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Legislative Bulletin

An Official Publication of the Hilliard City Council

Publication Date: March 29, 2022

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ORDINANCES

The following Ordinances were passed on March 28, 2022

22-11 AMENDING CHAPTERS 1301 AND 1303 OF THE CITY'S CODIFIED ORDINANCES REGARDING PROCESS FOR BUILDING CODE AND PROPERTY MAINTENANCE CODE VIOLATIONS.

WHEREAS, Chapter 1301 of the City's Codified Ordinances adopts the Ohio Building Code, Residential Code of Ohio and the Ohio Mechanical Code; and

WHEREAS, Chapter 1303 of the City's Codified Ordinances adopts the International Property Maintenance Code; and

WHEREAS, in order to provide clarity regarding violations of these code sections, it is necessary to incorporate language that clearly states the City's process and potential penalties for a violation; and

WHEREAS, the incorporation of the additional language is in the best interest of the City and its residents.

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

SECTION 1. City Council finds that amending Chapters 1301 and 1303 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 Chapters 1301 and 1303, as shown and identified in track changes on the attached Exhibit "A", are approved.

SECTION 2. All other provisions of Chapters 1301 and 1303, not modified herein, remain unchanged and are in full force and effect.

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

22-12 APPROVING AMENDMENTS TO SECTIONS 161.45 AND 161.46 OF THE CODIFIED ORDINANCES REGARDING PERSONAL DAYS FOR NON-UNION EMPLOYEES AND VACATION FOR NEWLY HIRED NON-UNION EMPLOYEES.

WHEREAS, currently, Chapter 161 of the Codified Ordinances of the City provides for the conditions of employment, compensation, classification, and benefits afforded to non-unionized City employees; and

WHEREAS, Section 161.45 provides for the number of holidays and personal days that a non-union employee observes; and

WHEREAS, Section 161.46 provides for the vacation accrual amounts for non-union employees; and

WHEREAS, the City administration desires to provide an additional personal day to non-union employees and to provide vacation hours to newly hired, non-director employees; and

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22-12 continued:

WHEREAS, amending certain language found in Sections 161.45 and 161.46 is in the best interest of the City and its employees.

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

SECTION 1. City council finds that amending Sections 161.45 and 161.46 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 Sections 161.45 and 161.46 as shown and identified in track changes on the attached Exhibit "A" are approved.

SECTION 2. All other provisions of Chapter 161, 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.

The First Reading of the following Ordinances was held on March 28, 2022. The Second Reading/Public Hearing is scheduled for April 11, 2022.

22-13 APPROPRIATING FUNDS IN ORDER TO REIMBURSE THE FRANKLIN COUNTY ENGINEER'S OFFICE FOR THE SCIOTO DARBY ROAD RESURFACING PROJECT.

WHEREAS, on January 24, 2022, City Council adopted Resolution No. 22-R-02 authorizing the City Manager to apply for and accept vehicle registration permissive tax funds (the "Funds") from the Board of County Commissioners of Franklin County (the "Commissioners")

WHEREAS, Resolution No. 22-R-02 also authorized a cooperative agreement with the Franklin County Engineer's Officer (FCEO) regarding the resurfacing of Scioto Darby Road within the City (the "Project"); and

WHEREAS, upon receipt of the Funds, the City plans to utilize the Funds to reimburse FCEO for the Project consistent with the terms of the cooperative agreement; and

WHEREAS, the City has now received, and it is necessary to appropriate the Funds in order to fulfill the terms of the cooperative agreement between FCEO and the City;

WHEREAS, this appropriation is in the best interest of the City and its residents.

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

SECTION 1. An appropriation in the amount of \$332,577.63 from the City's Street Improvement Fund, Fund 206, Object 55, in order to reimburse the Franklin County Engineer's Office for the resurfacing of Scioto Darby Road.

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

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22-14 AMENDING SECTION 149.04 OF THE CITY'S CODIFIED ORDINANCES REGARDING THE NUMBER OF MEMBERS TO BE APPOINTED TO THE ENVIRONMENTAL SUSTAINABILITY COMMISSION.

WHEREAS, Hilliard City Council desires to expand the Environmental Sustainability Commission (ESC) membership numbers; and

WHEREAS, by increasing the membership numbers of the ESC, it will allow the Commission to have an even more diverse makeup and further assist the City in developing programs that will enhance sustainable practices within the City.

