Real People. Real Possibilities.™

AGENDA

Regular Council Meeting

7:00 PM August 22, 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 ● 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 – Zerqa Abid

The Pledge of Allegiance to the Flag of the United States of America – Mr. Carrier

II. Roll Call

III. Approval of Minutes

A. July 11, 2022, Special Executive Session
B. July 11, 2022, Regular Meeting
C. August 3, 2022, Special Executive Session

IV. Commission and Board Reports

Board of Zoning Appeals	Peggy Hale	Board of Zoning
Destination Hilliard	Cynthia Vermillion	Destination Hill
Environmental Sustainability Commission	Pete Marsh	Environmental
MORPC	City Manager Crandall	MORPC
Planning & Zoning Commission	Peggy Hale	Planning & Zon
Public Arts Commission	Omar Tarazi	Public Arts Con
Recreation and Parks Advisory Commission	Les Carrier/Andy Teater	Recreation and
Shade Tree Commission	Andy Teater	Shade Tree Co
Aging in Place Committee	Tina Cottone	
Other Boards/Commissions	President and Vice President	Other Boards/C

V. Recognition and Special Guests - None

VI. Changes to the Agenda

VII. Consent Agenda

A. Liquor License TRFO - 4704 Cemetery Road

B. 22-R-59 APPROVING COUNCIL RE-APPOINTMENTS TO THE ENVIRONMENTAL SUSTAINABILITY COMMISSION.

C. 22-R-60 RE-APPOINTING A MEMBER TO THE CITY'S PERSONNEL REVIEW BOARD.

D. 22-R-61 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO SEEK FINANCIAL ASSISTANCE FROM PROGRAMS ADMINISTERED BY THE OHIO PUBLIC WORKS COMMISSION TO ASSIST IN FUNDING THE COSGRAY ROAD EXTENSION (CIP T-86/RP-7) AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

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. 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(s) below are asked to sign the speaker's sign-in form. Each speaker will contain their comments to **3 minutes** and shall conduct themselves in a professional manner.

22-25 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED DEVELOPMENT AGREEMENT WITH EPCON CARR FARMS, LLC.

First Readings

22-26 AMENDING SECTION 351.22 OF THE HILLIARD CODIFIED ORDINANCES REGARDING THE ON STREET PARKING OF COMMERCIAL VEHICLES, RECREATIONAL VEHICLES AND TRAILERS.

22-27 AMENDING CHAPTERS 505 AND 1121 OF THE CITY'S CODIFIED ORDINANCES TO REGULATE BACKYARD CHICKENS AND REAR YARD BEEKEEPING WITHIN THE R-R, RURAL RESIDENTIAL DISTRICT, R-1, LOW DENSITY RESIDENTIAL DISTRICT, R-2, LOW/MEDIUM RESIDENTIAL DISTRICT AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT

22-28 AUTHORIZING THE CREATION OF FUND 216, THE ONEOHIO OPIOID SETTLEMENT FUND.

A. Resolutions

22-R-58 APPROVING A MODIFICATION TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR 27.73 ACRES KNOWN AS TRUEPOINTE (SUBAREAS 5 AND 6) OF THE SOMA COMPANY PUD LOCATED ON THE WEST SIDE OF TRUEMAN BOULEVARD APPROXIMATELY 1,500 FEET SOUTH OF DAVIDSON ROAD TO CREATE A NEW SUBAREA 5 WITH SPECIFIED USES AND DEVELOPMENT STANDARDS.

22-R-62 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GUIDE STUDIO, INC. REGARDING A BRANDING/REBRADING PROCESS.

22-R-63 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN ATTRIBUTABLE FUNDS APPLICATION TO THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) TO ASSIST IN FUNDING THE CEMETERY ROAD OVER I-270 TRAIL OVERPASS AND SAFETY IMPROVEMENTS (CIP T-162) AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

22-R-64 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT A SAFE STREETS AND ROADS FOR ALL (SS4A) GRANT APPLICATION TO ASSIST IN FUNDING THE CEMETERY ROAD OVER I-270 TRAIL OVERPASS AND SAFETY IMPROVEMENTS (CIP T-162) AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

22-R-65 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH CESO, INC. TO PROVIDE GENERAL ENGINEERING SERVICES FOR THE CITY'S PEDESTRIAN/BICYCLE MOBILITY AND SAFETY PROGRAM (CIP T-133) AND AUTHORIZING AN EXPENDITURE.

22-R-66 AUTHORIZING THE CITY MANAGER TO MODIFY AN EXISTING PROFESSIONAL SERVICES AGREEMENT (PSA) WITH KIMLEY HORN & ASSOCIATES, INC. TO PROVIDE GENERAL ENGINEERING SERVICES AND AUTHORIZING AN EXPENDITURE.

22-R-67 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION CONTRACT WITH DECKER CONSTRUCTION COMPANY FOR THE 2022 CURB RAMP REPLACEMENT PROJECT AS PART OF THE SIDEWALK MAINTENANCE PROGRAM (CIP T-160) AND AUTHORIZING AN EXPENDITURE.

22-R-68 A RESOLUTION INDICATING WHAT SERVICES THE CITY OF HILLIARD WILL PROVIDE TO THE 20.187± ACRES LOCATED IN NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO, UPON ANNEXATION TO THE CITY, AND TO PROVIDE FOR BUFFER REQUIREMENTS.

X. President's Communication

XI. Staff Reports

XII. City Manager Updates

A. Polco/NCS Survey

XIII. Items for Council Discussion

Adjournment

CITY COUNCIL

July 11, 2022
Special Executive Session Minutes

CALL TO ORDER
The meeting was called to order by President Teater at 5:04 PM.

ROLL CALL OF MEMBERS

Attendee Name:	Title:	Status:
Andy Teater	President	Present
Omar Tarazi	Vice President	Present
Les Carrier	Councilman	Excused
Tina Cottone	Councilwoman	Present
Peggy Hale	Councilwoman	Excused
Pete Marsh	Councilman	Present
Cynthia Vermillion	Councilwoman	Present

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, Economic Development Director David Meadows and Clerk of Council Diane Werbrich

Vice President Tarazi, seconded by Mr. Marsh, moved to recess to Executive Session for matters pertaining to economic strategies (Charter Section 2.10(1)(g)).

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

EXECUTIVE SESSION
Council recessed to Executive Session at 5:04 PM.

Ms. Vermillion, seconded by Ms. Cottone, moved to end the Executive Session at 5:34 PM.

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

President Teater reconvened the Special/Executive Session meeting at 5:34 PM.

ITEMS FOR COUNCIL DISCUSSION - None

Ms. Vermillion, seconded by Vice President Tarazi, moved to adjourn the meeting by Voice Vote.

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

ADJOURNMENT – 5:34 PM

Andy Teater, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

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CITY COUNCIL

July 11, 2022
Regular Meeting Minutes

INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Marsh gave the invocation.

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

ROLL CALL

Attendee Name:	Title:	Status:
Andy Teater	President	Present
Omar Tarazi	Vice President	Present
Les Carrier	Councilman	Present
Tina Cottone	Councilwoman	Present
Peggy Hale	Councilwoman	Excused
Pete Marsh	Councilman	Present
Cynthia Vermillion	Councilwoman	Present

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, City Engineer Clark Rausch, Transportation and Mobility Director Letty Schamp, Community Relations Director David Ball, Economic Development Director David Meadows, Planning Director John Talentino, Recreation and Parks Director Ed Merritt, Police Chief Michael Woods, Deputy Police Chief Ron Smith, Human Resources Director Colleen Lemmon, City Prosecutor Dawn Steele and Clerk of Council Diane Werbrich

APPROVAL OF MINUTES

President Teater asked if there were any changes or corrections to the June 27, 2022, Regular or the July 5, 2022, Special meeting minutes. Hearing none, the minutes were approved as submitted.

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

COMMISSION AND BOARD REPORTS

Board of Zoning Appeals - No report.
Destination Hilliard - No report.

Environmental Sustainability Commission - Mr. Marsh announced there will be a meeting on Wednesday, July 13, 2022.

Mid-Ohio Regional Planning Commission (MORPC) - No report.
Planning and Zoning - No report.
Public Arts - No report.

Recreation and Parks Advisory Commission - Mr. Carrier stated the meeting has been cancelled.

Aging in Place - Ms. Cottone reported the Committee will be meeting tomorrow and having presentations from Upper Arlington and Dublin.

Shade Tree Commission - No report.

Other Boards/Commissions – No report.

RECOGNITION AND SPECIAL GUESTS - None
CHANGES TO THE AGENDA - None
CONSENT AGENDA - None

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)
Ralph and Marsha Fumo, 5301 Taylor Lane Ave, sewer backups. Ms. Crandall asked Mr. and Mrs. Fumo to meet with Mr. Ralley so the City can look into this issue. Mr. Carrier asked if the backups started before or after the apartments were built to the north and east of their residence. Mr. Fumo replied the backups started before that because those are not part of their sewer line.

BUSINESS OF THE COUNCIL

A. Ordinances

SECOND READINGS/PUBLIC HEARINGS
The following spoke in opposition to Ordinance 22-18:

Mr. George St. Clair, 4109 Main Street
Alissa Knell, 5180 Norwich Street
Hayden Kimes, 5190 Norwich Street

The following spoke in favor of Ordinance 22-18.
Cole Antle, 3945 Parkside Court

22-18 AMENDING CHAPTERS 1105, 1115, 1121 AND 1141 OF THE CITY'S CODIFIED ORDINANCES TO REGULATE SHORT-TERM RENTAL FACILITIES AND MODIFY REGULATIONS FOR BED AND BREAKFAST INNS

President Teater stated that this ordinance has been in front of Council for a while now and there has been some changes made.

Ms. Crandall reported that since the last Council meeting when this was discussed, staff did listen very closely to the input from residents, their concerns, comments from Council and, in addition, reviewed other examples of codes. The Planning staff presented a new draft and staff met internally to ensure it captured most of what was heard and then shared that draft with Mr. Warnock and Mr. Wathen since they either have property now or will in the future that they may want to use in this capacity. She added staff also met with four residents from Norwich Street to discuss these changes. Ms. Crandall reported that the changes put in place are: a zoning certificate requirement, a registration fee, registration requirements, short-term rental standards, grounds for denial, how a zoning certificate or registration can be revoked and an appeal process for that and the City's ability to do inspections at any time. She noted some of the resident feedback heard is that they do not want to put up with noise so things were added regarding noise restrictions and restrictions on how many people can be in a home. After meeting with the residents, Section 4(L) was added, which addresses Short Term Rental Standards and states "Within the Old Hilliard Residential District no short-term rentals shall be located within a 1,000 foot radius as measured starting from the prime public entrance of such establishment to another short-term rental". This idea was suggested by one of the residents and staff feels it makes a lot of sense. This is to balance the preservation of the residential nature of those parts of Norwich that have a lot of homeowners with allowing some short-term rentals within this district. She mentioned another item that was discussed with the four residents was their interest in keeping a portion of that owner-occupied residential. Staff discussed a limited overlay district with them and if they got 100 percent buy in from the group of residents along Norwich, they could come back and staff would help them write that code so that it would remain as residential. If there are a couple of commercial properties within this area and those property owners also agreed, they would be grandfathered in and be able to continue as a business until such time

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that it would turn to some other type of operation. The group of residents was going to look into this possibility. A couple other items that came up was bed tax collection. Mr. Ball followed up with Airbnb and Vrbo regarding charging a bed tax and they said they will add it onto the sales receipt generated online for larger communities or tourist communities where there is a lot of volume but will not do it for smaller communities or ones that do not attract that kind of volume. If Council did want to require this, it would be an administrative process and at this point it is unclear if there is enough of these properties for it to even make sense to do. Ms. Crandall stated, as Mr. Talentino has said, this is about awareness and enforcement both of which are challenging. She reported some Council members asked about a one year review and she suggested that instead of that being in the code to make it a separate motion. It could be a one year review or if there are challenges this could be brought back to Council for review and Council could revoke the requirement completely but after a year, if no issues are heard or received, Council could leave it in place.

President Teater asked if there are issues one, two or three years from now, can Council revoke this and people who have short-term renters do not get grandfathered in. Mr. Hartmann replied he would be comfortable with Council's ability to limit it if there are serious reasons for doing so.

Ms. Cottone, seconded by Mr. Carrier, moved to add a one-year trial period and at the end of that year a committee will be put together to include staff, Planning and Zoning, Council, Police and Old Hilliard residents and business owners. This committee would discuss whether this is good or bad and if it is bad then it could be revoked. Ms. Crandall stated this would be a separate motion that would be part of the charge to review and bring it back to Council. She suggested not codifying that piece because then it requires Council to take action. Mr. Hartmann suggested that the cleanest way would be to add this as a section in the ordinance itself which would direct Council and a committee to review within one year, as a whereas clause. Ms. Crandall stated it may be easier to put it in as a whereas clause as these amendments in this program shall be reviewed after one year or sooner if challenges arise.

Vice President Tarazi asked why Mr. Hartmann is suggesting putting it in as a whereas clause versus a direction to staff. Mr. Hartmann replied that he likes it being in the ordinance itself so that when that ordinance is searched it will be seen, otherwise it will be separate. This will make it easier and when it is on the calendar there will be a reference to what Council actually passed versus an oral motion in the minutes. He feels that this would be an easier way to find it.

President Teater asked Ms. Cottone to re-read her motion. Ms. Cottone moved to amend the ordinance to add the following: Ms. Crandall stated "Whereas, this ordinance shall be reviewed by City staff, a member of Planning and Zoning, a member of Council, Police and Old Hilliard residents. Mr. Hartmann added he would put in a date certain that this is reviewed. He noted it is a motion to amend the ordinance to add a whereas clause.

Ms. Cottone, seconded by Mr. Carrier, moved to amend the ordinance to add a whereas clause for a review in one year, if this passes, and the review would include City staff, Planning and Zoning, City Council, Police and Old Hilliard residents and business owners.

