☐	☐
	Peggy Hale		☐	☐	☐	☐
	Pete Marsh		☐	☐	☐	☐
	Cynthia Vermillion		☐	☐	☐	☐

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-14** passed by the Hilliard City Council on the 28th day of February 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 28th day of February 2022.

_____

Diane C. Werbrich, MMC

EXHIBIT A

January 05, 2022

DESCRIPTION OF A CONSERVATION EASEMENT
AT 4363 LYMAN DRIVE,
CITY OF HILLIARD, FRANKLIN CO., OHIO

Situated in the State of Ohio, County of Franklin, City of Hilliard, in Virginia Military Survey No. 3000, and being a conservation easement through a portion of Lot 7, as shown upon the plat of Lyman Industrial Park, of record in Plat Book 63, Pages 35-36, said portion of Lot 7 being a 3.481 acre tract of land conveyed to Wolseley NA Real Estate, Inc., by deed of record in Instrument No. 200806120090804, all references being to the records of the Recorder's Office, Franklin County, Ohio said easement bounded described as follows:

Beginning at a point at the southwest corner of said Lot 7, at the southeast corner of Lot 6, as shown upon said plat of Lyman Industrial Park, at the southwest corner of said 3.481 acre tract and in the north right-of-way line of Lyman Drive (60 feet in width), as shown upon said plat of Lyman Industrial Park;

thence N 05º 47' 09" W along a portion of the west line of said Lot 7, along a portion of the east line of said Lot 6 and along the west line of said 3.481 acre tract a distance of 380.00 feet to a point;

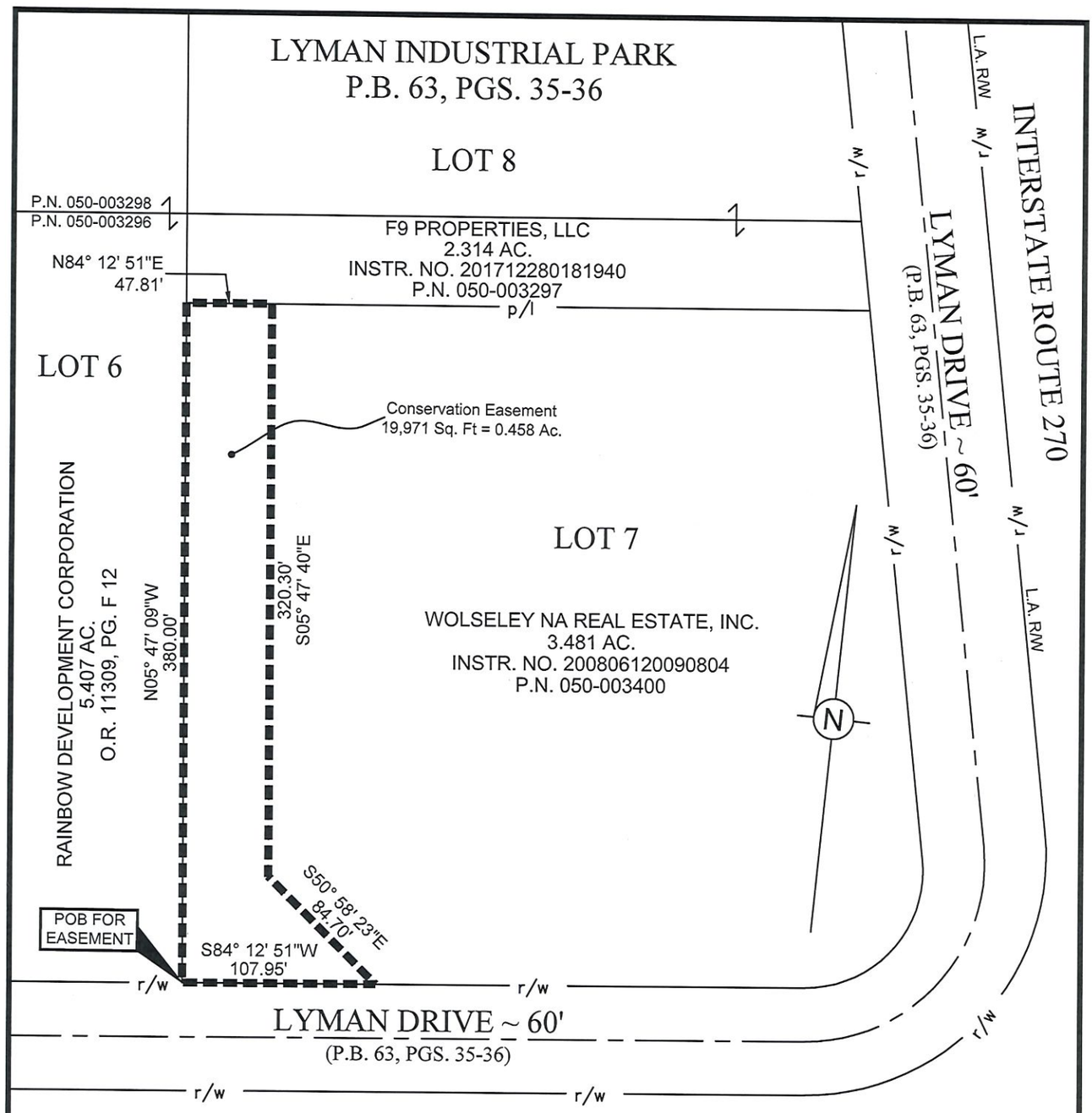
thence N 84º 12' 51" E crossing a portion of said Lot 7 and along a portion of the north line of said 3.481 acre tract a distance of 47.81 feet to a point;

thence S 05º 47' 40" E crossing a portion of said Lot 7 and crossing a portion of said 3.481 acre tract a distance of 320.30 feet to a point;

thence S 50º 58' 23" E crossing a portion of said Lot 7 and crossing a portion of said 3.481 acre tract a distance of 84.70 feet to a point in the south line of said Lot 7, in the north right-of-way line of Lyman Drive and in the south line of said 3.481 acre tract;

thence S 84º 12' 51" W along a portion of the south line of said Lot 7, along the north right-of-way line of Lyman Drive and along a portion of the south line of said 3.481 acre tract a distance of 107.95 feet to the place of beginning;