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

SECTION 1. Section 149.04(a) is hereby amended as follows:

149.04 ENVIRONMENTAL SUSTAINABILITY COMMISSION.

The Environmental Sustainability Commission (ESC) is established and shall be operated as provided herein:

(a) *Establishment and Purpose.*

(1) There is hereby established, in and for the City, an Environmental Sustainability Commission (ESC) consisting of not less than seven nor more than ~~nine~~ ten volunteer members.

(2) The purpose of the ESC shall be to advise City Council, the City Manager, and city officials on the following mission:

"The Environmental Sustainability Commission shall review existing green policies and advise City Council, the City Manager, and city officials in the initiation and/or development of programs that will create or enhance sustainable practices within our community."

SECTION 2. All other provisions of Section 149.04, not modified herein, remain unchanged and are in full force and effect.

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

22-15 AMENDING SECTION 149.07 OF THE CITY'S CODIFIED ORDINANCES REGARDING THE MEMBERSHIP OF THE HILLIARD RECREATION AND PARKS ADVISORY COMMISSION.

WHEREAS, Hilliard City Council desires to amend and expand the membership of the Recreation and Parks Advisory Commission (RPAC) to allow not more than one high school student from each of the Hilliard City School District high schools; and

WHEREAS, allowing additional high school students to be appointed to the RPAC will promote the RPAC's purpose of advising Council on the City's recreation and parks facilities, services and programming.

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

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22-15 continued:

SECTION 1. Section 149.07 is hereby amended as follows:

149.07 HILLIARD RECREATION AND PARKS ADVISORY COMMITTEE.

The Recreation and Parks Advisory Committee (RPAC) is established and shall be operated as provided herein:

- (a) *Establishment and Purpose.* There is hereby established, in and for the City, a Recreation and Parks Advisory Committee consisting of not less than ten (10) nor more than twelve (12) volunteer members.
- (b) *Membership, Organization and Procedures.*
 - (1) Appointments to the Committee shall be made by City Council. Members shall be residents of the City.
 - (2) Membership will include:
 - a. Six (6) residents, to be appointed by City Council.
 - b. Up to three (3) ~~One (1)~~ high school students, with not more than one (1) from each high school of the Hilliard City School District, to be appointed by City Council.
 - c. Two (2) City Council Members, to be appointed by the President of Council.
 - d. One (1) representative of the Hilliard City School District.
 - (3) All members shall be voting members.
 - (4) The six resident members will serve two-year terms and can be re-appointed for two additional terms, but shall not serve more than 6 consecutive years.
 - (5) All other members will serve one-year terms and can be re-appointed for subsequent terms.
 - (6) Initial terms for the five (5) resident members, however, are as follows:
 - a. Two (2) of the members each shall serve an initial term of three (3) years.
 - b. Two (2) of the members each shall serve an initial term of two (2) years.
 - c. One (1) member shall serve an initial term of one (1) year.
 - (7) A majority of the voting members of the Committee shall constitute a quorum.

SECTION 2. All other provisions of Section 149.07, 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.

RESOLUTIONS

The following Resolutions were passed by Hilliard City Council on March 28, 2022.

22-R-19 AUTHORIZING A CONTRACT WITH THE PRIME AE GROUP, LLC AS THE ARCHITECT AND ENGINEER FOR THE DESIGN OF THE HILLIARD RECREATION AND WELLNESS CENTER.

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

WHEREAS, following the issuance of a Request for Proposal (RFP), the City interviewed four firms and determined that Prime AE Group, LLC is the best firm to be the City's Architect and Engineer for the Hilliard Recreation and Wellness Center; and

WHEREAS, funding for the contract will be appropriated in the City's Capital Improvement Budget, RP – 7; and

WHEREAS, Ohio Revised Code ("R.C.") Section 5705.44 provides that when a contract runs beyond the fiscal year in which it is made, the fiscal officer shall make a certification for the amount required to meet the obligation of the contract in the current fiscal year and the remaining amount of the obligation under such contract shall be included in the annual appropriation measure for the next fiscal year; and

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22-R-19 continued:

WHEREAS, initial funding for the Project was appropriated by Ordinance No. 22-07, and pursuant to Section 3.10 of the Charter, authorization for funding this Project may be established by resolution of Council; and

WHEREAS, as required by R.C. Section 5705.44, the City will request that Council appropriate additional funds for the contract in future Capital Improvement Budgets.