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Ms. Vermillion stated that she has given a lot of thought to this and it has been a difficult decision for her. She added that she appreciates all the work that staff has done but she still has some reservations. One of them being that if the City is allowing a certain section of town to do this, then all of Hilliard should be included. As a resident, she does not want an Airbnb across the street from her and does not believe this will make an economic difference in Old Hilliard, which was one of the reasons put forward by the applicant. It was part of making Old Hilliard vibrant and getting more people there. Ms. Vermillion believes that if Old Hilliard is done right, it will be vibrant and people will come regardless if there is an Airbnb that they can stay at. She noted that not being able to collect a bed tax directly goes against the businesses that the City is trying to attract. She does not think it is right that the City cannot charge a bed tax and would not want to put staff through all of that manual work that they do not have to do. Ms. Vermillion explained that she knows there have been a lot of investors buying up properties in the entire country and in Central Ohio because prices comparably are appealing. She feels that if Airbnbs are allowed in the City, it will attract more investors as opposed to owner-occupied residences and believes people move to Hilliard because it is a family friendly area. Taking all of this into consideration, she does not personally think this is the right step for the community. She mentioned that New York City has major restrictions on Airbnbs and she feels like this could open up a can of worms for the City.

Mr. Marsh stated that he has appreciated this process and this is something that came through Planning and Zoning quickly and then to Council. Until some of the residents came to the meetings, Council may have been unaware of the potential issues. He does not believe it will have a great economic impact but also unlikely to have a negative impact on the neighborhood. He added he would not have a problem with this being City-wide or his neighbor having an Airbnb. Mr. Marsh reported the biggest issue is the one Mr. Kimes mentioned about destabilizing the neighborhood which is the hardest part of this to work through. He had thought about limiting the number of permits but he thinks the 1,000 foot setback basically makes it almost impossible to have another one in the Old Hilliard residential portion and addresses the issue of there being several on Norwich Street under any circumstances because they will not be permitted under Code. Mr. Marsh said he is comfortable giving this a try and thinks it is a great idea to evaluate this in a year with all of the people Ms. Cottone mentioned because all of them will have different perspectives. After that review, Council can evaluate rescinding or expanding this and reiterated he would have no problem if this was considered in all of Hilliard.

Vice President Tarazi stated Council received a lot of comments from residents of Norwich Street and he understands the intense desire to control the neighborhood. It is very admirable and everyone should want to protect heritage and keep and maintain things from going to a weird direction. From his perspective, any developer can buy a house, rent it on a one-month increment and to anyone they want and there is nothing anyone can do about it. If that is allowed and legal, then what is the difference if it is in two week increments. He does not understand why that is dramatically worse or different in smaller increments. Vice President Tarazi reported there is one person, maybe a second, wanting to do an Airbnb and he does not see what the problem really is to know what to do about it.

President Teater stated that he appreciates the time and effort put into this and Council has spent a lot of time talking to residents and among themselves. He added that after the last meeting, he felt that there needed to be some serious guardrails in place and the Administration has done that and have gone further than what he was thinking of. If there is a problem, Council can rescind this quickly and he likes the short leash and Ms. Cottone's amendment for a review in a year.

Mr. Carrier reported Mr. Warnock, since he has already gone down the road, and his understanding of the last conversation is that it would be really hard to tell him he can no longer have an Airbnb. He added it is similar to having a hookah lounge in Old Hilliard and how did that end up there, because the City Code did not speak to it. Mr. Carrier believes that is what Mr. Talentino spoke to the last time in that the Code did not speak to Airbnbs. Ms. Crandall pointed out that it is just the opposite. If the Code does not speak to it, it is not a permitted use so currently it is not a permitted use at all. He said the experiment the City is doing is dipping a toe into it to see how it goes. The City of Dublin narrowed it down differently and Worthington did it different from that and everyone is struggling with it. Mr. Carrier said we will find the State House will address this at some point from what he is hearing. He added it is a tough issue.

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STATUS:	Approved (6-0)
AYES:	Andy Teater, Omar Tarazi, Les Carrier, Pete Marsh
NAYS:	Tina Cottone, Cynthia Vermillion
EXCUSED:	Peggy Hale

Vice President Tarazi asked what the metric is to determine if this is working or not. Ms. Cottone added there are no metrics on rescinding the registration, which she feels is a bigger conversation. Ms. Crandall stated there are regulations in place on what would be considered something to allow it to be rescinded and is somewhat subjective according to what the Planning & Zoning staff would do. She added one of the challenges that Council may want to look at again is if the City receives noise complaints, HPD shows up and the noise complaint cannot be proven. If multiple of those complaints are received or things of that nature that you cannot put a metric on, staff could report back on how many complaints are received, how many have been followed up on and verified versus ones that are unverified. President Teater stated his metric is a very short leash and if there are valid complaints then there is a problem. Ms. Cottone stated how many times have the police been called or have they never been called, have any Old Hilliard business owners noticed an increase in business because of this, what the neighbors think about it and maybe after a year they still hate it or after a year they barely notice a difference.

Ms. Werbrich asked if a motion was needed for the amendment to the exhibit. Ms. Cottone, seconded by Mr. Carrier moved to amend the Exhibit to add Section 4 (L).

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

STATUS:	Adopted (4-2)
AYES:	Teater, Tarazi, Carrier, Marsh
NAYES:	Cottone, Vermillion
EXCUSED:	Peggy Hale

President Teater announced 22-18 passed and will take effect at the earliest time allowable by law.

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

Ms. Crandall explained that this legislation appropriates $40 million of the $85 million that was secured through the issuance of bonds earlier this year and prepares the City for the timely issuance of Guarantee Maximum Prices (GMP) in 2022. In September and later in the year, staff anticipates two GMP resolutions that will be brought to Council for approval to allow for the purchase of materials and equipment with long lead times. The two resolutions will allow for these appropriated funds to be spent at that time and this process is very similar to passage of the Operating or CIP budgets. When those budgets are passed, the funds are also appropriated and for larger projects, bid resolutions are brought back to Council for approval. The GMPs are very similar to those bid resolutions. Ms. Crandall continued that, as Mr. McCarthy stated there will be a quick turnaround time once the bids come in and Ruscilli gets those numbers out to potential contractors. That is why the City is appropriating funds now in order to act more quickly on those GMPs, which will be brought back to Council for approval.

The following signed in to speak at the public hearing on Ordinance 22-20:

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Tony Collins, President and CEO of the YMCA of Central Ohio, regarding a partnership between City and the YMCA on the Community Center.

Mr. Carrier asked that when the City opens the community center will the YMCA be able to stay open. Mr. Collins replied they will do everything in their power to stay open.

Greg Wenclewicz, 3484 River Narrows Road regarding community center funding, the July 11 construction numbers and the community center effects on the YMCA and the Bo Jackson facility. He asked Council to consider that inflation may not be as persistent as they think.

Vice President Tarazi stated on the issue of the Y, it was presented that there would be a cost savings as it relates to a partnership with the Y and asked if the City is looking into this, will Council get a presentation on that possibility or has that been decided against at this point as not being a good path. Ms. Crandall replied that the City is at a point that we want to work with the Y to understand how both can survive and thrive in this community. There are ways to partner on programming or things of that nature, but the City is not looking at the Y operating the center at this point and that has not been part of the conversation with Council and was not in the messaging presented to the voters in November. She added the City wants to work hand in hand with the Y to make sure both can do well and serve this community. Ms. Crandall reiterated that from a staff perspective, we are not looking at if the Y can come in and operate the center.

Vice President Tarazi stated that we are talking about something that does not open until 2025 and regarding this idea of a partnership or collaboration with the Y of some variety, he asked if those conversations happen closer to 2025 or now as budgets are put together. Ms. Crandall replied some of those conversations happen now and some later as we understand some programming that will be offered as part of the center so there could be open conversations with the Y about what the plans are.

Vice President Tarazi stated Mr. Collins reported in his presentation about the possibility of saving money through collaboration or partnership and asked what he had in mind as it relates to that. If the City is saying they are ready to talk and figure it out, what is holding those talks up. Mr. Collins replied that there is a fundamental difference and Ms. Crandall has been clear that the City is going to operate the center as a City operation and at some point will sit down and figure out who is doing what. He noted they do well with parks and recreations departments around the area and there is opportunity for collaboration. Mr. Collins added that when there is an 80,000 square foot community center positioned a mile away from another community center that is operated by a non-profit, that is a different set of collaboration. He mentioned that they have not had a chance to talk about what that looks like and does not know what that looks like. Mr. Collins reported that in Central Ohio there is not a Y in any community that has a community center in it. Vice President Tarazi then asked what did Mr. Collins mean when he said they could save the taxpayer's money. Did he mean the Y would operate the community center or that there would be a partnership that would result in that savings. Mr. Collins replied the Y operating the community center is the model he presented with the Reynoldsburg concept. He explained that they operate the Reynoldsburg Community Center for the City. The City built a 65,000 square foot, state of the art facility with taxpayer dollars and it is called the Reynoldsburg YMCA Community Center. The Y operates it and there is no tax subsidy to operate it. The money received is from users, memberships, program fees, fundraising and contributed dollars from the Y. The City does not have to have any staff or any subsidy for the operations of the facility. Mr. Collins reported that just from the estimates, it would be a $1.2 million savings a year. Vice President Tarazi asked if Mr. Collins is saying that if the Y operated the community center, it will save the City approximately $1 million a year in operations cost. Mr. Collins replied that if you look at the operational proposal that has been drafted, which is just a draft because it is a few years out and they do not know the programming or the basic models, they demonstrated in the material on Thursday that there is a $1.2 million subsidy from income taxes every year to help pay for the operation of that community center. Conversely, what he presented in the Reynoldsburg model is that they operate the community center for the City of Reynoldsburg and there is zero subsidy from taxpayers going towards operations of that building so in a sense it becomes a $1.2 million savings. He explained the Y would operate the building and community center with the same services and programs the City is

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doing now and they would work with the community as to what would be offered in the center and how the center would be designed. He added they helped Reynoldsburg reduce costs during construction of the center but the center was built by the City with the Y's assistance and support and it opened as a YMCA Community center with no tax subsidy dollars to operate it. Vice President Tarazi stated that it sounds like staff does not want to go down this path and Mr. Collins is proposing something that would save taxpayer dollars. He added that it is up to Council if they have any interest in exploring this further or no interest at all.

Mr. Marsh stated that this is oversimplifying this with the talk of the $1.2 million subsidy. He reported half of Mr. Merritt's salary is included in the cost of the community center and doubts he will take a 50 percent pay cut if the Y operates the community center. There are a number of costs like this that happen regardless. There are a number of things that are called a subsidy but it is programming for the residents. For example, the senior facility is almost $300,000.00 that operates at a deficit and those are fundamental things a local government does as far as providing an amenity to their residents. He noted Mr. Collins cannot know what the exact programming would cost him, which could mean that it would cost residents more to get a membership and could mean more people cannot participate in this new community center because of that. There are too many variables at this point to make a sweeping claim that it would take away the subsidy because the subsidy includes so many different elements right now.

Ms. Vermillion remarked with Mr. Collin's proposal to operate the community center, it sounds like they are planning to close the Y so they would have the staff to operate the community center. Mr. Collins replied that they are not planning on that at all and as Mr. Marsh stated there are a lot of details that would need to be worked through on how that collaborative effort or partnership would work. He noted they have not met to understand what the priorities are and would have to discuss how the building would operate if the Y would close down, which would be contingent on a conversation moving forward if a partnership was selected. Ms. Vermillion noted that what she is hearing is that the danger is still there that they may close down the Y anyways. She added she does not see how they could have the manpower to operate a huge community center and continue to operate the Y. Mr. Collins replied that if you look at the Reynoldsburg example it would be the community center YMCA and would be the same building and program model potentially. He stated there is an option that it is combined into one building, find a different use for the old YMCA building and there are all types of options that have not been discussed or investigated on moving that forward. Ms. Vermillion reported that the residents overwhelmingly voted for the Issue to build the community center so there is a lot of interest in the City to have a community center. Mr. Collins replied that he is not arguing that at all but is there an opportunity to partner with the Y to operate the community center.

Mr. Collins addressed Mr. Marsh's comments. He stated that Mr. Marsh is correct that there is no detail or program and agrees that there are a lot of generalizations made in all of the data and reporting. His presentation of the $1.2 million was based on the presentation of the information given to Council on Thursday. He does believe if you look across the spectrum of Central Ohio there is a tax subsidy to operate generally across any type of parks and recreation community center and is why he generalized that number. Mr. Marsh stated that there are reasons other than dollars as to why you would set up one model or the other. He noted the Y has to recoup their costs and the City subsidy may be able to provide more programming than the Y could provide at the cost they would get back. Mr. Marsh explained that there is also the issue of control because ultimately if there is a problem with customer service or something like that, they would come to Council and not to Mr. Collins. He added there are a lot of factors beyond just the dollars that go into why it might make sense to do one model or the other.

President Teater reminded Council that this discussion is about appropriating funds and not about making a decision about the YMCA tonight.

Vice President Tarazi stated that they are talking about something in 2025 and who is going to operate the community center. Staff is putting forward a proposal and there is always an argument on outsourcing and privatizing on what types of services are best done by the City and what type of services are contracted out. He continued that can the City contract this out to the Y, the answer is yes but would

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it save the City money, he does not know. Someone could look into this and determine that. The issue of control, if it is outsourced, you can contractually fix that to some degree. In his mind, he is willing to direct staff to look into this possibility and give Council the pros and cons so Council can make an informed decision. He would like to motion to get more information on this topic and if no one else is interested, then no one else is interested. President Teater asked if Mr. Merritt was going to get more information. Ms. Crandall replied not for the Y to operate the community center. Vice President Tarazi asked if Council wants more information or not. Mr. Marsh replied that he is fundamentally comfortable with the City operating this facility. He has always thought that a lot of the City's recreation, in general, is outsourced to private organizations and he is unsure that always leads to the best community result. Mr. Marsh stated that he hopes both entities can co-exist but feels the center needs to be operated by the City's internal staff. Vice President Tarazi stated he put a motion on the table and if no one seconds it, that is the answer. Mr. Carrier stated he would second that. Ms. Crandall stated that Council has an ordinance on the table. Mr. Hartmann added that the motion would not be related to the actual ordinance or to amend it. Vice President Tarazi stated he would bring back his motion under Council discussion.

Ms. Vermillion, seconded by Mr. Marsh, moved to pick ordinance 22-20 from the table for consideration by Voice Vote.

