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Legislative Bulletin

An Official Publication of the Hilliard City Council

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ORDINANCES

The following Ordinance was passed on June 27, 2022

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

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

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

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

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

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

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

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

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

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

The Second Reading/Public Hearing on the following Ordinance was tabled to July 11, 2022

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

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

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

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

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22-20 continued:

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

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

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

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

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

The First Reading of the following Ordinances was held on June 27, 2022.
The Second Reading/Public Hearing is scheduled for July 11, 2022

22-21 AMENDING SECTION 537.16 AND ENACTING SECTIONS 537.161, 537.162, AND 539.07 OF THE CITY'S CODIFIED ORDINANCES REGARDING THE SALE OR OTHER DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, AND ELECTRONIC SMOKING DEVICES TO PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.

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

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

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

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

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

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

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

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

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22-21 continued:

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

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

WHEREAS, the City of Hilliard believes that amending Section 537.16 and enacting Sections 537.161, 537.162, and 539.07 of the City's Codified Ordinances, as shown in Exhibits "A", "B", "C", and "D", attached hereto and incorporated herein, promotes the general health, safety and welfare of the City and its residents; and

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

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

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

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

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

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

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

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

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

22-22 **APPROPRIATING FUNDS FOR THE HILLIARD DEVELOPMENT CORPORATION'S PURCHASE OF 3978 BROWN PARK DRIVE.**

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

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22-22 continued:

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

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

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

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

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

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

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

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

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

22-23 AUTHORIZING ALL ACTIONS NECESSARY TO EFFECTUATE AN OPT-OUT ELECTRIC SERVICE AGGREGATION PROGRAM PURSUANT TO OHIO REVISED CODE 4928.20; AND DIRECTING THE FRANKLIN COUNTY BOARD OF ELECTIONS TO SUBMIT THE BALLOT QUESTION TO THE ELECTORS OF THE CITY. (AMENDED)

WHEREAS, Section 4928.20 of the Ohio Revised Code authorizes the legislative authorities of municipal corporations, townships and counties to aggregate automatically, subject to opt-out provisions, competitive electric service for the retail electric loads located in the respective jurisdictions and to enter into service agreements to facilitate the sale and purchase of the service for the electricity loads; and

WHEREAS, such legislative authorities may exercise such authority jointly with any other legislative authorities; and

WHEREAS, this Council seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code (the "Aggregation Program"), for the residents, businesses and other electric consumers in the City and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law.

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

SECTION 1. This Council finds and determines that it is in the best interest of the City, its residents, and small businesses located within the incorporated areas of the City to establish an Electric Aggregation Program within the incorporated areas of the City that promotes local renewable clean energy generation and Hilliard's sustainable economy.

SECTION 2. That provided this Ordinance and the Aggregation Program is approved by the electors of the City of Hilliard pursuant to Section 3 of this Ordinance, the City of Hilliard is hereby authorized to aggregate in accordance with Section

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22-23 continued:

4928.20 of the Ohio Revised Code, the retail electrical loads located within the City of Hilliard, and, for that purpose to enter into service agreements to facilitate for those loads the sale and purchase of electricity. The City of Hilliard may exercise such authority jointly with any other municipal corporation, township or county or other political subdivision of the State of Ohio to the full extent permitted by law which may include use of an energy broker/consultant/aggregator, so long as the broker/consultant/aggregator is certified by the Public Utilities Commission of Ohio. The aggregation will occur automatically for each person owning, occupying, controlling, or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 5 of this Ordinance.

SECTION 3. That the Board of Elections of Franklin County is respectfully directed to submit the following question, in language approved by the Board of Election, to the electors of the City of Hilliard at the general election on November 8, 2022:

“Shall the City of Hilliard have the authority to aggregate the retail electric loads located within the incorporated areas of the City, to support ~~local,~~ renewable, clean energy generation, ~~and Hilliard’s sustainable economy,~~ for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out?”

The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this Ordinance and the Aggregation Program provided for herein at the election held pursuant to this Section 3 and Section 4928.20 of the Ohio Revised Code.

SECTION 4. That the Clerk of Council is directed to certify a copy of this Ordinance to the Board of Elections of Franklin County before 4:00 p.m. August 10, 2022, for placement on the November 8, 2022, General Election Ballot for consideration by City of Hilliard electors.

SECTION 5. That upon the approval of a majority of the electors voting at the election provided for in Section 2 of this Ordinance, this Council individually or jointly with any other political subdivision, shall develop a plan of operation and governance for the Aggregation Program. Before adopting such plan this Council shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the City. The notice shall summarize the plan and state the date, time, and location of each hearing. No plan adopted by this Council shall aggregate the electrical load of any electric load center with the City unless it in advance clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the aggregation program the opportunity to opt out of the program every three years or at any time, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under division (a) of Section 4928.14 or division (d) of Section 4928.35, Ohio Revised Code until the person chooses an alternative supplier.

SECTION 6. That all formal actions of this Council concerning and related to the adoption of this Ordinance were taken in an open meeting of said Council, and that all deliberations of this Council that resulted in such formal action were made in meetings open to the public, when required by law, in full compliance with all legal requirements, including without limitation, provisions of the Charter of the City of Hilliard, and Section 121.22 of the Ohio Revised Code.