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of V3 Companies, Ltd, (formerly Bird+Bull, Inc.), Consulting Engineers & Surveyors, Columbus, Ohio, an actual field survey performed under his supervision in June, 2021. Basis of bearings is the centerline of Lyman Drive, being N 84° 12' 51" E, as shown upon the plat of Lyman Drive, of record in Plat Book 63, Pages 35-36, Recorder's Office, Franklin County, Ohio, and all other bearings are based on this meridian.



SCALE: 1" = 80'

0 80 160 240

GRAPHIC SCALE

BASIS OF BEARINGS: Basis of bearings is the centerline of Lyman Drive, being N 84° 12' 51" E, as shown upon the plat of Lyman Drive, of record in Plat Book 63, Pages 35-36, Recorder's Office, Franklin County, Ohio, and all other bearings are based on this meridian.

EXHIBIT OF A CONSERVATION EASEMENT, AT 4363 LYMAN DRIVE, CITY OF HILLIARD, FRANKLIN CO., OHIO

(IN VIRGINIA MILITARY SURVEY NO. 3000)

SCALE: 1" = 80'

JANUARY 05, 2022

V3 Companies, Ltd.
3500 Snouffer Road, Ste. 225
Columbus, Ohio 43235
Ph: (614) 761-1661

210283

Exhibit "B"

DEED OF EASEMENT
DRAFT

This Deed of Easement ("Deed of Easement") is made this _____ day of _____, 2022 by and between Ferguson Enterprises, LLC as successor-by-merger with Wolseley NA Real Estate, Inc., ("**GRANTOR**"), and the City of Hilliard, Ohio ("**GRANTEE**").

Recitals:

A. GRANTOR owns 3.48± acres of property located in Franklin, County, Ohio, identified as parcel number 050-003400 by the Franklin County Auditor (the "Property"); and

B. On the Property, GRANTOR desires to grant to GRANTEE a conservation easement ("Conservation Easement") pursuant to the terms and conditions contained herein; and

C. The legal description and graphic depiction of the Conservation Easement being granted by Grantor is attached hereto as Exhibit A and A-1 respectively, and incorporated herein (the "Conservation Easement Area"); and

D. As a condition of the development of the Property, the GRANTOR, by conveyance of this Deed of Easement, has agreed to restrict its use of the Conservation Easement and that of the Grantee and third parties, with the intent that such restrictions run with the land.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR, for itself and its successors and assigns as owner of the Property, hereby conveys to GRANTEE a Conservation Easement (as described and depicted in attached Exhibits A and A-1) to have and to hold, and to use according to the terms and conditions contained hereafter.

§1. Use and Development Restrictions in the Conservation Easement Area. GRANTOR hereby agrees, for itself and its successors and assigns, as owner of the Property, to restrict the use of the Conservation Easement Area, as stated below.

A. The Conservation Easement Area shall be kept in its natural state. As herein used, the term "natural state" means that no buildings, billboards or other structures of any kind, either temporary or permanent, shall be placed or erected within the Conservation Easement Area, unless otherwise expressly provided hereunder.

B. It is understood and agreed by GRANTOR and GRANTEE that the GRANTEE may undertake measures in the future to improve water quality and enhance ecological conditions in the Conservation Easement Area as required. These measures may include stream restoration or other best practices as mutually established by the City of Hilliard, Ohio, EPA, ODNR, and the GRANTEE. The actions by the GRANTEE, its successors, assigns, employees, or agents under this Section 1.B. shall be deemed by the GRANTOR as being consistent with the purpose and intent of this Deed of Easement document and not in contradiction to the Conservation Easement granted. By execution hereof, GRANTOR hereby provides its permission for GRANTEE to undertake stream restoration or other measures to improve water quality and enhance ecological conditions in the Conservation Easement Area.

C. No filling, drilling, excavating, removal of top soil, sand, gravel, rock minerals or other materials nor any building of roads or change in the topography of the land in any manner, other than that caused by the forces of nature or as permitted otherwise herein, shall take place within the Conservation Easement Area.

Attachment: Exhibit B.4363 Lyman Dr - Ferguson Enterprises SCPZ Cons Esmt (22-R-14 : Ferguson Conservation Easement)

D. GRANTOR shall not permit spraying or other application of herbicides or pesticides unless, in advance, written permission is granted and mutual consent agreed upon by the GRANTEE.

E. GRANTOR shall not construct any utility lines or mains nor shall any interests in the Conservation Easement Area be voluntarily granted by GRANTOR to any entity for this purpose. The GRANTOR reserves the right to maintain and repair existing utility lines or mains needed to provide for the needs of the GRANTOR, or GRANTOR's successors or assigns. The area needed to repair said facility shall be the minimum necessary to accomplish the task as agreed upon in writing by the GRANTOR and the GRANTEE. Upon completion, the area shall be restored to its previous state or as near as practical thereto.