STATUS:	Approved (5-1)
AYES:	Teater, Tarazi, Cottone, Marsh, Vermillion
NAYS:	Les Carrier
EXCUSED:	Peggy Hale

STATUS:	Adopted (5-1)
AYES:	Teater, Tarazi, Cottone, Marsh, Vermillion
NAYS:	Les Carrier
EXCUSED:	Peggy Hale

President Teater announced 22-20 passed and will take effect at the earliest time allowable by law.

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.**

No one in attendance spoke for or against Ordinance 22-21.

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

President Teater announced 22-21 passed and will take effect at the earliest time allowable by law.

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

No one in attendance spoke for or against Ordinance 22-22.

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

President Teater announced 22-22 passed and will take effect at the earliest time allowable 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.**

No one in attendance spoke for or against Ordinance 22-23.

Mr. Carrier stated that he is going to support putting this on the ballot because often times when the City does things like this, they are of greater magnitude and Council should get a sounding on things of this nature. He noted that it is important that residents understand that the postcards are going to come from the broker, the PAC or the special interest in green energy and ultimately if this passes, Council has heard pretty clearly that the tension between aggregation and the electric rate usually means electric rates will go up. He feels it is important that the community understands that a yes vote on this type of opt out program really puts a burden on the community member to actively sign a letter and send it in to opt out of the program because the statute requires the letter and was clear through the discussion with the representative from Grove City. Where we are with the power grid and the competition for renewable energy, he gets a sense that a yes on this and if someone does not take the time to opt out, it will cost them more. Mr. Carrier would ask staff to educate residents on what was testified to at the last meeting from the Grove City representative because this does not necessarily mean someone's energy bill is going to go down and likely will cost more. Ms. Crandall clarified that the postcards would come directly from the City but there could be other organizations that would send some in support as well. She noted on the opt out process, Council did hear that there were some other options other than mailing in and staff will get more information on that possibility. Mr. Carrier responded that what Mr. Smith said was that Grove City allowed for residents to send an email and their staff put them on an opt out list but technically the law requires a letter in writing. He mentioned that he knows that once you are on these things, it is hard to get off unless someone follows the rules directly because the way this is designed, they want to dump everyone into the aggregate, which only benefits the broker and the aggregate. Ms. Vermillion clarified that what Mr. Carrier is remembering is that Mr. Smith said the City is required to send something out in writing telling residents that they can opt out of this program and there is nothing that says the resident has to send something in writing they just have to receive something in writing. How the City administers this is up to Council and is yet to be determined as to whether it will be a phone call or something online is yet to be determined. Mr. Carrier countered that he clarified that in the minutes that Mr. Smith said an individual, by statute, technically has to send a letter in to opt out and how many have time to do that and is a government burden to do something like that. He said that is one of his big concerns about this and although he does not have a problem putting it on the ballot, he wants residents to understand that they have an affirmative duty now if they do not want to deal with this and at the risk of their rates increasing, to go out and have to do something whether it is an email or a letter. Mr. Hartmann stated that he will check and confirm what is required. He added his recollection is different and he has worked with cities with aggregates and they send opt out cards that are a different color with the bills so there would be an opt out post card that could be sent back. Mr. Hartmann stated that he will check with Mr. Smith. Mr. Carrier commented that to his point, a resident has to do something in the affirmative to be taken off the list and is something that residents will have to do.

Ms. Vermillion reported that Mr. Smith mentioned that Grove City used a broker who was paid a flat fee and not a continuing amount of money. She commented that Mr. Carrier's statement was not correct when he said it was just to enrich the broker and that is not necessarily true if the City goes with a flat fee broker. Mr. Carrier asked if the broker would still get paid. Ms. Vermillion agreed and said that it would be a flat fee and not part of an electric bill. Mr. Hartmann added the broker will generally take a percentage forever and the broker Mr. Smith mentioned did not.

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Vice President Tarazi stated that this concept is half baked because the City of Grove City is still not doing it and he is not sure where the benefit is. The benefit might happen and it might not because there are so many things about gas prices and he feels this is premature. In his view, if next year things have stabilized, determine the benefit to this and then go to the community and explain what those benefits are.

STATUS:	Adopted (5-1)
AYES:	Teater, Carrier, Cottone, Marsh, Vermillion
NAYS:	Omar Tarazi
EXCUSED:	Peggy Hale

President Teater announced 22-23 passed and will take effect at the earliest time allowable by law.

FIRST READINGS

22-25 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED DEVELOPMENT AGREEMENT WITH EPCON CARR FARMS, LLC.

Mr. Meadows explained that this legislation is for an amendment to the Carr Farm Development Agreement and is based on two reasons: 1) there are five additional dwelling units that were not accounted for in the original agreement and the developer opted to use a master meter instead of individual taps for the collection of the water capacity fees, which requires changes to the Development Agreement. 2) there were four sources of reimbursement originally for the developer: New Community Authority (NCA) fees, impact fees, water capacity fees and parkland in lieu of fees. He stated the City is proposing this revised agreement will make it simpler in that the only reimbursements for the developer would be parkland in lieu of fees and impact fees. Basically this takes away the reimbursement of water capacity fee for upsizing and they lose all claims in the NCA proceeds. He noted this is a reasonable response to the changes in the agreement.

Mr. Carrier asked if the developer asked to close Leppert Road. Mr. Ralley replied (inaudible). Mr. Carrier stated “OK, so they are going to keep it open.”

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

President Teater announced the second reading/public hearing will be August 22, 2022.

B. Resolutions

22-R-55 VACATING A PORTION OF A SANITARY SEWER EASEMENT GRANTED TO THE CITY OF HILLIARD BY GREENWICH INVESTORS HICKORY CHASE, LLC.

Mr. Rausch reported that this is an easement associated with Verena at Hickory Chase to build garages for that development. A portion of the easement would be where the new garages are so they are shortening up the sewer and easement so those can be built.

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

President Teater announced 22-R-55 passed and will take effect at the earliest time allowable by law.

22-R-56 **AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH CARPENTER MARTY TRANSPORTATION, INC. TO PROVIDE GENERAL ENGINEERING SERVICES AND AUTHORIZING AN EXPENDITURE.**

Ms. Schamp reported that this is a normal Professional Services Agreement (PSA) to provide services for engineering staff for on call and general engineering services. Staff recommendation is to enter into a new one-year contract with Carpenter Marty with up to four additional annual renewals if they provide good service. She added the authorized expenditure for 2022 is $65,000.00 and this is typically within that range per year.

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

President Teater announced 22-R-56 passed and will take effect at the earliest time allowable by law.

22-R-57 **AUTHORIZING THE CITY MANAGER TO PURCHASE ONE (1) SPRINTER CARGO VAN AS IDENTIFIED IN CIP F-6 FROM MERCEDES BENZ OF FORT MITCHELL; AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

Chief Woods explained that the purchase of this Sprinter van was identified as a purchase with capital dollars in 2022. He noted this purchase was going to originally go through the State bid process but availability has changed that plan. The only van that was found was in Fort Mitchell, IN, and they would like to make this purchase. President Teater asked what the Sprinter van will be used for. Chief Woods replied that it will replace the mobile command vehicle, which is constantly in a state of repair and will be used at crime scenes, on accident investigations and a spot where community members can find HPD at community events.

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

President Teater announced 22-R-57 passed and will take effect at the earliest time allowable by law.

PRESIDENT'S COMMUNICATION

President Teater thanked staff for all of their work on Freedom Fest and the July 4th weekend.

STAFF REPORTS

Ms. Crandall recognized Deputy Police Chief Ron Clark and Chief People Officer/HR Director Colleen Lemmon. She thanked Council for their support for this position and the HR Manager position, which will be brought on board later in the year.

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CITY MANAGER UPDATES - None

ITEMS FOR COUNCIL DISCUSSION

Vice President Tarazi stated that this has nothing to do with staff doing a phenomenal job operating the community center but his analytical mind says could the YMCA save the City approximately $1 million in operations. The question is should Council at least take a look at that possibility to see what the tradeoffs are.

Vice President Tarazi, seconded by Mr. Carrier, moved to direct staff to provide Council with the information on the tradeoffs between the community center being operated by the City or the YMCA.

Mr. Carrier clarified that this is just asking for the information to make the analysis and judgment and not a decision to operate.

Ms. Vermillion commented that outsourcing lawn mowing, etc. was mentioned and she feels that is a completely different type of category versus parks and recreation's programming operations, which is one whole entity. Vice President Tarazi stated they are not suggesting the entire Recreation and Parks be outsourced and are only talking about the operation of the community center. He added that he might end up agreeing with Ms. Vermillion but he does not have enough information on the topic and does it save money in the communities where the Y operates the community center. He would like more information if they say they are going to save approximately $1 million in tax money.

President Teater mentioned that he wrote his college thesis on privatization of government and with his 25 year career in government where his department at ODOT was outsourced, you lose a lot of control and have to be careful with what types of government things are outsourced. He stated he agrees with Mr. Marsh on control because many Council members have complained that too much of Recreation and Parks was outsourced for too many years. He likes the control within the City.

Ms. Cottone stated she is curious as to why this is coming up now. She noted that she attended a Council kick off session at Ten Pin Alley in 2021 and again asked why this is coming up as an option now. Vice President Tarazi replied that Mr. Collins reported today that he can save the City approximately $1 million and asked for more information if that is true or not. He agreed that up to this point it has been that the City would operate the community center and is the default.

Mr. Carrier reported the City has run head strong into inflation and in his opinion there seems to be some shrinkage of some things and have had to make harder decisions than they thought they would. While we have had inflation, he has still not seen the revenue numbers come up or if they are going higher than the $7.5 million expected from the half percent. He noted that you are looking at other ways to create the value to provide outcomes for the community in a way that they want. What we are ultimately getting ready to do and Mr. Collins would not say it, is that the Y will not be able to compete with a 20-year old center with a new beautiful center and the City will eventually have an empty building in front of Hoffman Farms and will lose half of the aquatics for the kids. That is why Council should step back and determine if there is a better way to do things and from what he is hearing, is the reason he supports taking a look at it to see if it makes sense and what the numbers are. He believes Council owes that to everyone to make that work because Hilliard is the same size as Upper Arlington in terms of population, and there will only be one pool and one aquatic area. Other communities have two pools or bigger pools and the City will be static and he would argue that the City will be right where we were when the Y was done years ago because it was not built with enough capacity for our future growth and what we have now.

President Teater said that it is a huge speculation that the Y will go away. If the need is there, both facilities will be able to co-exist. Mr. Carrier commented that is fair too.

Mr. Marsh added other than the fundamental of not wanting to turn over that control, that does not preclude Council, as this goes along on the proforma from exploring options that maybe do not get to 100 percent cost recovery and there is room for ongoing discussion. He thinks staff would be willing to

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explore those avenues with Council as well. If there is concern about the ongoing costs, that is certainly something that can be addressed in house without losing control of the facility. President Teater stated that someone cannot save $1 million without providing less services because the money has to come from somewhere. He noted that one could argue that the Y could run it more efficiently but he is confident that City staff will run it as efficiently as anyone.

STATUS:	Defeated (4-2)
MOVER:	Omar Tarazi
SECONDER:	Les Carrier
AYES:	Omar Tarazi, Les Carrier
NAYS:	Andy Teater, Tina Cottone, Pete Marsh, Cynthia Vermillion
EXCUSED:	Peggy Hale

Ms. Vermillion asked to read the following excerpt from the minutes that Mr. Carrier referenced on aggregation and opting out.

"Mr. Carrier asked how hard is it to opt out. Mr. Smith replied a resident would have to check a box and send it back. Mr. Carrier then asked if the opt out process could be done electronically. Mr. Smith replied Grove City did a mailing, which is what the ORC provides. If the City wanted to make it easier to opt out, he does not see why they could not come up with something else but the City will have to send a letter because State law requires a mailing of the opt out notice. The City can set up any process they want to opt out but the letter has to be sent by law."

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

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

ADJOURNMENT – 8:47 PM

Andy Teater, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

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CITY COUNCIL

August 3, 2022
Special Executive Session Minutes

CALL TO ORDER
The meeting was called to order by President Teater at 3:46 PM.

ROLL CALL OF MEMBERS

Attendee Name:	Title:	Status:
Andy Teater	President	Present
Omar Tarazi	Vice President	Present
Les Carrier	Councilman	Present
Tina Cottone	Councilwoman	Present
Peggy Hale	Councilwoman	Excused
Pete Marsh	Councilman	Present
Cynthia Vermillion	Councilwoman	Present

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley and Clerk of Council Diane Werbrich

Ms. Vermillion, seconded by Vice President Tarazi, moved to recess to Executive Session for matters pertaining to the promotion of a public employee (Charter Section 2.10(1)(a)).

MOVER:	Cynthia Vermillion
SECONDER:	Omar Tarazi
AYES:	Teater, Tarazi, Carrier, Cottone, Marsh, Vermillion
EXCUSED:	Peggy Hale

EXECUTIVE SESSION
Council recessed to Executive Session at 3:47 PM.

Mr. Carrier, seconded by Vice President Tarazi, moved to end the Executive Session at 3:58 PM

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

President Teater reconvened the Special/Executive Session meeting at 3:58 PM.

ITEMS FOR COUNCIL DISCUSSION

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

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

ADJOURNMENT – 3:58 PM

Andy Teater, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Aug 3, 2022 3:45 PM (Approval of Minutes)

Liquor License TRFO - 4704 Cemetery Road

Rec'd 8/1 - Se... PD. FD. Plan... & - mee... mc, r

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

NOTICE TO LEGISLATIVE AUTHORITY

TO

7909788 PERMIT NUMBER	TRFO TYPE	SCHWARTZYS LLC 4704 CEMETERY RD HILLIARD OHIO 43026
02 01 2022 ISSUE DATE		
07 14 2022 FILING DATE		
D5 D6 PERMIT CLASSES		
25 TAX DISTRICT	132 B F27934 RECEIPT NO.	

FROM 07/18/2022

1141972 PERMIT NUMBER	TYPE	BUSINESS VENTURES OF HILLIARD LLC DBA LEAP N LIZARDS 4704 CEMETERY RD HILLIARD OHIO 43026
02 01 2022 ISSUE DATE		
07 14 2022 FILING DATE		
D5 D6 PERMIT CLASSES		
25 TAX DISTRICT	132 RECEIPT NO.	