SECTION 7. Pursuant to Section 3.07 of the Charter for the City of Hilliard, Ohio, this Ordinance shall take effect upon passage.

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RESOLUTIONS

The following Resolutions were passed by Hilliard City Council on June 27, 2022.

22-R-49 APPROVING A MODIFICATION TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR 2.465 ACRES KNOWN AS RESERVES “B” AND “C” (SUBAREAS C1 AND C2) OF THE ANDERSON MEADOWS PUD LOCATED ON THE NORTH SIDE OF ROBERTS ROAD APPROXIMATELY 1,500 FEET EAST OF ALTON DARBY ROAD TO SPECIFY USES AND DEVELOPMENT STANDARDS.

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

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

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

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

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

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

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

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

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

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

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

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

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22-R-50 ACCEPTING THE DEDICATION OF EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE INCLUDING CROSS ACCESS EASEMENTS FOR ANDERSON MEADOWS SECTION 1 REPLAT OF RESERVES "B" & "C"

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

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

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

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

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

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

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

WHEREAS, it is to the interest and benefit of the City of Hilliard, its residents and the public at large that the dedications proposed on Exhibits "A" and "B" be accepted by the City of Hilliard.

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

SECTION 1. The City of Hilliard accepts the dedication of easements for public and private utilities, cable television, service connections and storm water drainage within Reserves B and C of Anderson Meadows Section 1, as shown on Exhibit "A", and related easements within Reserves B and C of Anderson Meadows Section 1, as shown on Exhibit "B", **attached** hereto and incorporated by reference herein.

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

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

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

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22-R-50 continued:

SECTION 5. This Resolution is effective upon its adoption.

22-R-51 ADOPTING A TENTATIVE TAX BUDGET FOR THE CITY OF HILLIARD FOR THE FISCAL YEAR 2023.

WHEREAS, the City Manager and the Director of Finance have prepared and submitted to City Council a tentative tax budget for the fiscal year 2023, as required by Article VI of the Hilliard City Charter and Section 5705.30 of the Ohio Revised Code; and

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

WHEREAS, a copy of the tentative tax budget for the fiscal year 2023 is attached hereto as Exhibit A.

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

SECTION 1. The tentative tax budget for the fiscal year 2023, which is attached hereto as Exhibit A and Incorporated by reference herein, is approved and adopted by this Council.

SECTION 2. The Clerk of Council is authorized and directed to certify copies of the tentative tax budget for the fiscal year 2023, as identified in Exhibit A, to the Office of the Franklin County Auditor no later than July 20, 2022.

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

22-R-52 AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE CONTRACTS FOR THE 2022 STREET MAINTENANCE AND REHABILITATION PROGRAM (SMRP); AND AUTHORIZING THE EXPENDITURE OF FUNDS.

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

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

WHEREAS, the Project is identified as a Level One Capital Improvement Project for 2022, which must be implemented for the safety and well-being of the City and its residents; and

WHEREAS, the estimated cost for the base bid of the Project is \$1,476,748.00 and the estimated cost of Alternates are \$571,877.00; and

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

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

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

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22-R-52 continued:

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

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

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

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

WHEREAS, funds for the Project, totaling \$1,800,000, were appropriated in the 2022 Capital Improvement Budget by Ordinance No. 21-41, passed by City Council on December 14, 2021, and pursuant to Section 3.10 of the Charter of the City, authorization for this contract may be established by resolution of Council.

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

SECTION 1. An expenditure for CIP T-121 and T-122 is authorized in an amount not to exceed \$1,800,00 from Fund 206, Object 55.

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

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

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

SECTION 5. The Finance Director is authorized to pay DLZ of Ohio to provide construction inspection and testing services required for the Project in an amount not to exceed \$28,726.03.

SECTION 6. The Finance Director is authorized to pay the cost of city staff services to provide construction inspection services required for the Project in an amount not to exceed \$28,726.03.

SECTION 7. The Finance Director is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with expenditure of the funds.

SECTION 8. This Resolution is effective upon its adoption.

22-R-53 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ARCHITECTURAL GARDENS, INC FOR THE MERCHANT PARK, ROTARY LABYRINTH PROJECT (CIP RP-2).

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

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22-R-53 continued:

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

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

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

WHEREAS, funds for the Project were appropriated in the 2022 Capital Improvement Budget, and pursuant to Section 3.10 of the Charter, authorization for fund this Project may be established by resolution of Council.

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

SECTION 1. An expenditure in the amount of \$75,576.82 is authorized from the unencumbered balance of Fund 304, Object 55 for the construction of the Project.

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

SECTION 3. This Resolution is effective upon its adoption.

22-R-54 APPOINTING MEMBERS TO THE BOARD OF TRUSTEES OF THE HILLIARD COMMUNITY AUTHORITY.

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

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

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

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

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

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

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

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

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22-R-54 continued:

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

SECTION 2. This Resolution is effective upon its adoption.

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