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Legislative Bulletin

An Official Publication of the Hilliard City Council

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Published under the authority of the City of Hilliard Charter and direction of the Clerk of Council. This Legislative Bulletin contains legislation considered by Council. If noted, supplemental and supporting documents, such as exhibits, are available upon request to the Clerk of Council's office, 3800 Municipal Way, Hilliard, Ohio 43026, at 614-334-2365. Past issues are available at hilliardohio.gov

ORDINANCES

The following Ordinance was passed on May 9, 2022

22-16 APPROPRIATING FUNDS FOR IMPROVEMENTS TO MERCHANT PARK, THE LABYRINTH PROJECT.

WHEREAS, the City owns the land located at 5467 Center Street, on which Merchant Park is located; and

WHEREAS, the City and the Hilliard Rotary Club desires to improve amenities at the Merchant Park (collectively, the "Park Project") to better serve the community; and

WHEREAS, the Hilliard Rotary Club has pledged \$20,000 to partner with the City for use in Merchant Park; and

WHEREAS, on December 13, 2022, City Council approved Ordinance No. 21-41 (the "2022 Capital Budget"), which approved \$40,000 for the Park Project; and

WHEREAS, the City desire to appropriate an additional \$20,000 for the Park Project in order to complete this year.

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

SECTION 1. An appropriation in the amount of \$20,000 is authorized from Fund 304, Object 55/53 for RP-2 for the purpose of designing and constructing the amenities in Merchant Park.

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

**The First Reading of the following Ordinance was held on May 9, 2022.
The Second Reading/Public Hearing is scheduled for May 23, 2022**

22-17 AMENDING CHAPTER 755 OF THE HILLIARD CODIFIED ORDINANCES REGULATING MASSAGE AND BATH ESTABLISHMENTS.

WHEREAS, Chapter 755 of the Hilliard Codified Ordinances regulates massage establishments, bath establishments, and those persons offering massage services; and

WHEREAS, after a review, the City desires to modify certain code provisions in Chapter 755 to address the new existence of mobile massage services; and

WHEREAS, the changes outlined in Exhibit "A", attached hereto and incorporated herein, will ease the enforcement of Chapter 755; and

WHEREAS, the City believes that amending the City's Codified Ordinances, as identified in Exhibit "A", attached hereto and incorporated herein, promotes the general health, safety, and welfare of the City and its residents.

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

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22-17 continued:

SECTION 1. Council finds that amending Chapter 755, as identified in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to Chapter 755, as shown in track changes in the attached Exhibit "A" are approved and shall be incorporated in the City's Codified Ordinances.

SECTION 2. All other provisions of Chapter 755, 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 April 25, 2022.

22-R-38 APPROVING AN 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 Ordinance No. 22-14, City Council approved a change in the membership numbers of the ESC from 9 members to 10 members; and

WHEREAS, City Council desires to appoint Christopher Ward to the open position on the ESC.

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

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

Name	Term
Christopher Ward	May 11, 2022 – May 10, 2024

SECTION 2. This Resolution is effective upon its adoption.

22-R-39 AUTHORIZING THE CONDITIONAL USE FOR VEHICLE SALES AND MAJOR VEHICLE REPAIR AT 4896 SCIOTO DARBY ROAD WITHIN THE B-2, COMMUNITY BUSINESS ZONING DISTRICT.

WHEREAS, on January 24, 2022, City Council approved amendments to Chapters 1107 and 1123 of the City's Codified Ordinances to state that the Planning and Zoning Commission provides a recommendation to City Council on each conditional use application and that City Council would have the final approval for each application; and

WHEREAS, on February 23, 2002, a completed application for the review of a conditional use request for "Vehicle Sales" and "Major Vehicle Repair" for the property at 4896 Scioto Darby Road (Parcel #050-002579) were submitted to the Planning Director in accordance with Hilliard Code Section 1123.02; and

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22-R-39 continued:

WHEREAS, the Planning and Zoning Commission on April 14, 2022, reviewed the request for a conditional use to permit “Vehicle Sales” and “Major Automotive Repair” within the B-2, Community Business District for the property located at 4896 Scioto Darby Road under the provisions of Hilliard Code Section 1123.03, 1123.04, 1123.16(b), and 1123.16(c); and

WHEREAS, the Planning and Zoning Commission in accordance with the Code made a positive recommendation to City Council upon the condition that the use conforms to the provisions of Hilliard Code Section 1123.16(b) and 1123.16(c); that hours of operation are from 8:00 a.m. to 7:00 p.m. daily; that the outdoor storage of vehicle parts on the site is prohibited unless otherwise specifically approved by the Planning and Zoning Commission; and that any expansion of the approved conditional use requires prior approval by the Planning and Zoning Commission; and

WHEREAS, as prescribed by Section 1107.03(d) upon receipt of a recommendation from the Planning and Zoning Commission, the City Council shall decide upon the conditional use application according to the procedures set forth in Chapter 1123.