Called Board of Liq... control 8/1. Charged... Alisa - will ask... to 8/23

MAILED 07/18/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/~~18~~23/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES B TRFO 7909788
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐
DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)
☐ Clerk of City Council
☐ Township Fiscal Officer

CLERK OF HILLIARD CITY COUNCIL
3800 MUNICIPAL WAY
HILLIARD OHIO 43026-1695

DLC 4052 REV. 03/09

Attachment: 4704 Cemetery Road - TRFO (2314 : Liquor License TRFO - 4704 Cemetery Road)

Diane Werbrich

From: State of Ohio <das.customersupport@das.ohio.gov>
Sent: Monday, August 1, 2022 9:27 AM
To: guest@example.com; Diane Werbrich
Subject: Incident INC6570363 notification

Ohio | Department of Commerce

Division of Liquor Control

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sheryl Maxfield, Director

INC6570363 - 1141972 -> 7909788 Permit Transfer Status Check

Your ticket has been changed to "Resolved." If you feel the issue is not resolved, please click the following link to reopen your ticket: <Click here if your issue was not properly resolved INC6570363 >

Close code : LIQ.Provided Information
Close notes: Informed caller that it was ok to send in the Local Notice Reply after their meeting on August 22, 2022.
Put note in file for the extension request

Comments:

2022-08-01 09:26:04 EDT - Alyssa Bexfield Additional comments
Name: Dee
Permit: 7909788
Email: dwerbrich@hilliardohio.gov
Description:
Dee, with the City of Hilliard, called in to request an extension on the timeline for returning the Local Notice for a permit transfer.

2022-08-01 09:26:04 EDT - Alyssa Bexfield Additional comments
Resolution notes: Informed caller that it was ok to send in the Local Notice Reply after their meeting on August 22, 2022.
Put note in file for the extension request

You will receive emails from the State of Ohio whenever there is activity on your incident

Division of Liquor Control 6606 Tussing Road Reynoldsburg, OH 43068

Ref:MSGOH66546635_bibC9oQ7Ud9cUNOij

Attachment: 4704 Cemetery Road - TRFO (2314 : Liquor License TRFO - 4704 Cemetery Road)

Council Memo: Legislation (22-R-59)

Subject: Re-Appointments to the ESC
From: Michelle Crandall, City Manager
Initiated by: Diane Werbrich, Clerk of Council
Date: August 22, 2022

Executive Summary
This resolution would reappoint 2 members to the Environmental Sustainability Commission.

Staff Recommendation
Staff recommends that Council adopt this Resolution.

Background
The ESC was developed to advise City Council and the administration on sustainability goals. By the passage of Resolution No. 20-R-60, City Council appointed Kristen Hosni and Melissa Muth. Due to two-year terms expiring August 25, 2022. Ms. Hosni and Ms. Muth desire to be re-appointed. City Council is currently accepting applications for other open positions in the membership.

Financial Impacts
By the passage of Resolution No. 17-R-07, ESC members are compensated in an amount equal to 20% of the City Council's pre-health insurance election compensation.

Expected Benefits
The re-appointments will ensure that the ESC continues its work.

Attachments
- N/A

Resolution: 22-R-59 **Adopted:**

Page 1 of **Effective:**

APPROVING COUNCIL RE-APPOINTMENTS 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-60, City Council approved the appointment of Kristen Hosni and Melissa Muth to 2-year terms expiring on August 24, 2022; and

WHEREAS, Ms. Hosni and Ms. Muth have both expressed a desire to be re-appointed 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 the following individuals to the Environmental Sustainability Commission for the term provided:

Name	Term
Kristen Hosni	August 25, 2022 – August 25, 2024
Melissa Muth	August 25, 2022 – August 25, 2024

SECTION 2. This Resolution shall be 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-59						
☐ 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-59** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

_____

Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-60)

Subject: Re-appointment to Personnel Review Board
From: Michelle Crandall, City Manager
Initiated by: Diane Werbrich, Clerk of Council
Date: August 22, 2022

Executive Summary
This piece of legislation re-appoints a member to the City's Personnel Review Board.

Staff Recommendation
recommends that Council adopt this piece of legislation.

Background
Section 8.01 of the City's Charter establishes a Personnel Review Board (the "Board"). The Board is tasked with hearing appeals by City employees from administrative determinations made pursuant to the Code of Personnel Practices and Procedures. By the passage of Resolution No. 21-R-38, City Council appointed three initial members to the Board for overlapping terms. Shernette Henry's initial term expired May 24, 2022 and she desires to be re-appointed.

Financial Impacts
There are no anticipated financial impacts.

Expected Benefits
This re-appointment will ensure that the Board consists of three members, as provided for by the Charter.

Attachments
N/A

Resolution: 22-R-60 **Adopted:**

Page 1 of **Effective:**

RE-APPOINTING A MEMBER TO THE CITY'S PERSONNEL REVIEW BOARD.

WHEREAS, Section 8.01 of the City of Hilliard Charter ("Charter") provides that a Personnel Review Board ("Board") consisting of three qualified electors be appointed by a majority vote of Council; and

WHEREAS, Ms. Shernette Henry has expressed interest in reappointment to the Board after her initial one-year appointment; and

WHEREAS, City Council is prepared to reappoint her to the Board to serve a two year term.

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

SECTION 1. City Council hereby reappoints the following individual to the Board:

Name	**Term**
Shernette Henry	May 24, 2022 - May 24, 2024

SECTION 2. This Resolution shall be 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-60						
☐ 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-60** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

_____

Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-61)

Subject: OPWC Application for Cosgray Rd Extension
From: Michelle Crandall, City Manager
Initiated by: Letty Schamp, Transportation & Mobility Director
Date: August 22, 2022

Executive Summary

This legislation authorizes the City Manager to apply for financial assistance from programs administered by the Ohio Public Works Commission (OPWC) for the Cosgray Road Extension (CIP T-86/RP-7) and to execute any agreements with OPWC as may be required.

Staff Recommendation

Staff recommends approval of this legislation to allow the City to seek supplemental funding for the Project.

Background

By passage of Ordinance No. 21-26 and Resolution No. 21-R-57, Hilliard City Council appropriated funds, authorized the expenditure of funds, and authorized a professional services agreement with ms consultants, inc. for design of the Cosgray Road Extension (hereinafter "the Project"). Design of the Project is underway.

The Project includes:

- 0.8 miles of new roadway
- Hybrid multi-lane roundabout at Scioto Darby Road
- Single lane roundabout to serve the new community center and a future bridge crossing of Clover Groff Run
- Single lane roundabout at Alton & Darby Creek Road and the future athletic field complex
- Landscaped medians
- Open ditch drainage & other green infrastructure to manage stormwater
- Waterline
- Street lighting and fiber conduit
- 2 miles of shared-use path, enhanced crosswalks, and connections to adjacent neighborhoods

OPWC provides state grants and loans to local governments for public infrastructure projects. The Mid-Ohio Regional Planning Commission (MORPC) provides administrative support for OPWC's District 3, reviewing and scoring applications for funding and making recommendations for award. Application for Round 37 (State Fiscal Year 2024) are due on September 2, 2022. Final recommendations for funding are announced in December 2022. Projects that receive funding in Round 37 are required to begin construction between July 1, 2023, and June 30, 2024.

The City desires to apply for OPWC funding for the Cosgray Road Extension to supplement local funds. Pending City Council approval and appropriation of funds, the project is expected to be bid and awarded in summer 2023.

Financial Impacts

There are no anticipated financial impacts.

Expected Benefits

The benefit of passage of this legislation is the potential for reduction of local funds required for construction of the project.

Attachments

None.

Resolution: 22-R-61 **Adopted:**

Page 1 of **Effective:**

AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO SEEK FINANCIAL ASSISTANCE FROM PROGRAMS ADMINISTERED BY THE OHIO PUBLIC WORKS COMMISSION TO ASSIST IN FUNDING THE COSGRAY ROAD EXTENSION (CIP T-86/RP-7) AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

WHEREAS, pursuant to Article VIII, Section 2(k) of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure improvements of political subdivisions as designated by law; and

WHEREAS, pursuant to Section 164.06 of the Ohio Revised Code, the District Three Public Works Integrating Committee has been created to accept and evaluate applications from political subdivisions in Franklin County seeking state funding of local public infrastructure improvement projects, and to recommend selected applications to the state agency vested with the authority to fund such projects, the Ohio Public Works Commission ("OPWC"); and

WHEREAS, the State Capital Improvement Program (SCIP) and the Local Transportation Improvement Program (LTIP) both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, by way of conducting a capital inventory and needs assessment, an engineering study, and public involvement, the City has determined that it is necessary and in the City's best interest to submit financial assistance applications for the Cosgray Road Extension Project (CIP T-8/RP-7) (the "Project"); and

WHEREAS, the Project consists of approximately 0.8 miles of new roadway; a hybrid multi-lane roundabout at Scioto Darby Road with raised crosswalks; a single lane roundabout for a new park entrance and access to the new Community Center; a single lane roundabout at the Alton & Darby Creek Road connection; landscaped medians; open ditch drainage or other green infrastructure to manage stormwater in accordance with the OEPA Big Darby permit requirements; waterline, street lighting; shared-use paths; sidewalk or trail connections to adjacent neighborhoods; enhanced crosswalks; and fiber conduit; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs.

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

SECTION 1. The City Manager is hereby authorized to submit an application to the District Three Public Works Integrating Committee seeking funding from the Ohio Public Works Commission for the Project.

SECTION 2. The City Manager is further authorized to enter into agreements as may be necessary and appropriate to apply for and receive financial assistance from OPWC for the above-named project. Such agreements shall be approved as to form by the City Law Director and in accordance with all authority granted to the Director of Finance, as evidenced by his signature therein, and any limitations imposed thereby.

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-61						
☐ 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-61** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

Diane C. Werbrich, MMC

Council Memo: Legislation (22-25)

Subject: Amended Development Agreement with Epcon Carr Farms, LLC
From: Michelle Crandall, City Manager
Initiated by: David Meadows, Director of Economic Development
Date: August 22, 2022

Executive Summary

This Ordinance authorizes the City Manager to enter into an Amended Development Agreement with Epcon Carr Farms, LLC ("Epcon").

Staff Recommendation

Staff recommends that Council approve this piece of legislation.

Background

On July 11, 2016, Hilliard City Council passed Ordinance No. 16-21 authorizing the City to enter into a Developer's and Reimbursement Agreement with Homewood Corporation. This Agreement outlined the regional infrastructure improvements Homewood needed to construct related to a 157-unit single family home development on the east side of Leppert Road in the Carr Farms PUD (the "Property").

Homewood did not proceed with its project and instead, Epcon purchased the Property and is proceeding with its development of the Property. In 2020, City Council authorized an initial Developer's Agreement with Epcon for a development that consisted of 238-unit residential development that was a mixture of courtyard homes and traditional single-family homes. In 2021, City Council approved a PUD Modification for the Property which resulted in a slight increase of the total residential units to 243, consisting of 227 courtyard homes and 16 townhomes. As a result, the City and Epcon have been working to amend its Development Agreement to account for the slight change. Below is a summary of the public improvements and recommendations on reimbursements:

- Leppert Road Improvements - The Developer is responsible for the widening and overlay of two lanes and shoulders and ditch improvements along Leppert Road. Epcon will be able to utilize impact fees ($486,000) generated by the development as a source of reimbursement for this improvement.

- Multi-Use Path Improvements - Regional multi-use paths are required along Leppert Road and connecting through the Carr Farm development. Epcon will be able to utilize a credit against its fee-in-lieu-of-parkland amount ($243,000) as a source of reimbursement for this improvement.

- Upper Scioto West Sanitary Sewer (a/k/a Hayden Run Sanitary Sewer) - A sanitary sewer lift station and force main construction project is required to serve the Carr Farm development and other sites in the northwest quadrant of the City. The City will utilize sanitary sewer capacity fees, an additional $1000 Sewer Charge, and NCA fees generated from the 5 mill charge per unit until it is completely reimbursed for this improvement.

The Amended Agreement also provides that Epcon is permitted to utilize a master water meter service for all residential units for the Property. Therefore, Epcon has paid the $102,094 master meter charge to the City, but has also agreed to pay $903 per residential unit, which represents the water capacity charge to be used by the City to further fund regional water improvements in the area. Finally, Epcon has agreed to forego use of NCA funds for any reimbursement of the public infrastructure improvements that it is constructing.

Financial Impacts

The City will receive water capacity fees as well as sanitary sewer capacity fees and charges in order to fund regional water improvements as well as reimbursement for the City constructing the Upper Scioto West Sanitary Sewer (a/k/a Hayden Run Sanitary Sewer).

Expected Benefits

Since this Amended Agreement provides the City with access to financing sources in order to fully reimburse itself for the construction of the Upper Scioto West Sanitary Sewer (a/k/a Hayden Run Sanitary Sewer), the City can leverage its available capital improvements funds for other priority projects.

Attachments

- Exhibit A - Amended Agreement with its exhibits

Ordinance: 22-25 **Passed:**

Page 1 of **Effective:**

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED DEVELOPMENT AGREEMENT WITH EPCON CARR FARMS, LLC.

WHEREAS, Epcon Carr Farms, LLC ("Epcon") owns 79.45 ± acres of land located on the east side of Leppert Road and located approximately 200 feet north of Davidson Road, identified as parcel numbers 050-008252 and 050-011719 by the Franklin County Auditor's Office (the "Property"); and

WHEREAS, on December 14, 2020, City Council approved Ordinance No. 20-34 authorizing a Developer's and Reimbursement agreement with Epcon (the "Original Agreement"); and

WHEREAS, on October 11, 2021, City Council adopted resolution No. 21-R-62, approving a PUD Modification for the Property amending the number of residential units on the Property; and

WHEREAS, due to the change in the number of residential units, it is necessary to enter into a revised and restated Development Agreement; and

WHEREAS, this Amended Agreement also incorporates, restates and amends the material terms and conditions of the Original Agreement, and as such, replaces the Original Agreement in its entirety.

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

SECTION 1. The City Manager is authorized to enter into an Amendment Development Agreement with Epcon Carr Farms, LLC for the construction and installation of public infrastructure improvements, in a form substantially similar to the one **attached** hereto as Exhibit "A" and incorporated herein, with such non-material and non-adverse changes to the City as may be deemed appropriate by the City Manager and Director of Law, with her execution thereof on behalf of the City constituting conclusive evidence of Council's approval of such changes.