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

SECTION 1. An expenditure is authorized from Fund 103, Object 55 in the amount not to exceed \$1,400,000 to initiate the contract with Prime AE Group, LLC.

SECTION 2. The City shall, in accordance with R.C. Section 5705.44, request the appropriation of additional funds required for the contract in future Capital Improvement Budgets. Upon appropriation of these additional funds, an expenditure is authorized from Fund 103, Object 55 in an amount not to exceed \$2,653,750 to complete the contract with Prime AE Group, LLC.

SECTION 3. The City Manager is hereby authorized to enter into a contract with Prime AE Group, LLC, in substantially the same form as the on attached hereto as Exhibit "A" and incorporated herein, in an amount not to exceed \$4,053,750. The City Manager is authorized to make such changes to the Agreement that are not inconsistent with this Resolution and not adverse to the City.

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

SECTION 5. This Resolution is effective upon its adoption.

22-R-20 DETERMINING THAT AN APPLICATION TO ADD PROPERTY TO THE HILLIARD COMMUNITY AUTHORITY IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE; SETTING THE TIME AND PLACE FOR A HEARING ON THE PETITION AND AUTHORIZING THE NOTICE BY PUBLICATION OF SUCH HEARING.

WHEREAS, pursuant to Chapter 349 of the Ohio Revised Code (the "R.C."), a petition (the "Petition") for the establishment of the Hilliard Community Authority (the "Authority") was submitted by Pulte Homes of Ohio, LLC, Rockford Homes, Inc., and Homewood Corporation (together the "Developer" within the meaning of Section 349.01(E) of the R.C.) to the City of Hilliard, Ohio (the "City") on November 7, 2017, and was approved by the City Council (the "City Council") of the City on November 13, 2017 by Resolution No. 17-R-98; and

WHEREAS, the Petition generally described the boundaries of the Authority ("District"); and

WHEREAS, the District, as described in the Petition, is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners, as defined in R.C. 349.01(F)(3), for purposes of the Petition; and

WHEREAS, on March 17, 2022, M/I Homes of Central Ohio, LLC (the "Property Owner") filed an Application to Add Property to the Hilliard Community Authority Pursuant to Chapter 349 of the R.C. (the "Application") with the City requesting that the real property located at Scioto Darby Creek Road between Elliot Road and Langton Road, in Hilliard, Ohio 43026, Franklin County Auditor Parcel No. 053-000322-00 and Parcel No. 120-000335-00775, be added to the Authority's District; and

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22-R-20 continued:

WHEREAS, the Application further provides that the addition of such land will be conducive to the public health, safety, convenience and welfare of the District, will be consistent with the development of the District, will not jeopardize the plan of development of the District and that such land to be added to the District is owned by, or under the control through leases of at least seventy-five years' duration, options or contracts to purchase, of the Property Owner; and

WHEREAS, pursuant to Section 349.03(A) of the R.C., the City has reviewed the Application and determined that the Application complies with the requirements of Section 349.03 of the R.C. as to form and substance; and

WHEREAS, the City and this Council has reviewed the Petition, and by this Resolution desires to legislatively determine, pursuant to R.C. Section 349.03, that the Petition complies with the requirements of that section as to form and substance; pursuant to R.C. Section 349.03, to set the time and place of a hearing on the Petition; and further pursuant to R.C. Section 349.03, authorize the notice by publication of the hearing on the Petition; and

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

SECTION 1. Organizational Board of Commissioners. This Council hereby acknowledges and determines that, pursuant to R.C. Section 349.01(F)(3), it is the "organizational board of commissioners" of the Hilliard Community Authority for all purposes of R.C. Chapter 349.

SECTION 2. Application's Sufficiency and Compliance with R.C. Section 349.03. This Council has examined the Application and finds and determines that the Application is sufficient and complies with the requirements of R.C. Section 349.03 in form and substance.