F. No trees, ground cover, or other vegetation shall be removed by GRANTOR by cutting, mowing, or any other activity other than the removal of invasive and noxious species and the removal of dead trees or limbs that pose a threat to health and safety unless approved by the GRANTEE.

G. The GRANTEE reserves the right to perform maintenance as contemplated herein and periodically inspect the Conservation Easement Area for violations of the terms of this Deed of Easement, and if upon ninety days (90) advance notice the GRANTOR, or any third party that is the cause of a violation(s), has not eliminated said violations, the GRANTEE may remove or eliminate, at the expense of the GRANTOR or third party, any violation by the GRANTOR or third party, of the restrictions contained in this Deed of Easements. GRANTOR hereby expressly permits the GRANTEE, or its authorized representative, to enter upon the Conservation Easement Area for the purposes of inspection.

H. The GRANTEE reserves the right to post or clearly mark the boundaries of said Conservation Easement Area in compliance with its policies.

I. Neither GRANTOR nor GRANTEE shall permit cattle or other livestock on the Conservation Easement Area.

J. All GRANTOR activities that are prohibited on the Conservation Easement Area are also prohibited for any employee, agent, representative, visitor or licensee of the GRANTOR. The GRANTOR shall not give permission, either express or implied, to another person to perform prohibited activities.

§2. Reserved Rights of the GRANTOR and the GRANTEE. The Use and Development Restrictions declared and granted hereunder, and the covenants heretofore made, are subject to the following rights of the GRANTOR and the GRANTEE and are expressly reserved hereunder.

A. Except as expressly limited herein, the GRANTOR reserves for itself, its heirs and assigns, all rights as owner of the Property, including the right to use the Conservation Easement Area for all purposes not in conflict with this Deed of Easements. Specifically, these rights include but are not limited to the right of quiet enjoyment and the right of recreational uses that are not in conflict with this Deed of Easement.

B. The use of the Conservation Easement by the GRANTEE, and its successors and assigns, unless otherwise noted herein, will be restricted to maintaining, enhancing and restoring the area in a natural, scenic, open and wooded condition, as a natural environment suitable for wild native, and naturalized flora and fauna of all types.

The GRANTOR expressly reserves to GRANTEE the right to have adequate access to enter upon land in the Conservation Easement Area in the event of public drainage maintenance needs for the health, safety and welfare of the public. In these cases, the GRANTEE shall provide advance notice

Attachment: Exhibit B.4363 Lyman Dr - Ferguson Enterprises SCPZ Cons Esmt (22-R-14 : Ferguson Conservation Easement)

to the GRANTOR, and its heirs and assigns, of at least 48 hours and no more than one week of the intent to access the easement area, unless circumstances warrant a more immediate access, such circumstances to be interpreted by the GRANTEE.

§3. **Perpetual Restrictions**. The restrictions set forth in this Deed of Easement shall be perpetual and shall run with the land for the benefit of, and shall be enforceable by GRANTEE, its heirs, successors, and assigns. This Deed of Easement and the covenants and restrictions set forth herein shall not be amended, released, extinguished or otherwise modified without the prior written consent of the GRANTOR and the GRANTEE and/or their heirs and assigns, which consent may be withheld in their sole and absolute discretion.

§4. **Enforcement**. If the GRANTOR, their successors or assigns, should materially violate one or more covenants and/or restrictions contained herein, GRANTOR shall have ninety (90) days after receipt of specific written notice of the alleged violation from the GRANTEE, to either dispute the violation notice or to cure the violation, so long as the violation is determined to be material. As long as the offending party is diligent in implementing a plan to remedy the material violation, the GRANTEE may extend the cure period by one or more additional ninety (90) day periods, as evidenced in writing by the GRANTEE. In the event the GRANTOR is unable or unwilling to remedy the material violation, the GRANTOR, or its successors or assigns, will be held responsible by the GRANTEE for the costs associated with such remedy as is performed by the GRANTEE.

§5. **Acts of Third Parties.** The GRANTOR shall indemnify, defend and hold GRANTEE harmless from the negligent acts or omissions or willful misconduct of the GRANTOR, its agents, employees and contractors, which occur on the Conservation Easement Area and which acts or omissions are in contravention of the covenants and restrictions imposed hereunder. This section 5 does not abrogate GRANTEE'S responsibilities under Section 4 above.

§6. **Severability**. Each provision of this Deed of Easement and the application thereof to the Property are hereby declared to be independent of and severable from the remainder of this Deed of Easement. If any provision contained herein shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Deed of Easement.

§7. **Notices**. Notices or other communication hereunder shall be in writing and shall be sent by certified or registered mail, return receipt requested, or by other national overnight courier company, or personal delivery. Notice shall be deemed given upon receipt or refusal to accept delivery. Each party may change from time to time their respective address for notice hereunder by like notice to the other party. The notice addresses of the parties are as follows:

GRANTOR: Ferguson Enterprises, LLC
751 Lakefront Commons
Newport News, VA 23606
Attn: RE & Facilities Dept.

GRANTEE: City of Hilliard
3800 Municipal Way
Hilliard, Ohio 43026-1696

§9. **Governing Law**. This Deed of Easements shall be governed by, and construed in accordance with the laws of the State of Ohio.

The lands of the GRANTOR, herein above referred to, and to which the provisions of this instrument apply, are situated in the City of Hilliard, Franklin County, State of Ohio, and are more particularly described in the attached Exhibits A and A-1.