SECTION 2. The reference to "Owner" and "Developer" as used in this Ordinance, shall refer to any entity in control of the Property that submits plans to the City to develop the Carr Farms PUD and is issued a building permit.

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 22-25

☐ 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		☐	☐	☐	☐

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

First Amendment to Development Agreement between the
City of Hilliard, Ohio and **Epcon Carr Farms, LLC**.

This First Amendment to the Developer's Agreement (the "Amended Agreement") is made by and between the **City of Hilliard, Ohio** (the "City"), a municipal corporation organized under the laws of the State of Ohio, with an office located at 3800 Municipal Way, Hilliard, Ohio 43026 and **Epcon Carr Farms, LLC,** an Ohio Limited Liability Company, with offices located at 500 Stonehenge Parkway, Dublin, Ohio 43017 (the "Developer").

WITNESSETH:

WHEREAS, the Developer owns 79.45 ± acres of land located on the east side of Leppert Road and located approximately 200 feet north of Davidson Road, identified as parcel numbers 050-008252 and 050-011719 by the Franklin County Auditor's Office (the "Carr Farm"); and

WHEREAS, the City initially approved the Developer's and Reimbursement Agreement with the Developer on December 14, 2020, by the passage of Ordinance No. 20-34 (the "Original Agreement"); and

WHEREAS, on October 11, 2021, the City adopted Resolution No. 21-R-62, approving a PUD Modification for the Property amending the number of residential units on the Property; and

WHEREAS, due to the change in the number of residential units, it is necessary to enter into a revised and restated Development Agreement; and

WHEREAS, this Amended Agreement also incorporates, restates and amends the material terms and conditions of the Original Agreement, and as such, replaces the Original Agreement in its entirety.

NOW THEREFORE, for good and valuable consideration received, the receipt and sufficiency of which is hereby acknowledge, the City and the Developer agree as follows:

I. Definitions.

A. Amended **Agreement** means the Development Agreement between the City of Hilliard, Ohio and Epcon Carr Farms, LLC, as amended..

B. **Carr Farm** means the property identified as Parcel Nos. 050-008252 and 050-011719 by the Franklin County Auditor's Office.

C. **Epcon at Carr Farms Development** means the Carr Farm to be developed for two hundred forty-three (243) residential homes, including two hundred twenty-seven (227) detached single-family courtyard homes and sixteen (16) townhomes.

D. **NCA Millage Charge** means the community development charge equal to 5 mills assessed on each residential lot located within the Epcon at Carr Farms Development.

E. **NCA** means the New Community Authority established under Chapter 349 of the Ohio Revised Code.

F. **Public Infrastructure Improvements** means the improvements required to be constructed for the Project.

G. **Reimbursable Public Infrastructure Improvements** means the Public Infrastructure Improvements that are reimbursable pursuant to this Agreement and constructed for the Epcon at Carr Farms Development, as approved by the City.

II. List of Exhibits

A. Depiction of Property

B. Epcon at Carr Farms Development Plan

C. Description of Public Infrastructure Improvements

D. Reimbursable Public Infrastructure Improvements

III. **Hilliard Community Authority**. The Developer has amended an existing NCA, the Hilliard Community Authority, in order to assess a 5 mill charge on all residential units in the Epcon at Carr Farms Development.

IV. **Upper Scioto West Sanitary Sewer**. In order to serve the Epcon at Carr Farms Development and to complete the installation of the regional sanitary sewer facilities known as the Upper Scioto West Sanitary Sewer (a/k/a Hayden Run Sanitary Sewer), and to allow the Grener Property and other private property to develop, sanitary sewer infrastructure is being financed and installed by the City. The sanitary sewer facilities include the construction of a regional sanitary sewer lift station located on Carr Farm and sanitary force main connecting from the lift station to the gravity line manhole on the "White Property" (Franklin County Auditor Parcel Number 010-298468).

The Developer and the City agree that in order to complete the sanitary sewer infrastructure, the City will be reimbursed through Sanitary Sewer Capacity Fees paid by each residential unit in the Epcon at Carr Farms Development ($2,199 x 243 = $534,357). Additionally, the City will be reimbursed from each residential unit in the Epcon at Carr Farms Development remitting a one-time sanitary sewer charge of $1,000 ($1,000 x 243 =$243,000).

Following reimbursement from Sanitary Sewer Capacity Fees and Sanitary Sewer Charge, revenue form chargeable fees from the Hilliard Community Authority on units within the Epcon at Carr Farms Development will be payable to the City, with interest, to reimburse the City financing the construction of the Upper Scioto West Sanitary Sewer.

V. **Water Fees**. The Developer is required to pay, and has already paid, $102,094 for the master water meter service for all the residential units. Additionally, the Developer is required to pay $903 per residential unit; which represents the water capacity charge to be used by the City to fund regional water improvements in the area. In turn, Developer shall utilize the master water meter service for all the residential units in the Epcon at Carr Farms Development and the City explicitly acknowledges and agrees to the use of a master water meter by Developer for all the residential units in the Epcon at Carr Farms Development.

VI. **Sources of Reimbursement.** The following sources of reimbursement are available to the Developer for the construction of Regional Public Infrastructure Improvements as identified in Section VI below and described generally on Exhibit "D".

A. **Impact Fee Credit.** The maximum Impact Fee Credit available to the Developer is $486,000.

B. **Fee-in-lieu of Parkland Dedication Credit**. The Fee-in-lieu of Parkland Dedication Credit is $243,000.

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

VII. Reimbursable Public Infrastructure Improvements. The following Reimbursable Public Infrastructure Improvements are to be completed by the Developer with contributions from various revenue sources identified in Section IV and as shown generally on Exhibit "D".

A. **Leppert Road Improvements**

1. *Description of Improvement*. The Developer is required to improve its Leppert Road Frontage with a 2-foot-wide full depth paved shoulder and berm and ditch grading from the existing western edge of Leppert Road to the western right-of-way line.

2. *Reimbursement Amount*. The maximum reimbursement is shown on Exhibit "D;" the Developer will be reimbursed for the cost to construct the Leppert Road Improvements from Impact Fee Credit set forth in Section IV.

B. **Multi-Use Paths and Sidewalk Connection.**

1. *Description of Improvement*. The Developer is required to construct regional multi-use paths within the Epcon at Carr Farms Development, as well as along Leppert Road, south of the Epcon at Carr Farms main entrance. The Developer is also required to construct a 5-foot-wide sidewalk connection from the Epcon at Carr Farms sidewalk system east to Edie Drive.

2. *Reimbursement Amount*. As shown on Exhibit "D", the Developer will be reimbursed for the cost to construct these multi-use paths and sidewalk connection with Fee-in-lieu of Parkland Dedication Credit set forth in Section IV.

E. **Reimbursement Terms.**

1. *Total Reimbursement*. Credit and Reimbursement amounts shall be determined at building permit stage and shall be approved only upon the Developer submitting certified costs. In no instance shall payment to the Developer exceed the total costs of the Reimbursable Public Infrastructure Improvements as those improvements are identified in Exhibits "C" and "D" (plus interest, financing cost, engineering design, inspection, permitting and other "soft costs" hereinafter the "Reimbursement Amount"). For purposes of this Agreement, the term "Interest" shall mean interest at a rate which is the greater of (i) 5%, or (ii) a variable rate which changes quarterly and that is equal to the Federal Mid Term Rate as published each month by the Internal Revenue Service in accordance with Section 1274(d) of the Internal Revenue Code, plus 3%.

2. *Reimbursement Payments*. All payment to the Developer, or its successor or approved assigns, shall be reimbursed according to the Sources of Reimbursement available for each public infrastructure improvement described above and as shown in the following chart. Upon Developer constructing all or a portion of the Public Infrastructure Improvements, the Developer shall provide one or more certified statements verifying costs for each Reimbursable Public Infrastructure Improvement. The Developer shall be reimbursed/credited for those costs in an amount not to exceed the applicable Sources of Reimbursement set forth in Section IV.

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

	Impact Fee Credits	Fee-in-lieu of Parkland Dedication Credit
Leppert Road Improvements	X	
Multi-Use paths and Sidewalk Connection		X

3. *Limits of Reimbursement*. Under the terms of this Agreement, the Developer understands and agrees that the funds to be conveyed to the Developer may be insufficient to fully reimburse the Developer for the Reimbursable Public Infrastructure Improvements, and the Developer understands and agrees that nothing in this Agreement shall be interpreted otherwise and that it alone bears the risk that a shortfall may exist. Nothing in the Agreement shall be construed as pledging the full faith and credit of the City for any costs or reimbursements in this Agreement, nor to issue any bonds or notes for any Reimbursement Amount.

VIII. Third-Party Contributions.

A. **Non-Residential Third-Party Developer**. In the event If a new, non-residential third party developer or developers seek direct and main traffic access (as opposed to limited or emergency access) to Leppert Road within the boundaries of the Carr Farms site, the City and the Developer agree that the City shall cause the Developer to be reimbursed for improvements which benefit the non-residential third-party developer from the Hilliard Community Authority or other appropriate sources at the City's discretion in an amount in proportion to the additional non-residential third party developer's use and impact on Leppert Road. This foregoing sentence and provision shall sunset and shall no longer have any binding force or legal effect three years after the effective date of Ordinance. No. __-__, which approved this Amended Agreement.

B. **Residential Third-Party Developer**. In the event a third-party residential developer requires direct traffic access to Leppert Road, either for main or secondary access, in a manner that such new third-party development benefits from the Improvements made by the Developer to Leppert Road, the City agrees it shall cause such third-party residential developer to reimburse the Developer in proportion to contributions benefiting the third-party residential developer's traffic mitigation benefit and/or the City shall cause contributions from the Hilliard Community Authority or other appropriate sources at the City's discretion to reimburse the Developer in an amount in proportion to the additional residential third-party developer's use and impact on Leppert Road covered by the Developer. This e foregoing sentence and provision shall sunset and shall no longer have any binding force or legal effect three years after the effective date of Ordinance No. __-__, which approved this Amended Agreement.

IX. Provisions Governing the Construction of all Public Infrastructure Improvements. The following provisions govern the construction of all public infrastructure improvements as listed and described on Exhibit "C".

A. **Security for Performance**. The Developer shall execute, or cause its contractor(s) to execute, and provide to the City, a bond, a certified check or an irrevocable letter of credit equal to the Construction Bond Amount of the Public Infrastructure Improvements for which the Developer has received approval to construct (per engineering plans and drawings approved by the City Engineer). All forms of financial warranties must be acceptable to the City to ensure faithful performance of the terms and conditions under this Agreement and to ensure completion of all Public Infrastructure Improvements and that they are

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

constructed in accordance with the Subdivision Regulations of the City (as included in the City's Design Manual) and in compliance with the Epcon at Carr Farms Development Plan shown on Exhibit "B".

Reductions in the Construction Bond(s) Amount for the Public Infrastructure Improvements made or being made on City-owned property, City rights-of-way or in easements granted to the City, shall occur only after the City Engineer has been provided evidence that all work on the particular Public Infrastructure Improvement(s) have been performed according to the approved plans and specifications filed with the City Engineer and/or to the City Engineer's satisfaction. Such reductions in the Construction Bond(s) Amount shall occur periodically over time if the Public Infrastructure Improvements are accepted by the City in one or more phases.

If the surety of any bond so furnished by the Developer or its contractor(s) declares bankruptcy, becomes insolvent or its right to do business is terminated in Ohio, the Developer shall within five (5) days thereafter cause the substitution of another bond or surety. The Developer shall provide to the City prior to commencement of any work by any contractor a copy of the Security for Performance provided by the contractor pursuant to this Section.

B. **Plan Review and Inspection Cost**. Prior to receiving any permits required to commence construction of any portion or phase of the Project, including the Public Infrastructure Improvements, pursuant to Chapter 1190 of the City's Codified Ordinances, the Developer shall deposit the following amounts estimated by the City Engineer to be necessary to pay the cost of plan review and inspection fees for that portion or phase of the Project:

7% of the costs for construction inspection; and

2% of the costs of construction for plan review fees for public improvements.

In the event that the amount of actual cost for the City to perform construction inspection and/or plan review exceeds the amount deposited, the Developer shall make such additional deposit as required by the City Engineer, not to exceed the amounts listed in Exhibit A of Chapter 190 of the City's Codified Ordinances. The entire percentage owed by City Code may be paid in installments only as approved by the City Engineer. All plan review and inspection fees are nonrefundable per Chapter 1190 of the City's Codified Ordinances.

C. **Prevailing Wage**. The Developer and the City acknowledge and agree that construction of the Reimbursable Public Infrastructure Improvements under the terms and conditions of this Agreement, are subject to the prevailing wage requirements of Ohio Revised Code Chapter 4115 and all wages paid to laborers and mechanics employed in constructing those Reimbursable Public Infrastructure Improvements on the Project shall be paid at not less than the prevailing rates of wages of laborers and mechanics for the classes of work called for by the Public Infrastructure Improvements, which wages shall be determined in accordance with the requirements of that Chapter 4115. The Developer shall require compliance by all contractors, and shall require all contractors to require all subcontractors working on the Reimbursable Public Infrastructure Improvements, to comply with all applicable requirements of that Chapter 4115.

The Developer and City further acknowledge that the construction of the Public Infrastructure Improvements that will be reimbursed pursuant to this Amended Agreement and those paid for by the Developer and/or builder(s) that are not reimbursable through the Sanitary Sewer Capacity Fee Credit, Water Capacity Fee Credit or Impact Fee Credit,

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

are also Public Infrastructure Improvements subject to the prevailing wage requirements of Chapter 4115 under this Agreement.

D. **Insurance**. Prior to the commencement of construction of the Public Infrastructure Improvements, the Developer or its contractor(s), as well as all subcontractors, shall take out and maintain, insurance in such amounts as provided below. The Developer or its contractor shall provide sufficient evidence to the City, prior to construction, that such insurance exists and is in effect.

1. *Public Liability Insurance*. Shall be taken out and maintained in the amount of $2,000,000.00 for bodily injuries including those resulting in death of any one person and on account of any one accident or occurrence with an annual aggregate of $3,000,000.00.