SECTION 3. Time and Place of Hearing. Pursuant to R.C. Section 349.03, this Council hereby determines to hold a hearing on the Application on April 25, 2022 at the Hilliard Municipal Building, and this Council hereby authorizes each of the Director of Law, the City Clerk, and the City Manager, or any of them individually, to cause notice of the hearing to be published once a week for three consecutive weeks, or as provided in R.C. Section 7.16, in a newspaper of general circulation within Franklin County, Ohio, pursuant to R.C. Section 349.03(A).

SECTION 4. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including R.C. Section 121.22.

SECTION 5. This Resolution is effective upon its adoption.

22-R-21 ACCEPTING THE DEDICATION OF ROADS AND EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR SECTION 4, PHASE 1 OF TARLTON MEADOWS WEST.

WHEREAS, on October 24, 2016, City Council passed Ordinance No. 16-33 rezoning 143.8± acres of land owned by Elliott Road, LLC, from A-1 to Planned Unit Development consisting of 248 single-family lots, and 46.7 acres of park land, which is now identified as the Tarlton Meadows West Development ("Tarlton Meadows West"); and

WHEREAS, upon application by Rockford Homes, Inc. and EMH&T (collectively, the "Owner"), on March 10, 2022, at its regularly scheduled public meeting, the City's Planning and Zoning Commission approved the final plat ("Final Plat") for Section 4, Phase 1 of Tarlton Meadows West for the development of 23 single-family lots on 8.545± acres of land (the "Property"); and

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22-R-21 continued:

WHEREAS, the Owner has offered to dedicate to the City of Hilliard the public road identified as Orangeberry 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 roads identified as Orangeberry Road and easements for public and private utilities, cable television, service connections and storm water drainage, within Tarlton Meadows West Section 4 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.

22-R-22 ACCEPTING THE DEDICATION OF RIGHT-OF-WAY AND EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR PHASE 2 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 March 10, 2022, at its regularly scheduled public meeting, the City's Planning and Zoning Commission approved the final plat ("Final Plat") for Phase 2 of The Courtyards at Carr Farms for the development of 50 single-family lots for empty-nester homes on 12.156± acres of land (the "Property"); and

WHEREAS, the Owner has offered to dedicate to the City of Hilliard a path easement for the maintenance of a regional multi-use path, 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

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22-R-22 continued:

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 a regional multi-use path easement and easements for public and private utilities, cable television, service connections and storm water drainage, within The Courtyards at Carr Farms Phase 2, 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.

22-R-23 **ACCEPTING THE DEDICATION OF RIGHT-OF-WAY AND EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR PHASE 3 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 March 10, 2022, at its regularly scheduled public meeting, the City's Planning and Zoning Commission approved the final plat ("Final Plat") for Phase 3 of The Courtyards at Carr Farms for the development of 42 single-family lots for empty-nester homes on 8.020± acres of land (the "Property"); and

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

WHEREAS, 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 a regional multi-use path easement and easements for public and private utilities, cable television, service connections and storm water drainage, within The Courtyards at Carr Farms Phase 3, as shown on Exhibit "A", attached hereto and incorporated by reference herein.

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22-R-23 continued:

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.

22-R-24 **AUTHORIZING THE CITY MANAGER TO AMEND SERVICE CONTRACTS FOR THE 2022 MOWING, LANDSCAPING, AND MAINTENANCE PROGRAM.**

WHEREAS, the City has regularly contracted for mowing and landscaping services to aid in maintaining public spaces and has established a specific program for performing those services ("Program"); and

WHEREAS, these public spaces and parks must be maintained for the safety and well-being of the City and its residents; and

WHEREAS, the landscaping and beautification of public rights-of-way aid in the appeal of the City to residents and the business community; and

WHEREAS, the Program was publicly bid as a three-year program for the 2020, 2021, and 2022 seasons; and

WHEREAS, the City has elected not to renew the 2022 contract for Rene Castillo Landscaping and Maintenance, LLC for Packages 4,12,13,14,15, and 16; and

WHEREAS, the Operations Department received two proposals from contractors currently working under the mowing, landscaping, and maintenance program ("Contractors"); and

WHEREAS, it is in the City's best interest to move forward with the Contractors' proposals, rather than go through the public bidding process for the 2022 Program; and