Attachment: Exhibit B.4363 Lyman Dr - Ferguson Enterprises SCPZ Cons Esmt (22-R-14 : Ferguson Conservation Easement)

TO HAVE AND TO HOLD unto the GRANTEE and its assigns in perpetuity. The covenants agreed to and the restrictions imposed, as aforesaid, shall be binding upon the GRANTOR, its heirs, successors, and assigns, and each of them, and GRANTOR WARRANTS that the title to the land above described is CLEAR, FREE, and UNENCUMBERED, and that it will DEFEND the same against all lawful claims of all persons whomsoever.

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SIGNATURE AND ACKNOWLEDGMENT PAGE FOLLOWS]

Attachment: Exhibit B.4363 Lyman Dr - Ferguson Enterprises SCPZ Cons Esmt (22-R-14 : Ferguson Conservation Easement)

IN WITNESS WHEREOF, the Grantor has caused this Easement to be executed this 25 day of January, 2022.

FERGUSON ENTERPRISES, LLC
a Virginia limited liability company

By: Kirk D. Wall
Name: Kirk D. Wall
Title: Senior Director of Facilities

STATE OF VIRGINIA,
CITY OF NEWPORT NEWS, SS:

The foregoing instrument was acknowledged before me this 25 day of January, 2022, by Kirk D. Wall, the Senior Director of Facilities of Ferguson Enterprises, LLC on behalf of the company.

KAYLA NOELLE HOGGE
NOTARY PUBLIC
REG. # 7851612
MY COMMISSION EXPIRES
12/31/2023
COMMONWEALTH OF VIRGINIA

Kayla Hogge
Notary Public
Reg. No. 7851612
My Commission Expires: 12-31-2023

**[REMAINDER OF PAGE INTENTIONALLY BLANK –
SIGNATURE AND ACKNOWLEDGMENT PAGE FOLLOWS]**

Attachment: Exhibit B.4363 Lyman Dr - Ferguson Enterprises SCPZ Cons Esmt (22-R-14 : Ferguson Conservation Easement)

ACCEPTANCE

The GRANTEE does hereby accept the land and associated improvements within the Conservation Easement and all the terms and conditions thereof this _____ day of _____, 2021.

CITY OF HILLIARD, OHIO

Signature: _____

Print: _____
Michelle L. Crandall, City Manager

Date: _____
STATE OF OHIO,
COUNTY OF _____SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2021, by Michelle L. Crandall, the City Manager of the City of Hilliard, Ohio, a municipal corporation, on behalf of the City.

_____
Notary Public

Approved as to form:

_____
Philip K. Hartmann, Law Director, City of Hilliard

This instrument was prepared by:

Kelly Clodfelder, Staff Attorney
City of Hilliard
3800 Municipal Way
Hilliard, Ohio 43026
(614) 334-2341

Attachment: Exhibit B.4363 Lyman Dr - Ferguson Enterprises SCPZ Cons Esmt (22-R-14 : Ferguson Conservation Easement)

Council Memo: Legislation (22-R-15)

Subject: Professional Services Agreement for General Engineering Services with CDM Smith, Inc.
From: Michelle Crandall, City Manager
Initiated by: Clark Rausch, City Engineer
Date: February 28, 2022

Executive Summary

This Resolution is for a professional services agreement for General Engineering Services. The main tasks associated with this contract will be planning, design, evaluation, and review of all projects associated with the City's Capacity, Management, Operations, and Maintenance (CMOM) program for public utilities.

Staff Recommendation

City Staff recommends the approval of a professional services agreement with CDM Smith, Inc. ("CDM Smith") in the amount of $130,000 for engineering planning, design, evaluation, and review services for various Capital Improvement Projects and Programs.

Background

The City of Hilliard has had a General Engineering Services contract with CDM Smith for the past four years. As part of this contract, CDM completed designs for various City Capital Improvement Programs, including S-20, CMOM Plan; S-33, Annual Sanitary Sewer Cleaning and CCT Program; S-37, Annual Sanitary Sewer Lining Program; S-43, Sanitary Trunk Sewer Maintenance; and S-44, Sanitary Sewer Backflow Prevention Program; and ST-43, Leap Road Storm Sewer Improvements. These projects have allowed CDM Smith to analyze the City's sanitary sewer system and become familiar with the issues affecting the City's system. This professional services agreement will allow CDM Smith to continue assisting City staff with the programs they've begun and will provide continuity in the City's CMOM program and all other Capital Improvement public utility programs.

Financial Impacts

The approved 2021 Operating Budget included $140,000 for CIP S-20, Comprehensive Maintenance and Operations Plan. The approved 2021 Capital Improvement Budget also allocated funds for CIP S-33, CIP S-37, CIP S-43, and CIP ST-43. The design and engineering portion of these funds will be utilized to fund this PSA.

Expected Benefits

The planning, design, evaluation, and review services provided by CDM Smith in this PSA will improve the City's utility systems and determine future maintenance needs for these public utilities.

Attachments

No attachments.

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CDM SMITH, INC. TO PROVIDE GENERAL ENGINEERING SERVICES AND AUTHORIZING THE EXPENDITURE OF FUNDS. ($130,000)

WHEREAS, the City of Hilliard desires to enter into General Engineering Service ("GES") contracts, also known as Professional Services Agreements ("PSAs") with private contractors to:

- provide the City with technical expertise to support the City of Hilliard Engineering Division (the "Division of Engineering") staff;
- provide planning, design, review, or construction services, on an as-needed basis, for small to medium sized public improvements and/or private development projects that may arise throughout the year;
- provide professional services for an established or a new program or initiative identified in the City's Capital Improvement Plan (CIP); and

WHEREAS, the PSA for GES is an annual contract and tasks will be performed on an "as-directed" basis, whereby the Contractor will provide services only as requested and directed by the City based on specific work to be performed; and