2. *Property Damage Insurance*. Shall be taken out and maintained in an amount of $1,000,000.00 from damages on account of any one accident or occurrence with an annual aggregate of $3,000,000.00.

The Developer agrees, on behalf of itself and its agents/contractors, that the insurance policies required herein (excluding the professional liability insurance) shall require the insurer to name the City as an additional insured, and to provide the City with prior written notice before the cancellation of a policy according to not less than the timeframe stated in the policy or policies.

E. **Indemnification**. The Developer shall indemnify and hold harmless the City, and all of its elected officials, officers, employees and agents from and against all claims, losses, suits, actions and expenses (including reasonable attorneys' fees) that arise due to the wrongful or negligent performance or non-performance of the Developer, its contractors, subcontractors or its agents or employees, under the terms of this Agreement, including any and all proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor, subcontractor or agent, from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor, subcontractor or its agents or employees.

The Developer shall indemnify and hold harmless the City from all expenses and claims for labor and/or material related to construction by the Developer, or its Contractor, of said Public Infrastructure Improvements. In its contracts with agents and subcontractors, the Developer shall require each entity to indemnify and hold harmless the City from all expenses and claims for labor and/or material related to construction of the Public Infrastructure Improvements.

F. **Acceptance of Public Infrastructure Improvements**.

1. *Formal Acceptance by Hilliard City Council*. Upon completion of any particular Public Infrastructure Improvement and final inspection by the City, the City shall submit to Hilliard City Council legislation documenting the City Engineer's approval of the Public Infrastructure Improvement. Formal Acceptance of the Public Infrastructure Improvement shall not be unreasonably withheld.

2. *Maintenance Period*. Notwithstanding formal acceptance by Hilliard City Council, the Developer shall be responsible for the maintenance, repair and/or reconstruction of any and all defective materials or workmanship for a period of one year from the final inspection date.

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

During this one year period, the City shall be responsible for the operations and routine maintenance of the Public Infrastructure Improvement(s), including snow and/or ice approval.

The Developer shall be responsible for all utility charges and installation costs applicable to the period of construction. The utility user charges shall be paid by the Developer and maintained in continuous use throughout the construction and testing phases until accepted for operation and maintenance by the City. The Developer shall not be responsible for utility user charges with respect to any particular Public Infrastructure Improvement(s) after formal acceptance of the dedication of the particular Public Infrastructure Improvement(s) by Hilliard City Council.

3. *Maintenance Bond*. Prior to formal acceptance by the Hilliard City Council, the Developer shall submit a maintenance bond, certified check or irrevocable letter of credit in an amount estimated by the City Engineer for the one-year maintenance period which shall not to exceed 10% of the cost of the accepted Public Infrastructure Improvement(s). This one-year term may be extended by the City upon reasonable request by the Developer or the NCA.

   If no claims for repair or replacement are pending, the Maintenance Bond Amount shall be reduced to zero immediately after the expiration of the above-described one year period for the improvement accepted, after which the City shall assume all responsibility for the operation and routine maintenance of the formally accepted Public Infrastructure Improvements.

4. *As-builts*. The Developer shall, within sixty (60) days following the completion of the Public Infrastructure Improvement(s) and prior to final acceptance by the City, furnish to the City, as required, electronic “as built” drawings of the Public Infrastructure Improvement(s), which drawings shall become the property of the City and remain in the office of the City Engineer.

5. *Liens*. The Developer shall, within sixty (60) days of completing a Public Infrastructure Improvement or all of the Public Infrastructure Improvements, furnish to the City an itemized statement showing the cost of the Public Infrastructure Improvements and a notarized affidavit stating that all material and labor costs have been paid and there are no liens.

   The Developer shall provide the City with evidence satisfactory to it that all liens affecting the Public Infrastructure Improvements, including but not limited to liens for delinquent taxes, the lien of any mortgage, and any mechanic’s liens, have been released. The City shall not accept the Public Infrastructure Improvements until such satisfactory evidence is provided to the City Engineer.

G. **Dedication of Right-of-Way and Easements**. The Developer agrees that it shall dedicate, and the City agrees that it shall accept (subject to the City Engineer’s approval) all right-of-way and easements required for the construction of the Public Infrastructure Improvements. All right-of-way for Thoroughfare Plan Streets shall be per the City’s Thoroughfare Plan, and all right-of-way for local streets shall be per the City’s Engineering Design Guidelines. The Developer agrees that it shall dedicate all right-of-way and easements necessary for future public infrastructure improvements, as approved by the City Engineer. Dedication of rights-of-way and easements shall be made to the City without charge and the Developer shall not be entitled to, nor shall it request, any compensation or reimbursement therefor, nor or at any time in the future.

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

X. General Provisions.

A. **Breach and Opportunity to Cure**.

1. *Breach*. The Developer and the City agree that any material violations of or noncompliance with any of the terms and conditions of this Amended Agreement shall constitute a breach of contract, and, subject to the notification and cure provisions outlined below, the Developer and the City shall have the right to stop work forthwith and seek any and all remedies available at law or equity.

   In the event of a breach by the Developer, the City shall have the right to act against the performance surety, or other financial security accepted by the City, for the purpose of properly completing the Public Infrastructure Improvement(s), or having the Public Infrastructure Improvements completed, as required herein.

   Should the City exercise its right to act against any performance surety or other financial security accepted by the City, any such costs thereafter expended by the City, and not reimbursed to it by the approved surety or other financial security, or paid for by the Developer's surety or guarantor, shall be reimbursable to the City under this Agreement in the same manner and amounts as those Public Infrastructure Improvements are reimbursable to the Developer hereunder, and such costs in having the Public Infrastructure Improvement(s) completed shall be excluded from reimbursement to the Developer under this Agreement.

2. *Opportunity to Cure*. Prior to either party acting to stop its work in connection with an alleged breach of this Agreement, or the City seeking payment or performance from any surety or on any bond, the non-breaching party shall provide a written notice to the breaching party, which written notice shall set forth the alleged material violations of, or noncompliance with, any material term(s) and condition(s) of this Agreement.

   The breaching party shall have thirty (30) days after receiving the written notice to cure the alleged breach. If the breach is not cured within that time period, the non-breaching party may act to stop the breaching parties' work in connection with this Agreement and seek any and all remedies available at law or equity.

   Notwithstanding the foregoing, if the nature of the breach is such that it cannot be reasonably cured within said thirty (30) day period, then the breaching party may have a reasonable amount of time to cure, so long as the cure is commenced within said thirty (30) day period, is diligently prosecuted to completion thereafter, and provided that such additional time period is not averse to the general health, safety and welfare of the City as determined by the Hilliard City Engineer.

   Notwithstanding any other provision of this Agreement, the above-described notification and cure provisions shall not apply when (i) the non-breaching party reasonably believes that it will be materially harmed if a thirty (30) day notice period is observed, (ii) the City's Chief Building Official issues a stop work order for local, county or state code violations related to construction defects, or (iii) the City Engineer issues a stop work order for local, county or state construction code violations.

B. **Notices**. Any notices, statements, acknowledgements, consents, approvals, certificates or requests required to be given on behalf of either party to this Agreement shall be made in writing addressed as follows and sent by registered or certified mail, return receipt requested, and shall be deemed delivered when the return receipt is signed, refused or unclaimed:

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

If to the City to:

Michelle Crandall, City Manager
City of Hilliard, Ohio
3800 Municipal Way
Hilliard, Ohio 43026

With a copy to:

Philip K. Hartmann, Law Director
One Columbus, Suite 2300
10 West Broad Street
Columbus, OH 43215

If to the Developer to:

Joel Rhoades
Epcon Carr Farms, LLC
500 Stonehenge Parkway
Dublin, Ohio 43017

With a copy to:

Thomas L. Hart, Esq
Painter & Associates
5029 Cemetery Road
Hilliard, OH 3026

or to any such other persons or addresses as may be specified by either party, from time to time, by prior written notification.

C. **Representations**. All representations and warranties of the Developer and the City herein shall be binding upon the parties, their successors and approved assignees, and shall survive the execution and delivery of this Amended Agreement.

1. *Developer Representations*. The Developer represents and warrants that the execution and delivery by the Developer of this Amended Agreement and the compliance by the Developer with all of the provisions herein (i) are within the authority and powers of the Developer; (ii) will not conflict with or result in any breach of any of the provisions of, or constitute default under, any agreement, its articles of organization or operating agreement, or other instrument to which the Developer is a party or by which it may be bound, or, to the Developer's knowledge, any license, judgment, decree, law, statute, order, rule or regulation or any court or governmental agency or body having jurisdiction over the Developer or any of its activities or properties; and (iii) have been duly authorized by all necessary action on the part of the Developer.

Should the Developer be unable to carry out the terms and conditions of this Amended Agreement, the Developer's heirs, successors and/or assigns shall complete and comply with all applicable terms, conditions, provisions and requirements of this Amended Agreement.

2. *City Representations*. The City hereby represents and warrants that (i) execution of this Agreement has been approved and authorized by Ordinance No. 22-__, passed by City Council on _____ and (ii) the City has full power and authority to enter into this Amended Agreement, to carry out its terms and to perform its obligations hereunder.

D. **Waiver**. In the event that any covenant, agreement, or obligation under this Amended Agreement shall be breached by either the Developer or the City and the breach shall have been waived thereafter by the Developer or the City, as the case may be, the waiver shall be limited to the particular breaches so waived and shall not be deemed to waive any other or any subsequent breach thereunder.

E. **Severability**. In case any section or provision of this Amended Agreement, or any covenant, agreement, obligation or action, or part thereof, made, assumed, entered into or taken, or any application thereof, is held to be illegal or invalid for any reason,

1. that illegality or invalidity shall not affect the remainder hereof or thereof; any other section or provision hereof, or any other covenant, agreement, obligation or action, or part thereof, made, assumed, entered into or taken, all of which shall be construed and enforced as if the illegal or invalid portion were not contained herein or therein,

2. the illegality or invalidity of any application hereof or thereof shall not affect any legal and valid application hereof or thereof; and

3. each section, provision, covenant, agreement, obligation or action, or part thereof, shall be deemed to be effective, operative, made, assumed, entered into or taken in the manner and to the full extent permitted by law.

F. **Assignment**. Except as otherwise provided in this Section, this Amended Agreement may not be assigned by any party hereto without the written consent of the other party which consent shall not be unreasonably withheld, and which consent, if granted, may include reasonable provisions to protect the interest of the non-assigning party.

The assignment of Developer's right to receive reimbursement and payments of any and all reimbursements, credits and/or funds due and payable to it under this AMended Agreement, shall in no way affect the Developer's responsibility hereunder to construct the Public Infrastructure Improvements under this Amended Agreement, and pursuant to the Epcon at Carr Farms PUD.

G. **Jurisdiction**. This Amended Agreement shall be governed by and construed in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes and other matters in question between the City, its agents and employees, and the Developer, its employees, contractors, subcontractors and agents arising out of or relating to this Amended Agreement or its breach will be decided in a court of competent jurisdiction within Franklin County, Ohio.

H. **Captions**. The captions and headings in this Amended Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections in this Amended Agreement.

I. **Termination of Original Agreement**. Upon the effectiveness of this Amended Agreement, the Original Agreement shall terminate and be of no further force or effect, and shall be superseded and replaced in its entirety by this Amended Agreement.

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

IN WITNESS WHEREOF, the parties, each by a duly authorized representative, have executed this Amended Agreement on the dates below. This Amended Agreement is effective on the date signed by City Manager as identified below.

City of Hilliard, Ohio

_____
Michelle L. Crandall
City Manager

_____
Date

Approved as to Form:

_____
Philip K. Hartmann
Law Director

Epcon Carr Farms, LLC

_____

Print Name: _____

Its:_____

Date: _____

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)

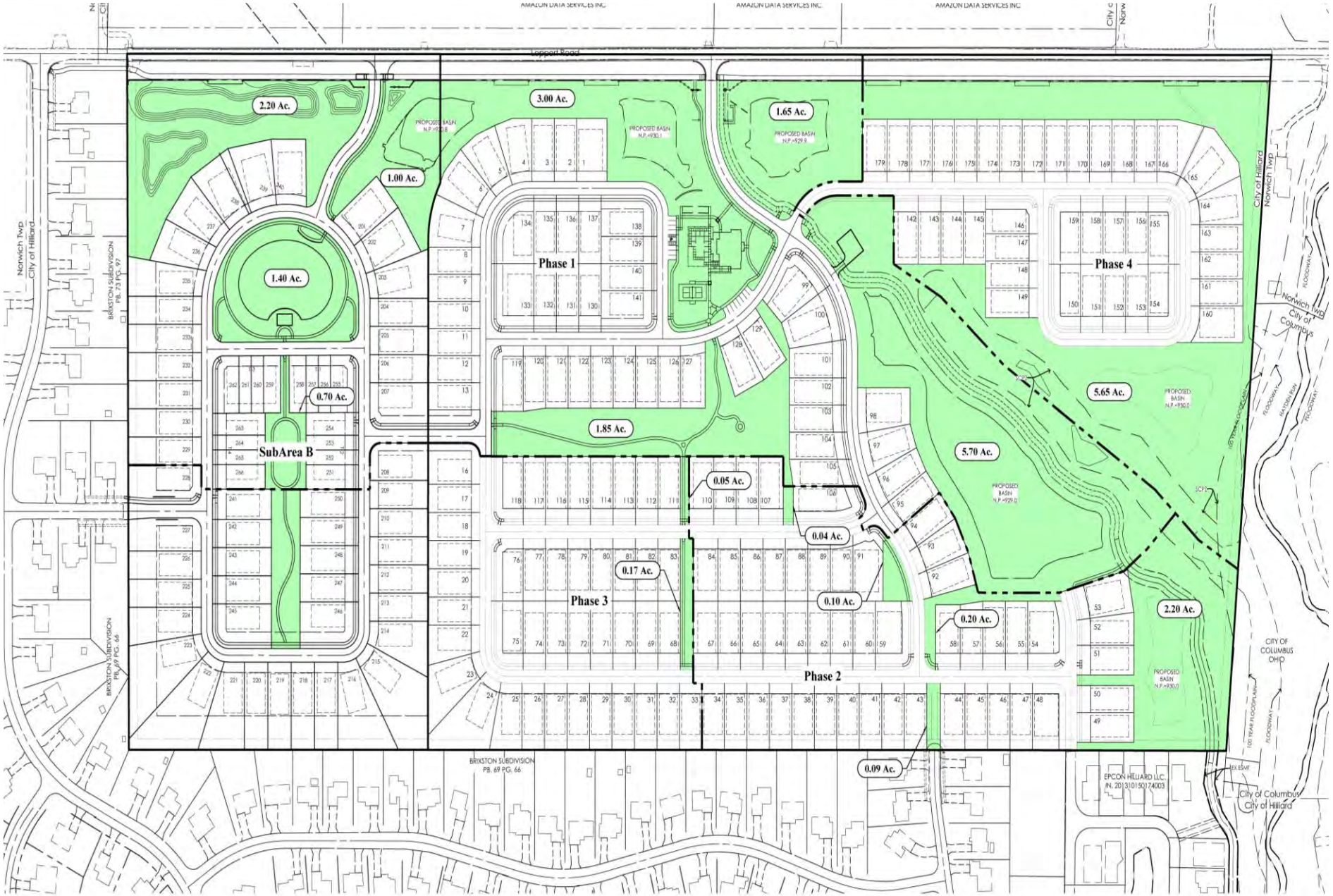
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- Residential
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- Improvements
- Permits
- Mapping
- Sketch
- Photo
- Aerial Photos
- Transfers
- BOR Status
- CAUV Status
- Tax & Payments
- Tax Distribution
- Value History
- Rental Contact
- Quick Links