WHEREAS, Hilliard City Charter Section 6.13 permits City Council, with not less than 5 votes, to waive the competitive bidding requirement if Council determines that a waiver of the competitive bidding requirement is in the best interest of the City; and

WHEREAS, Peabody Landscape Construction, Inc., aka Peabody Landscape Group, was determined to be the lowest and best proposal for Packages 12 and 14 in amount not to exceed \$144,327.00 for the 2022 season; and

WHEREAS, Site Maintenance, LLC was determined to be the lowest and best proposal for Package 13 in an amount not to exceed \$56,101.89 for the 2022 season; and

WHEREAS, City crews will maintain Packages 4,15, and 16 for the 2022 season; and

WHEREAS, the Operations Department will publicly bid the Program for the 2023 season; and

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22-R-24 continued:

WHEREAS, funding for the Program was appropriated in the 2022 Municipal Operating Budget in Funds 206 and 269 by the passage of Ordinance No. 21-36, effective January 1, 2022, and pursuant to Section 3.10 of the Charter of the City, authorization for this expenditure is established by resolution of Council.

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

SECTION 1. Pursuant to Hilliard City Charter Section 6.13, City Council hereby waives the competitive bid process for this Program because it is in the best of the City due to increases in fuel, labor, and materials and the need to begin the 2022 Program shortly.

SECTION 2. An expenditure is authorized in an amount not to exceed \$220,471.78 from Funds 206 and 269, Object 53 for the Program, which includes a 10% contingency amount of \$20,042.89 for approved change orders.

SECTION 3. The City Manager is authorized to amend its contract with Peabody Landscape Construction, Inc. to include Packages 12 and 13 in amount not to exceed \$144,327.00.

SECTION 4. The City Manager is authorized to amend its contract with Site Maintenance, LLC for Package 13 in an amount not to exceed \$56,101.89.

SECTION 5. The Finance Director is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with expenditure of the funds.

SECTION 6. This Resolution is effective upon its adoption.

22-R-25 APPROVING COUNCIL APPOINTMENT TO THE ENVIRONMENTAL SUSTAINABILITY COMMISSION.

WHEREAS, the Council of the City of Hilliard created the Environmental Sustainability Commission (“ESC”) by Ordinance No. 11-01 on February 28, 2011; and

WHEREAS, ESC members are appointed to rotating terms of two years; and

WHEREAS, by the passage of Resolution No. 20-R-03, City Council approved the appointment of Ayaz Hyder to the ESC for a term that expired January 6, 2022; and

WHEREAS, upon interview of candidates to fill the open position, the ESC recommends Brittany Vega to a new two-year term.

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

SECTION 1. City Council hereby appoints Brittany Vega to the Environmental Sustainability Commission for the term provided:

Name	Term
Brittany Vega	March 28, 2022 to March 27, 2024

SECTION 2. This Resolution shall be effective upon its adoption.

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22-R-26 APPROVING APPOINTMENTS TO THE RECREATION AND PARKS ADVISORY COMMITTEE.

WHEREAS, on January 25, 2021, City Council adopted Resolution No. 21-R-06, which enacted Section 149.07 of the City's Codified Ordinances establishing the Recreation and Parks Advisory Committee (the "RPAC"); and

WHEREAS, by the passage of Resolution No. 21-R-16 on February 22, 2021, City Council approved the initial appointments of Jane Rice, Christopher Kobs, and Mike McDonough to the RPAC with terms expiring February 21, 2022; and

WHEREAS, by the passage of Ordinance No. 22-04 on February 14, 2022, City Council amended the membership of the RPAC to include an additional resident member; and

WHEREAS, Ms. Rice, Mr. Kobs, and Mr. McDonough have expressed a desire to be reappointed; and

WHEREAS, after reviewing applications, City Council desires to appoint Deryck Richardson for the open position for an additional resident member.

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

SECTION 1. City Council appoints the individuals to the Recreation and Parks Advisory Committee:

Name	Term
Jane Rice	February 22, 2022 – February 21, 2024
Deryck Richardson	March 28, 2022 – March 27, 2024
Christopher Kobs (High School Student)	February 22, 2022 – February 21, 2023
Mike McDonough (Hilliard City School District Representative)	February 22, 2022 – February 21, 2023

SECTION 2. This Resolution shall be effective upon its adoption.

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