WHEREAS, per Resolution No. 18-R-49 approved on June 25, 2018, City Council approved a PSA with CDM Smith, Inc. ("CDM Smith") for GES services, namely all aspects of the City's Capacity, Management, Operations, and Maintenance (CMOM) program, CIP S-20; and

WHEREAS, CDM Smith's existing GES contract expires in 2022; and

WHEREAS, it is advantageous to maintain continuity in the planning, design, evaluation, and review of all projects associated with the CMOM program, and therefore the City is proposing to enter into a GES contract with CDM Smith; and

WHEREAS, engineering services to be performed by CDM Smith include all aspects of the City's Capacity, Management, Operations, and Maintenance (CMOM) program, CIP S-20, including Capital Improvement Projects S-33, Annual Sanitary Sewer Cleaning and CCTV program; S-37 Annual Sanitary Sewer Lining Program; S-43, Sanitary Sewer Trunk Maintenance; S-44, Sanitary Sewer Backflow Prevention Program; and ST-43, Leap Road Storm Sewer Improvements; and

WHEREAS, by the passage of Ordinance No. 21-41 on December 13, 2021, funds in the amount of $140,000 were appropriated in the Capital Improvements Budget, and pursuant to Section 3.10 of the Charter of the City, authorization to fund the Services 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 as follows: One Hundred Thirty Thousand Dollars ($130,000) Fund 304, Object 55 to fund the Services Agreement with CDM Smith, Inc.

SECTION 2. The City Manager is authorized to enter into a professional services agreement (PSA) with CDM Smith, Inc., in the amount of One Hundred Thirty Thousand Dollars ($130,000) to provide the

General Engineering Services (GES) to the City (the "Agreement"). The Agreement may be extended beyond one year, subject to the appropriation of additional funds by City Council, except for fees deposited into Fund 283, Object 53, which funds are appropriated upon deposit and may be used to fund additional Services under this PSA related to the design and/or review of improvements to private development, for a period not to exceed three additional years. The City Manager is authorized to make such changes to the attached Agreement that are not inconsistent with this Resolution and that are not averse to the City, which shall be evidenced conclusively by her signature thereof that such changes are approved by Council.

SECTION 3. 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 provided herein.

SECTION 4. 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-15						
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Held Over ☐ Withdrawn ☐ Positive Recommendation ☐ No Recommendation ☐ Referred Back To Committee			Yes/Aye	No/Nay	Abstain	Absent
	Andy Teater		☐	☐	☐	☐
	Omar Tarazi		☐	☐	☐	☐
	Les Carrier		☐	☐	☐	☐
	Tina Cottone		☐	☐	☐	☐
	Peggy Hale		☐	☐	☐	☐
	Pete Marsh		☐	☐	☐	☐
	Cynthia Vermillion		☐	☐	☐	☐

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-15** passed by the Hilliard City Council on the 28th day of February 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 28th day of February 2022.

_____

Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-16)

Subject: Round 16 Clean Ohio Conservation Fund Grant for Clover Groff Stream Restoration Project, Phase II
From: Michelle Crandall, City Manager
Initiated by: Clark Rausch, City Engineer
Date: February 28, 2022

Executive Summary

This legislation would allow the City Manager to apply for and accept assistance from the Clean Ohio Green Space Conservation Program fund, administered through the Ohio Public Works Commission, to complete the second phase of a stream restoration project along Clover Groff Run. Phase I of the Clover Groff Stream Restoration Project was funded by a Clean Water Act Section 319(h) Grant and was completed in 2016. Phase II of the project will help improve the quality of the watershed, enhance natural recreational and educational opportunities within the Roger A. Reynolds Municipal Park, preserve sensitive natural features, and link together other restoration projects that have been completed or are planned along Clover Groff Run.

Staff Recommendation

The City's Engineering Division recommends approval of authorizing legislation related to application for and reception of funding assistance from the Clean Ohio Green Space Conservation Program. The proposed stream restoration project advances key goals designated in the City's Comprehensive Plan and the Big Darby Accord Plan, supporting both the City's commitment to provide excellent recreational spaces, as well as to protect and preserve stream corridors and natural habitat.

Background

The Clean Ohio Green Space Conservation Program is dedicated to environmental conservation including acquisition of green space and the protection and enhancement of stream corridors. Any entities seeking a grant for an eligible project must submit an application to the Natural Resources Assistance Council (NRAC) with geographical jurisdiction over the proposed project area. Recipients of the Clean Ohio grant must agree to maintain the project properties in perpetuity so that they can be enjoyed and cherished for generations to come.

In 2016, the City of Hilliard completed Phase I of the Clover Groff Stream Restoration, which encompassed 1,295 linear feet of stream directly south of Scioto Darby Road in the western portion of Hilliard Municipal Park. Phase I of the project was partially funded by a Clean Water Act Section 319(h) Grant. Phase II of the project was planned to be implemented at that time with previously awarded Clean Ohio funding, but that portion of the project was not fulfilled and the grant funding was returned due to the City being unable to secure the participation of an adjacent private property owner.

In 2021, the City acquired the aforementioned private property west of Hilliard Municipal Park, allowing Phase II of the project to move forward. Accordingly, Clean Ohio grant funding is being sought for the proposed Phase II effort, which will restore approximately 2,800 linear feet of channel south of the Phase I restoration project. The existing linear, overwide stream channel will be abandoned and a new channel will be constructed based on natural channel design principles. A riparian buffer planted with native vegetation will be maintained along each side of the channel as it meanders through the re-constructed floodplain. Floodplain wetland areas will also be created within the buffer along the stream to improve water quality and native habitat.