ParcelID: 050-008252-00
HOMEWOOD CORP



Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development Agreement with Epcon Carr Farms, LLC)



Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development

Exhibit C

Carr Farms Public Improvements

Developer Improvements

	Description of Improvement	Reimbursable
1. Leppert Road	Widening and overlay of two, 11 foot wide lanes, two foot wide paved shoulders on each side ,and ditch and berm improvements, additional of a two foot wide full depth paved shoulder and berm and ditch grading from the existing western edge of Leppert Road to wester right-of-way line	Yes, see Exhibit "D"
2. Water Main	Installation of approximately 3,500 Linear feet of 12 inch water main along Leppert Road	No
3. Multi-Use Path Improvements	Construction of a 10 foot wide share-use path along Leppert Road extending northeast through the project site until it connects to an existing public multi-use path stubbed near the property line of the project site, Edie Road sidewalk connection, eight foot wide shared-use path located along Leppert Road north of the project site entrance	Yes, see Exhibit "D"

City Improvements

1. Upper Scioto West Sanitary Sewer (a/k/a Hayden Run Sanitary Sewer Trunk Extension)	Construction of an approximately 2,449 gallon per minute regional sanitary sewer pump station, 5,700 linear feet of 16-inch sanitary force main and gravity main from Leppert Road lift station to Cosgray Road	Yes, see Exhibit "D"

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development

Exhibit D

Epcon at Carr Farms Public Improvement Reimbursement

Project Assumptions		Amended Numbers due to PUD Modification
Total Residential Units	238	**243**
Parkland Acreage Required	5.65	**4.86**
Market Value Per Unit	$375,000	**$375,000**
NCA Millage	5.00	**5.00**
NCA Term (years)	30	**30**

Public Funding Sources

Source	Fee Amount per Unit	Amended Fee Amounts per Unit	Fees Collected	Amended Fees Collected
Impact Fees	$ 2,000	**$ 2,000**	$ 476,000	**$ 486,000**
Excess Water Capacity Fee	$ 903	**$ 903**	$ 214,914	**$ 219,429**
Sewer Capacity Fee	$ 2,199	**$ 2,199**	$ 523,362	**$ 534,357**
Sewer NCA Charge	$ 1,000	**$ 1,000**	$ 238,000	**$ 243,000**
Annual NCA Fees	$ 656	**$ 656**	$ 156,188	**$ 159,469**
Cumulative NCA Fees	$ 19,688	**$ 19,688**	$ 4,685,625	**$ 4,784,063**

	Price per Acre	Fees Collected	Amended Fee Collected
Fee in-lieu-of Parkland	$ 50,000	$ 282,500	**$ 243,000**

Developer Constructed Public Improvement Funding Uses

Public Improvement	Total Cost	Reimbursable Amount	Amended Reimbursable Amount	Public Funding Source(s)
Leppert Road Widening	$ 1,633,260	$ 508,040	**$ 486,000**	Impact Fee Credit~~, NCA Fees*~~
Regional Path Improvements	$ 387,360	$ 387,360	**$ 243,000**	Fee in-lieu-of parkland credit~~, NCA Fees*~~
~~Leppert Water Main Upsizing**~~	~~$ 925,993~~	~~$ 119,232~~		~~Excess Water Capacity Fee Credit~~

~~*NCA fees are available for reimbursement after the NCA funds are first utilized to support City financing of Regional Sewer Infrastructure~~

~~**Represents the the additional cost of installing a 12-inch Water Main rather than an 8-inch water main.~~

City Constructed Public Improvement Funding Uses

Public Improvement	Total Cost	Amended Total Cost	Reimbursable Amount	Amended Reimbursable Amount	Public Funding Source(s)
Upper Scioto West Sanitary Sewer (a/k/a Hayden Run Sanitary Sewer)	$ 3,530,000	**$ 5,515,000**	$ 3,530,000	**$ 5,515,000**	Sewer Capacity Fees, Sewer NCA Charges, NCA Fees

Attachment: Exhibit A.Amended Epcon Development Agreement (22-25 : Amended Development

Council Memo: Legislation (22-26)

Subject: Amending Section 351.22 of the City's Codified Ordinances regarding On Street Parking of Trailers
From: Michelle Crandall, City Manager
Initiated by: Dawn Steele, Staff Attorney/Prosecutor
Date: August 22, 2022

Executive Summary

The proposed amendment adds language to this code section to ensure it applies to all types of "trailers" as that term is defined in Hilliard City Code 301.48 and to provide an exception consistent with the on street parking of commercial vehicles.

Staff Recommendation

Staff is requesting Council approve and adopt the proposed amendment to Hilliard City Code 351.22, attached as Exhibit A, limiting on street parking of commercial, recreational vehicles, and trailers.

Background

City Planner John Talentino was asked a question about continuous parking of a trailer on a City street. The concern was raised that some types of trailers may fall outside the definition of a commercial and recreational vehicle. The Law Department, Division of Police and City Planner Talentino discussed the best way to address this concern. Staff collectively decided adding the term "trailer" as defined in 301.48 would be the best way to clarify the types of on street parking intended to be prohibited by the code section.

Section 301.48
"Trailer" means every vehicle designed or used for carrying persons or property wholly on its own structure and for being drawn by a motor vehicle, including any such vehicle when formed by or operated as a combination of a semitrailer and a vehicle of the dolly type, such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a street or highway at a speed greater than twenty-five miles per hour and a vehicle designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour.

Financial Impacts

There are no anticipated financial impacts.

Expected Benefits

This amendment with match the intention of the code section to prohibit all commercial vehicles, recreational vehicles and trailers from long term parking on City streets and eliminates any confusion about whether or not it applies to all types of trailers.

Attachments

- Exhibit A. Amending 351.22

Ordinance: 22-26 **Passed:**

Page 1 of **Effective:**

AMENDING SECTION 351.22 OF THE HILLIARD CODIFIED ORDINANCES REGARDING THE ON STREET PARKING OF COMMERCIAL VEHICLES, RECREATIONAL VEHICLES AND TRAILERS.

WHEREAS, Section 351.22 of the City's Codified Ordinances prohibits the on street parking of commercial vehicles for more than one hour and recreational vehicles for more than two hours, unless the specific exemption of loading and unloading tools and materials is necessary; and

WHEREAS, following review, it was determined to provide clarity regarding whether trailers, as defined in Section 301.48, are included in this prohibition, an amendment to Section 351.22 was needed; and

WHEREAS, changes to Section 351.22, as shown in Exhibit "A", attached hereto and incorporated herein, will ensure that on street parking of trailers is prohibited for more than two hours, unless the loading and unloading exception applies; and

WHEREAS, amending the City's Codified Ordinances, as identified in Exhibit "A", attached hereto and incorporated herein, is in the best of interest of the City and its residents.

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

SECTION 1. Council finds that amending Section 351.22, as identified in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to Section 351.22, 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 Section 351.22, 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 **President of Council**
Clerk of Council

APPROVED AS TO FORM:

_____

Philip K. Hartmann
Director of Law

✓ Vote Record - Ordinance 22-26

☐ 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		☐	☐	☐	☐

351.22 ON STREET PARKING OF COMMERCIAL, ~~AND~~ RECREATIONAL VEHICLES AND TRAILERS.

(a) The on street parking or standing of a commercial vehicle for more than one hour is prohibited. However, this section shall not apply to a commercial vehicle used for conveying the necessary tools and materials to premises where labor, using such tools and materials, is to be performed, during the time of parking such vehicles or to the time during which such vehicle is being loaded or unloaded or used to deliver or hoist property or merchandise for completion of delivery if such loading, unloading or other activities referred to in this provision are conducted diligently and without unnecessary delay. Further, this section shall not apply to trucks or buses conveying passengers to any public meeting, assembly, church, convention or entertainment during the actual session of such public meeting, assembly, church, convention or entertainment.

(b) The on street parking or standing of a recreational vehicle or of a trailer, as defined in Section 301.48, for more than two hours is prohibited. This section shall not apply to any recreational vehicle or tailer used for conveying the necessary tools and materials to premises where labor, using such tools and materials, is to be performed, during the time of parking such vehicles or to the time during which such vehicle is being loaded or unloaded or used to deliver or hoist property or merchandise for completion of delivery if such loading, unloading or other activities referred to in this provision are conducted diligently and without unnecessary delay.

(c) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

Attachment: Exhibit A.Amending 351.22 (22-26 : Amending Section 351.22 of the City's Codified Ordinances regarding On Street Parking of

Council Memo: Legislation (22-27)

Subject: Backyard Chickens & Rear Yard Beekeeping
From: Michelle Crandall, City Manager
Initiated by: John Talentino, City Planner
Date: August 22, 2022

Executive Summary

The proposal is for an amendment to the Zoning Code to establish regulations that will permit small-scale chicken rearing and beekeeping within the R-R, R-1, R-2 and PUD Districts on parcels that are a minimum of 0.5-acre in size (±400 parcels citywide). The Code currently permits this activity as an "agricultural use" within the R-R District on parcels that are at least 3 acres in size (±32 parcels citywide). Code provisions delineate what constitutes residential-scale husbandry versus agriculture and includes minimum development standards.

Staff Recommendation

Staff recommends that Council adopt this ordinance based on the finding that the pursuit to raise chickens and keep honeybees has and will continue to be a growing interest that should be addressed on properties large enough to accommodate such uses without creating a nuisance for surrounding properties. Code enforcement has recently noted instances of chickens and bees being raised on residential properties, and the topic of backyard animal rearing has been a topic of discussion at the Environmental Sustainability Commission. Backyard chickens and beekeeping are currently not permitted except within the R-R, Rural Residential District on parcels that are a minimum of three acres (±32 out of 170 zoned parcels). The proposed Code modification to permit these activities on parcels zoned R-R, R-1, R-2 and PUD that are a minimum of 0.5-acre will allow permit chickens and/or bees on ±400 out of a possible 7,385 parcels throughout the city. A zoning certificate would be required and the associated use standards are intended primarily as a means for Code Enforcement action should a potential problem/complaint arise.

Background

In 1980, Council adopted Code 92.15 which prohibits the keeping of chickens and bees citywide. City Council also adopted Ordinance 14-29 on October 27, 2014, establishing a new Planning and Zoning Code and related Zoning Map. The zoning code established the R-R, Rural Residential District and created agricultural use standards that include the keeping of animals such as livestock, bees and chickens on appropriately zoned properties with sufficient acreage. As a result, *Section 505 Animals and Fowl* conflicts with *Section 1127.07 Other Provisions* of the Codified Ordinances. While the zoning code has permitted chickens and bees as an agricultural use in the R-R District, it does not address the growing interest in backyard chickens and beekeeping for personal use. The proposed Code corrects the conflict and provides additional standards for backyard husbandry.

On May 11, 2022, the Environmental Sustainability Commission reviewed proposed code language and requested that the ordinance language be forwarded onto the Planning Commission for review with no changes. The Planning and Zoning Commission conducted an initial review on June 9, 2022, of the proposed Code language and tabled the proposed Code to further study a smaller minimum lot size and the inclusion of PUD-zoned properties. On July 14, 2022, the Commission completed its review of the proposed Code and made a positive recommendation to City Council (7-0) with the suggestion that the ordinance be revisited after a year to evaluate its effectiveness.

Financial Impacts

There are no anticipated financial impacts.

Expected Benefits

Approval of this amendment to the Zoning Code will establish basic parameters around which chickens and honeybees can be raised under reasonable conditions. Larger residential parcels throughout Hilliard will serve as appropriate locations where the proposed standards can be evaluated.

Attachments

- P&Z Record of Action – July 14, 2022
- P&Z Minutes (draft) – July 14, 2022
- P&Z Minutes – June 9, 2022
- Exhibit A – Proposed Code Amendment

RECORD OF ACTION

Planning & Zoning Commission

City Hall • 3800 Municipal Way • Hilliard, Ohio 43026
and Live-Streaming on YouTube

Thursday, July 14, 2022 | 7:00 pm

CASE 1: PZ-22-27 – CODE AMENDMENT – Backyard Chickens & Rear Yard Beekeeping
APPLICANT: City of Hilliard, 3800 Municipal Way, Hilliard, OH 43026.
REQUEST: Review & approval of an amendment to Hilliard Code Sections 505.14 & 1121.07 to permit non-commercial raising of chickens and honeybees, Section 1121.08 to specify standards for the raising of chickens and Section 1121.09 to specify standards for the raising of honeybees.

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

MOTION:

Chairman Muether made a motion to recommend approval of the proposed Code amendments to City Council with the following four conditions:

1) That the proposed ordinance incorporate a minimum proposed lot size of 0.5-acre;
2) That the following four minor requests made by the Central Ohio Beekeepers Association be included;
   - ✓ Clarify language on swarms/splits during foraging seasons and permitting COBA members to sell swarm/split hives;
   - ✓ Encourage natural barriers for flyways as additional vegetation for foraging/ pollination;
   - ✓ Referencing and encouraging ODA's Apiary Best Practices; and
   - ✓ Adjusting language regarding water provision.
3) That language be added to include a review of the ordinance by City Council within one year of passage; and
4) That PUD-zoned residential properties be included as part of the ordinance.