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

SECTION 1. L & A Automotive located at 4896 Scioto Darby Road (Parcel #050-002579) is granted a conditional use for “Vehicle Sales” and “Major Vehicle Repair” upon the condition that the use conforms to the provisions of Hilliard Code Section 1123.16(b) and 1123.16(c); that hours of operation are from 8:00 a.m. to 7:00 p.m. daily; that the outdoor storage of vehicle parts on the site is prohibited unless otherwise specifically approved by the Planning and Zoning Commission; and that any expansion of the approved conditional use requires prior approval by the Planning and Zoning Commission.

SECTION 2. Failure to obtain any necessary Zoning Certificate or Certificate of Occupancy shall invalidate the Conditional Use approval granted by City Council.

SECTION 3. This Conditional Use approval in accordance with Section 1123.05 of the Hilliard City Code shall expire 12 months after it is granted, unless construction is complete or commencement of the use has begun, or significant progress has been made towards its initiation.

SECTION 4. Any expansion of the approved Conditional Use requires a final determination by City Council in accordance with Hilliard Code Chapter 1123.

SECTION 5. The Planning Director, City Engineer and Director of Building Standards are authorized to approve any necessary administrative changes to the approved site plan necessary to carry out the terms of this conditional use.

SECTION 6. This resolution is effective upon its adoption.

22-R-40 ACCEPTING THE DEDICATION OF EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR SECTION 6 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 April 14, 2022, at its regularly scheduled public meeting, the City’s Planning and Zoning Commission approved the final plat (“Final Plat”) for Section 6 of The Courtyards at Carr Farms for the development of 31 single-family lots on 8.398± acres of land (the “Property”); and

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22-R-40 continued:

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 easements for public and private utilities, cable television, service connections and storm water drainage, within The Courtyards at Carr Farms Section 6, 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-41 **AUTHORIZING A CONTRACT WITH THE RUSCILLI CONSTRUCTION CO. INC. AS CONSTRUCTION MANAGER AT RISK FOR THE HILLIARD RECREATION AND WELLNESS CAMPUS.**

WHEREAS, on November 2, 2021, City electors approved increasing the City's municipal income tax by 0.5% and dedicating the resulting funds 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 three firms and determined that Ruscilli Construction Co., Inc. is the best firm to be the Construction Manager at Risk (CMR) for the Hilliard Recreation and Wellness Campus; and

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

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

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 \$105,000 initiate the contract with Ruscilli Construction Co., Inc.

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22-R-41 continued:

SECTION 2. The City Manager is hereby authorized to enter into a contract with Ruscilli Construction Co., Inc., in substantially the same form as the one attached hereto as Exhibit "A" and incorporated herein, in an amount not to exceed \$105,000. 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 3. 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 4. This Resolution is effective upon its adoption.

22-R-42 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 Ordinance No. 22-15 on April 11, 2022, City Council amended the membership of the RPAC to include additional high school students; and

WHEREAS, City Council desires to appoint Prince Tabung, a high school student to a term on the RPAC; and

WHEREAS, Jane Rice, whose current term expires on February 21, 2024, has resigned her position on the RPAC and City Council desires to appoint David Coyle to fill the remainder of the term.

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

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

Name	Term
Prince Tabung (High School Student)	May 11, 2022 – May 10, 2023
David Coyle	May 9, 2022 – February 21, 2024

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

22-R-43 APPOINTING INITIAL MEMBERS TO THE CITY'S AGING-IN-PLACE ADVISORY COMMITTEE.

WHEREAS, on April 14, 2022, City Council adopted Ordinance No. 22-09, which enacted Section 149.08 of the City's Codified Ordinances establishing the Aging-in-Place Advisory Committee (the "APAC"); and

WHEREAS, 149.08(b)(2) provides that City Council shall appoint 9 residents 55 years and older to the APAC; and

WHEREAS, City Council advertised and sought applications from candidates interested in serving on the APAC; and

WHEREAS, based on each individual's application materials, City Council is prepared to appoint members to the APAC.

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

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22-R-43 Continued:

SECTION 1. City Council hereby appoints the following individuals to the Aging-in-Place Advisory Committee as initial members:

Name	Term
Leslie Sauer	May 14, 2022 – May 13, 2025
Rose Reed	May 14, 2022 – May 13, 2025
Kathryn Grubbe	May 14, 2022 – May 13, 2025
Lynn Tramontano	May 14, 2022 – May 13, 2024
Sue Timan	May 14, 2022 – May 13, 2024
Deborah Mitchell	May 14, 2022 – May 13, 2024
Paula Santry	May 14, 2022 – May 13, 2023
Brian Meginnis	May 14, 2022 – May 13, 2023
Jan Dickerson	May 14, 2022 – May 13, 2023

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

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