In order to apply for Clean Ohio Green Space Conservation Program grant funding for Phase II of this project, authorization by the Hilliard City Council of a designated official to sign and submit the application and execute the contract is required.

Financial Impacts

Phase II of the Clover Groff Stream Restoration Project, including design, permitting and construction, is budged to cost a total of $1,450,000. The Clean Ohio grant application will request $652,500 in Clean Ohio grant funding covering 45% of the costs of the Phase II project. The remaining 55% of the project cost, $797,500, has been included as part of the CIP ST-38 Stream Restoration and Water Quality Improvements in the City's 2022 Capital Improvement budget.

Expected Benefits

The Phase II of the Clover Groff Stream Restoration Project conforms to the City's planning framework, strengthens existing park space, and secures and improves sensitive natural features that are valuable for passive recreation.

The restoration of Clover Groff Run will improve water quality and stream habitat within the watershed, and link together other restoration projects that have been completed or are planned along Clover Groff Run. The project is expected to reduce the sediment load to Clover Groff Run by over 100 tons and will replace the current entrenched, straightened ditch with a stable, meandering stream channel connected to its adjacent floodplain and riparian buffer.

The current conditions along the proposed project reach allow for little interaction between the public and the stream corridor, and negatively impact the aesthetics of Hilliard Municipal Park. The restoration plan will remove dense thickets of invasive honeysuckle that currently crowd the channel, and will establish a mix of native plants and flowering species in order. The end result will improve the aesthetics of the park, increase opportunities for passive recreation, as well as provide native habitat.

Furthermore, the proposed project will also be beneficial for economic development opportunities on the City property located west of the stream corridor. A significant portion of this property is located within the regulated special flood hazard area and is subject to floodplain and riparian regulations. After the floodplain improvements in the Phase II project are completed, the City will be able to apply to the Federal Emergency Management Agency (FEMA) for a reduction in width for the existing special flood hazard area that exists today, thereby creating more developable space on the City parcel west of the stream corridor.

Overall, this project is anticipated to provide important water quality and habitat benefits to the City of Hilliard and the Clover Groff Run ecosystem and demonstrates the City's continuing commitment to improve the Clover Groff Run and Big Darby Creek watersheds.

Attachments

No attachments

Resolution: 22-R-16 **Adopted:**

Page 3 of **Effective:**

AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE CLEAN OHIO GREEN SPACE CONSERVATION PROGRAM FUND ADMINISTERED BY THE OHIO PUBLIC WORKS COMMISSION FOR THE CLOVER GROFF STREAM RESTORATION PROJECT, PHASE II AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

WHEREAS, natural stream restoration is consistent with the Big Darby Accord Plan, and will improve water quality, aquatic, and terrestrial habitat of the restored stream; and

WHEREAS, the City of Hilliard is always seeking opportunities to restore streams in the Big Darby Creek watershed; and

WHEREAS, the City of Hilliard completed the Clover Groff Stream Restoration, Phase I in 2016, restoring the northern portion of Clover Groff Run in Hilliard Municipal Park; and

WHEREAS, a requirement of funds received for Phase I was the project be monitored annually for a period of five years after construction to determine the health and vitality of the restored stream, and thus the success of the restoration project; and

WHEREAS, the results of the five year monitoring showed an improved, healthy stream for the portion restored in Phase I, and therefore the City wishes to continue the improvement of the stream in Hilliard Municipal Park by completing Phase II of the stream restoration project; and

WHEREAS, the Ohio Public Works Commission (OPWC) has grants available from the Clean Ohio Conservation Program Fund for green space acquisition and the protection and enhancement of stream corridors; and

WHEREAS, it is in the best interest of the City of Hilliard to take advantage of the opportunities provided by this program by applying for Clean Ohio Conservation funding.

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

SECTION 1. The City Manager is hereby authorized to submit an application to the OPWC for Clean Ohio Conservation Program funds for the Clover Groff Stream Restoration Project, Phase II.

SECTION 2. The City Manager is further authorized to enter into any agreements as may be necessary and appropriate to apply for and obtain financial assistance from the Clean Ohio Conservation Program fund.

SECTION 3. This Resolution is effective upon its passage.

ATTEST: **SIGNED:**

_____ _____

Diane C. Werbrich, MMC **President of Council**
Clerk of Council

APPROVED AS TO FORM:

_____
Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-16						
☐ Adopted ☐ Adopted as Amended ☐ Defeated ☐ Tabled ☐ Held Over ☐ Withdrawn ☐ Positive Recommendation ☐ No Recommendation ☐ Referred Back To Committee			**Yes/Aye**	**No/Nay**	**Abstain**	**Absent**
	Andy Teater		☐	☐	☐	☐
	Omar Tarazi		☐	☐	☐	☐
	Les Carrier		☐	☐	☐	☐
	Tina Cottone		☐	☐	☐	☐
	Peggy Hale		☐	☐	☐	☐
	Pete Marsh		☐	☐	☐	☐
	Cynthia Vermillion		☐	☐	☐	☐

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-16** passed by the Hilliard City Council on the 28th day of February 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 28th day of February 2022.

_____
Diane C. Werbrich, MMC

Council Memo: Information Only

Subject: 2022 Operations Capital Equipment Purchases
From: Michelle Crandall, City Manager
Initiated by: Larry Lester, Operations Director
Date: February 28, 2022

Summary

The purpose of this memorandum is to update City Council on the status of upcoming equipment purchases as identified and previously approved in the 2022 capital budget. Staff is currently securing proposals for these capital equipment purchases. The state-term cooperative purchasing program will be used to purchase the seven vehicles listed below. The 2022 capital budget also includes annual lease payments for a replacement street sweeper. The appropriate retired vehicles will be traded-in and removed from the City's asset inventory as identified in the 2022 capital budget.

Financial Impacts

CIP #	Project	Amount
F-1	Heavy Equipment (Large capacity chipper truck to replace unit 2073)	$120,000
F-1	Heavy Equipment (Street sweeper to replace unit 2121)	$60,000 (annual lease payments)
F-3	Large Trucks (Two ½ ton single axle snowplow truck to replace units 2072 and 2101)	$200,000
F-4	Light Trucks and Pickups (Two pickup trucks with snowplows to replace units 2112 and 2113)	$90,000
F-5	Vehicles (Three SUVs to replace units 2061, 2084, and 2085)	$75,000
	Total Equipment	**$545,000**

Expected Benefits

F-1	Replaces smaller capacity chipper truck consistent with replacement schedule.
F-1	Replaces street sweeper consistent with replacement schedule.
F-3	Replaces two large trucks with snowplows consistent with replacement schedule.
F-4	Replaces two pickup trucks with snowplows consistent with replacement schedule.
F-5	Replaces three SUVs consistent with replacement schedule.

Attachments

2022 Capital Equipment Budget

EQUIPMENT

EXPENDITURE SCHEDULE						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ 869,000	$ 1,071,400	$ 1,206,570	$ 1,024,549	$ 1,092,376	**$ 5,263,894**
LEASE	60,000	60,000	60,000	60,000	60,000	**300,000**
TOTAL	**$ 929,000**	**$ 1,131,400**	**$ 1,266,570**	**$ 1,084,549**	**$ 1,152,376**	**$ 5,563,894**

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)

CIP NUMBER: F-1
PROJECT TITLE: Heavy Equipment
DESCRIPTION/JUSTIFICATION: City staff use heavy equipment to provide city services. The goal of this capital program is to maintain the city's fleet of heavy equipment in good condition. Heavy equipment purchases are consistent with the city's fleet and equipment replacement schedule.

2022
Replacement Large capacity chipper truck to replace unit 2073 - $120,000
Replacement Street sweeper to replace unit 2121 - $60,000 Annual Lease Payments
2023
Replacement Bucket truck to replace unit 2024 - $200,000
Lease Street sweeper to replace unit 2121 - $60,000 Annual Lease Payments
2024
Replacement Sewer jet vac truck to replace unit 2126 - $350,000
Lease Street sweeper to replace unit 2121 - $60,000 Annual Lease Payments
2025
Replacement Backhoe to replace unit 2102 - $130,000
Lease Street sweeper to replace unit 2121 - $60,000 Annual Lease Payments
2026
Replacement Articulating front end loader replace unit 2167 - $160,000
Lease Street sweeper to replace unit 2121 - $60,000 Annual Lease Payments

EXPENDITURE SCHEDULE

PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ 120,000	$ 200,000	$ 350,000	$ 130,000	$ 160,000	**$ 960,000**
LEASE	60,000	60,000	60,000	60,000	60,000	**300,000**
TOTAL	**$ 180,000**	**$ 260,000**	**$ 410,000**	**$ 190,000**	**$ 220,000**	**$ 1,260,000**

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)

CIP NUMBER: F-2
PROJECT TITLE: Light Equipment
DESCRIPTION/JUSTIFICATION: City staff use light equipment to provide city services. The goal of this capital equipment program is to maintain the city's light equipment in good condition. Light equipment purchases are consistent with the city's fleet and equipment replacement schedule

2022
No proposed F-2 equipment for 2022
2023
Replacement Leaf vacuum trailer mounted to replace unit 2075 - $125,000
2024
Replacement Leaf vacuum trailer mounted to replace unit 2132 - $130,000
2025
New Leaf vacuum trailer mounted to expand fleet - $135,000
2026
Replacement Leaf vacuum trailer mounted to replace unit 2169 - $140,000

EXPENDITURE SCHEDULE						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ -	$ 125,000	$ 130,000	$ 135,000	$ 140,000	$ 530,000
LEASE	-	-	-	-	-	-
TOTAL	$ -	$ 125,000	$ 130,000	$ 135,000	$ 140,000	$ 530,000

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)

CIP NUMBER: F-3
PROJECT TITLE: Large Trucks
DESCRIPTION/JUSTIFICATION: City staff use large trucks to provide city services. The goal of this capital equipment program is to maintain the city's fleet of large trucks in good condition. Large trucks serve as primary snow plowing and salting vehicles for winter operations. Large truck purchases are consistent with the city's fleet and equipment replacement schedule.

2022
Replacement 2 ½ ton single axle snow plow truck to replace units 2072 and 2101 - $200,000
2023
Replacement 2 ½ ton single axle snow plow truck to replace units 2056 and 2071 - $210,000
2024
Replacement 2 ½ ton single axle snow plow truck to replace unit 2083 - $215,000
2025
Replacement 2 ½ ton single axle snow plow truck to replace unit 2123 - $220,000
2026
Replacement 2 ½ ton single axle snow plow truck to replace unit 2154 - $225,000

EXPENDITURE SCHEDULE						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ 200,000	$ 210,000	$ 215,000	$ 220,000	$ 225,000	$ 1,070,000
LEASE	-	-	-	-	-	-
TOTAL	$ 200,000	$ 210,000	$ 215,000	$ 220,000	$ 225,000	$ 1,070,000

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)

CIP NUMBER: F-4
PROJECT TITLE: Light Trucks and Pickups
DESCRIPTION/JUSTIFICATION: City staff use light trucks and pickups to provide city services. The goal of this capital equipment program is to maintain the city's fleet of light trucks and pickups in good condition. Light trucks and pickups serve as secondary plowing vehicles for winter operations. Light truck and pickup purchases are consistent with the city's fleet and equipment replacement schedule.

2022
Replacement Two pickup trucks to replace units 2112 and 2113 - $90,000
2023
Replacement Two pickup trucks to replace units 2122 and 2126 - $95,000
2024
Replacement Two pickup trucks to replace units 2127 and 2141 - $100,000
2025
Replacement Two pickup trucks to replace units 2142 and 2143 - $105,000
2026
Replacement Two pickup trucks to replace units 2151 and 2152 - $110,000

EXPENDITURE SCHEDULE

PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ 90,000	$ 95,000	$ 100,000	$ 105,000	$ 110,000	**$ 500,000**
LEASE	-	-	-	-	-	**-**
TOTAL	**$ 90,000**	**$ 95,000**	**$ 100,000**	**$ 105,000**	**$ 110,000**	**$ 500,000**

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)

CIP NUMBER: F-5
PROJECT TITLE: Vehicles
DESCRIPTION/JUSTIFICATION: City staff use vehicles to provide city services. The goal of this capital equipment program is to maintain the city's fleet of vehicles in good condition. Vehicle replacements are made to promote fuel efficiency. Vehicle purchases are consistent with the city's fleet and equipment replacement schedule.

2022
Replacement SUV to replace units 2061, 2084, and 2085 - $75,000
2023
New SUV for Transportation and Mobility - $26,000
2024
Replacement SUV to replace unit 2090 - $28,000
2025
Replacement SUV to replace unit 2153 - $30,000
2026
Replacement SUV to replace unit 2165 - $32,000

EXPENDITURE SCHEDULE

PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ 75,000	$ 26,000	$ 28,000	$ 30,000	$ 32,000	**$ 191,000**
LEASE	-	-	-	-	-	**-**
TOTAL	**$ 75,000**	**$ 26,000**	**$ 28,000**	**$ 30,000**	**$ 32,000**	**$ 191,000**

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)

CIP NUMBER: F-6
PROJECT TITLE: Police Cruisers and Safety Vehicles
DESCRIPTION/JUSTIFICATION: The City of Hilliard requires a variety of equipment and vehicles to provide city services. The goal of the Capital Equipment Program is to maintain the city's fleet of vehicles and equipment in good and serviceable condition. This program provides for a minimum five-year replacement cycle for marked police cruisers and a 10 year replacement cycle for special units and unmarked vehicles. K-9 vehicle replacement is scheduled for seven years, depending upon maintenance and condition of the vehicle. The five-year capital plan included $500,000 for an incident management unit. This can be accomplished at 1/5 the cost for a vehicle adequate for our needs.

2022

Replacement Four marked police cruisers with emergency equipment - $260,000
Replacement One unmarked car with emergency equipment - $24,000
Replacement Mobile crime scene / incident management unit - $100,000

2023 - 2026

Replacement Four police cruisers and all emergency equipment contained within
Replacement Two unmarked cars and all emergency equipment contained within

EXPENDITURE SCHEDULE						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ 384,000	$ 323,400	$ 339,570	$ 356,549	$ 374,376	$ 1,777,894
LEASE	-	-	-	-	-	-
TOTAL	$ 384,000	$ 323,400	$ 339,570	$ 356,549	$ 374,376	$ 1,777,894

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)

CIP NUMBER: F-7
PROJECT TITLE: Grounds Maintenance Equipment
DESCRIPTION/JUSTIFICATION: City staff use grounds maintenance equipment to provide city services. The goal of this capital equipment program is to maintain the city's grounds maintenance equipment in good condition. All grounds maintenance purchases are consistent with the city's fleet and equipment replacement schedule

2022
No proposed F-7 equipment for 2022
2023
New Compact utility loader for forestry - $40,000
Replacement Front deck mower and snow blower to replace unit 2971 - $30,000
2024
Replacement Zero turn mower to replace unit 2030 - $20,000
2025
Replacement Zero turn mower to replace unit 2031 - $22,000
2026
New Zero turn mower - $23,000

EXPENDITURE SCHEDULE						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ -	$ 70,000	$ 20,000	$ 22,000	$ 23,000	$ 135,000
LEASE	-	-	-	-	-	-
TOTAL	$ -	$ 70,000	$ 20,000	$ 22,000	$ 23,000	$ 135,000

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)

CIP NUMBER: F-8
PROJECT TITLE: Emergency Operations Plan Equipment
DESCRIPTION/JUSTIFICATION: This program is for the purchase of radio equipment for the Public Service and Recreation and Parks Departments. Units will be used by staff to communicate during emergency operations. Encrypted public safety radios are purchased through a state purchasing contract direct from Motorola. These radios are an overall component of the city's disaster preparedness. Interoperability between city departments is crucial during emergencies.

2022
No new or replacement equipment proposed for 2022
2023 - 2026
Replacement schedule for six per year beginning in 2023
$3,600 x 6 = $22,000
Includes annual increases through 2026

EXPENDITURE SCHEDULE						
PROJECT ELEMENT	2022	2023	2024	2025	2026	TOTAL
PURCHASE	$ -	$ 22,000	$ 24,000	$ 26,000	$ 28,000	**$ 100,000**
LEASE	-	-	-	-	-	-
TOTAL	**$ -**	**$ 22,000**	**$ 24,000**	**$ 26,000**	**$ 28,000**	**$ 100,000**

Attachment: 2022 Capital Equipment Budget (2213 : 2022 Capital Equipment Purchases)