Mr. Uttley 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

STATUS:

Case #1: PZ-22-27 has been recommended to City Council (7-0).

CERTIFICATION:

Carson Combs, Planning Manager/Acting Clerk
July 15, 2022

[END OF RECORD]

Attachment: 2 P&Z Record of Action - July 14, 2022 (22-27 : Backyard Chickens & Rear Yard Beekeeping)

- The applicant has painted the building and trim, installed lighting and removed the blue awning. Upon notification by Planning an application was immediately submitted for review.

[END OF REPORT | PZ-22-37]

Mr. Lewie inquired about the owners; Mr. Combs noted the owner was Andy Warnock.

Cole Antle, representing Westwood Collective, provided a statement from Andy Warnock thanking city staff and apologized for the installation of the awnings prior to the Commission's review and would accept any decision from the Commission.

Mr. Lewie requested that the applicant adhere to the process and inquired whether the color is historically compatible.

Mr. Talentino explained that many of the paint manufacturers no longer have historic palettes. He noted that higher chroma colors were available historically but were only used by the wealthy due to cost. Mr. Lewie voiced concern about post-paint approvals.

With no comment from the audience, Chairman Muether (seconded by Mr. Uttley) made a motion to approve an Old Hilliard District Plan under the provisions of Hilliard Code Section 1115.05 for exterior building colors with one condition:

1) That required building and electrical permits and inspections be obtained.

Status:	Approved with one condition (7-0).
Mover:	Chairman Jay Muether
Seconder:	Mr. Bill Uttley
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracey Nixon, Tom Pannett, Bill Uttley.

CASE 1: PZ-22-27 – Code Amendment
APPLICANT: City of Hilliard, c/o Michelle Crandall, City Manager, 3800 Municipal Way, Hilliard, OH 43026.
REQUEST: Review & approval of an amendment to Hilliard Code Sections 505.14 & 1121.07 to permit non-commercial raising of chickens and honeybees, Section 1121.08 to specify standards for the raising of chickens and Section 1121.09 to specify standards for the raising of honeybees.

[Mr. Combs gave the staff report]

UPDATE:

The Planning and Zoning Commission conducted an initial review of the ordinance at its meeting in June. The Commission requested further time to consider the legislation and requested that PUD-zoned residential properties be included. The Commission also provided direction to look at a reduction in the minimum parcel size from 1.0-acre to 0.5-acre. ***Changes from the June staff report are highlighted in orange.***

BACKGROUND:

On October 27, 2014, Council adopted an ordinance (14-29) enacting a new Planning and Zoning Code and Zoning Map. City administration is requesting approval of a Zoning Code amendment concerning the backyard raising of chickens and bees for personal use. Since adopting the Code in 2014, the chicken rearing has become popular as outdoor family pets, as a personal source for meat and eggs and as children's projects for organizations such as 4-H. Backyard beekeeping has also become of much greater interest since the widespread

Attachment: 3 P&Z Minutes (draft) - July 14, 2022 (22-27 : Backyard Chickens & Rear Yard Beekeeping)

awareness of colony collapse disease. The proposed code changes provide a means by which to permit limited raising of chickens and bees on properties of an appropriate size throughout the city. On May 11, 2022, the Environmental Sustainability Commission reviewed the proposed ordinance and forwarded the proposed code sections on to the Planning and Zoning Commission for consideration.

COMMISSION ROLE:

The Commission is to review the proposed code amendment and provide recommended changes to the proposed ordinance. Upon its review, the Commission is to make a recommendation to City Council who will make a final determination on the proposed Code language.

STAFF RECOMMENDATION:

Staff finds that the proposal is consistent with the purpose of the Zoning Code to promote the public health, safety, morals, comfort, and general welfare of the City and its residents. Based on this finding, staff recommends that the Commission forward a positive recommendation to Council concerning the proposed Zoning Code amendments.

CONSIDERATIONS:

Section 505.14: Prohibition on the Keeping of Animals, Bees, Reptiles, Fowl or Livestock within the City Limits

- Section 505.14 within *Part Five – General Offenses Code* currently prohibits bees and fowl citywide. This section has been modified to reference its allowed use as defined in the proposed code language in Sections 1121.07 through 1121.09. This would eliminate a conflict with the Zoning Code.

Section 1121.07: Other Provisions

- This section has been modified to permit the non-commercial raising of chickens and bees as defined in Sections *1121.08 Backyard Chickens* and *1121.09 Rear Yard Beekeeping*

Section 1121.08: Backyard Chickens

- Keeping of backyard chickens would be permitted in the R-R, Rural Residential District; R-1, Low Density Residential District; and the R-2, Low/Medium Residential district for properties at least 1 acre in size with a specified maximum number of chickens based on acreage. Flock sizes greater in number would be regulated as an agricultural use. Review of ordinances in other municipalities reveal that there is no real established number of birds that are commonly accepted.
- The code denotes that homeowners are responsible for any deed restriction or HOA requirements not enforced by the City. The code also limits raising of chickens for personal use.
- Due to noise issues no roosters, ducks, geese, turkeys or other fowl are permitted; on-site slaughtering of animals is prohibited. Those raising chickens as a source of meat would be required to transport chickens to an approved facility.
- The code requires adequate shelter with at least 4 square feet per chicken and yard of at least 8 square feet per bird. Placement of any chickens are required to be within the rear yard at least 15 feet from property lines.
- A certificate of zoning compliance is required to ensure that the placement of any coop and yard meets all zoning requirements. All chicken runs would be required to meet the fence code and obtain a fence permit.

Section 1121.09: Rear Yard Beekeeping

- Keeping of honeybees would be permitted in the R-R, Rural Residential District; R-1, Low Density Residential District; and the R-2, Low/Medium Residential district for properties at least 1 acre in size.

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- The number of permitted hives for personal use is limited based upon the size of the property and district in which it is located. Number of hives greater than that specified would be regulated as an agricultural use.
- Hives that are productive will naturally swarm, so the ordinance provides the ability to have a nucleus hive (starter hive) for the captured swarm as part of general management.
- Hives are for personal use with no on-site sales permitted. The property owner will be required to have a valid apiary license from the State of Ohio that will ensure the hives are inspected annually and maintained in accordance with regulatory standards.
- Hives are required to be located within the rear of the property no less than 20 feet from property lines. A minimum of 75 feet is also required to an adjacent residence/primary structure.
- A flyway barrier is required if hives are placed within 30 feet of a property line to ensure that bees fly up and over eyelevel on adjacent properties. Any use of fencing as a barrier requires a fence permit.
- General standards of practice are provided to provide a level of enforcement capability if hives are not being maintained properly; however, annual inspection from the Ohio Department of Agriculture should address practice issues with the beekeeper.
- The code also denotes that the beekeeper assumes all liability and their personal insurance policies should address their activity.
- A certificate of zoning compliance is required to ensure that the placement of hives and flyway barriers meet all zoning requirements.

Applicability of Proposed Code Amendment

- Existing code allows for chickens and bees as agricultural uses in a very limited manner and would be expanded to other properties with the code update as follows, assuming a 1.0-acre minimum lot size within the R-R, R-1 and R-2 Districts:

Chicken Rearing and Beekeeping as a Permitted Activity		
	# of parcels permitted / total # of parcels	
Zoning District:	**Existing Code**	**1.0-acre Minimum**
R-R, Rural Residential District	32 / 170*	56 / 170
R-1, Low Density Residential District	Not Permitted	36 / 136
R-2, Low/Medium Residential District	Not Permitted	36 / 2007
Total	**32 / 170**	**118 / 2313**

**Permitted only on properties of three acres or greater under agricultural definition.*

- As requested by the Commission, staff has included an updated table that includes single-family residential properties that are zoned PUD, Planned Unit Development, District and has analyzed properties based on a 0.5-acre minimum in addition to the 1.0-acre minimum that was initially proposed.

Chicken Rearing and Beekeeping as a Permitted Activity (UPDATED 7-14-22)			
	# of parcels allowed / total parcels		
Zoning District	**Existing Code**	**1.0-acre Minimum**	**0.5-acre Minimum**
R-R	32/170	56/170	123/170
R-1	Not Permitted	36/136	78/136
R-2	Not Permitted	36/2007	47/2007
PUD	Not Permitted	7/5072	152/5072
Total	**32/170**	**135/7385**	**400/7385**

**Permitted only on properties of three acres or greater under agricultural definition.*

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- Consideration of parcels that are between 0.5-acre and 1.0-acre include properties located primarily within the following subdivisions:

Britton Farms	Heritage Preserve
Carrington Place	Hoffman Farms
Estates at Hoffman Farms	Lakewood
Heritage Lakes	Tarlton West

[END OF REPORT | PZ-22-27]

Mr. Combs noted the changes to include PUD-zoned properties and reduced lot size to 0.5-acre and provided an overview of the number of parcels. He noted a meeting earlier in the day with a representative from the Central Ohio Beekeepers Association (Med Lutmerding, Vice President). He summarized the meeting as follows:

Major Requests:
- Reducing minimum acreage further to 0.25-acre to match Franklin County
- Modifying restrictions to allow COBA members to manage hives – not just the property owner
- Requiring registration through the hive owner – not the property owner

Minor Requests:
- Clarifying language on swarms/splits during foraging season and permitting COBA members to sell those hives
- Encouraging natural barriers for flyways to provide additional vegetation for foraging and pollination
- Reference and encourage the Ohio Department of Agriculture's Apiary Best Practices
- Adjusting language regarding water provision

Mr. Uttley noted that reducing the minimum acreage further would cause concern.

Mr. Talentino confirmed that the intent of the ordinance with regard to registration is to encourage beekeeping by property owners as a hobby and to discourage commercial activity.
Mr. Pannett indicated he is opposed to all of the major requests.

Ms. Nixon voiced concern about smaller lot sizes and the required setbacks; Vice Chair Schneck also asked for clarification with regard to Franklin County.

Mr. Combs explained that Franklin County is referred to with regard to unincorporated areas. He noted that the lot size is being used as a test case and that the lower the acreage goes, the more parcels involved. He said the chance for conflict will go up and staff is looking for an ordinance that involves a low level of administration.

Chairman Muether asked for clarification as to the number of parcels involved. Mr. Combs noted that changing from 1-acre to 0.5-acre as a minimum lot size increased available parcels from 135 to 400.

Vice Chair Schneck asked about COBA involvement. Mr. Combs explained that the ordinance currently requires the property owner to be the beekeeper.

Mr. Lewie asked if homeowner associations can change their requirements to allow the keeping of chickens and bees. Mr. Lewie asked if the city could approved the use and then the homeowner association could then say "no."

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Mr. Combs explained that allowing this in PUD zoned developments is different that the private deed restrictions. He verified that point and that the ordinance specifically points out that homeowners should follow private deed restrictions. Mr. Talentino explained that with deed restrictions it doesn't matter what the zoning allows. It is up to the association as to whether they enforce the private restrictions.

Chairman Muether asked for public testimony.

Michael Hatter, Past President of the Central Ohio Beekeepers Association (COBA), indicated that there are several members in Hilliard that have bees. He voiced concerns about the minimum acreage, noting that Franklin Park Conservatory and the Statehouse have hives in urban environments and are not a problem. Mr. Hatter noted that Franklin County allows everyone to have bees and the number of hives are based on acreage. He noted that New York City's legislation to permit beekeeping resulted in 100,000 registrations.

Barb Bloetscher, State Apiarist, said that beekeepers are entrepreneurs that will add to the local economy. She noted that the city has a farmers market that should include local bee products. Ms. Bloetscher pointed out that there are feral hives all over the state and beekeepers are necessary to capture swarms and maintain docile queens. She also noted that the State of Ohio has registration to ensure that hives can be managed for diseases.

Winneford Williams, former Hilliard resident and Treasurer of COBA, noted that she moved out of Hilliard to be able to keep bees years ago because she was not grandfathered to do so. She emphasized that beekeepers are necessary in the community to catch swarms and that the bees, which will fly up to a 3-mile circumference from the hive are important for fruit and vegetable pollination.

Mr. Pannett asked if current beekeepers would be grandfathered as part of the ordinance. Mr. Combs explained that currently only rural-zoned properties can be the requirement to be legal. Mr. Talentino confirmed that you must first be legally established for the possibility of being grandfathered, which only applies now to the R-R District.

Mr. Hatter noted that Hilliard does not have the acreage for commercial beekeeping.

Mr. Lewie asked how many members of COBA are in Hilliard. [answer from the COBA members cannot be clearly understood on the record as either 8 or 80]

Mr. Pannett suggesting that we would be impacting people that are registered with the state; Ms. Clodfelder clarified that we do not clearly know that answer without knowing the size of the property and the zoning district. She also mentioned that the city only addresses issues on a complaint basis.

Vice Chair Schneck inquired further about "grandfathering" and inquired whether a variance could be requested. [it was noted that the Commission does not "grandfather" beekeepers, but that property owners could apply for a variance].

Chairman Muether said he was comfortable with the 0.5-acre limit and polled the Commission for input. Mr. Gutknecht agreed with the 0.25-acre. Mr. Uttley noted that the Commission is recommending to Council and the ordinance is a first step. Ms. Nixon voiced concerns about the impact of setbacks on the smaller lots and as a result, Mr. Lewie changed from supporting the 0.25-acre size to 0.5-acre. Vice Chair Schneck indicated either size would be okay, and Mr. Pannett deferred to the Chair.

Mr. Gutknecht inquired about review of the ordinance in a year. Ms. Clodfelder noted that Council added a review period for the Short-Term Residence ordinance that was just approved. It could be noted in the recommendation.

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Ms. Bloetscher informed the Commission that Cuyahoga County just approved an ordinance that regulates hives at 1 per 2500 square feet of property.

Vice Chair Schneck cautioned that the Commission does not recommend too many ordinances that City Council must revisit.

With no additional discussion, Chairman Muether (seconded by Mr. Uttley) made a motion to approve an amendment to Hilliard Code Sections 505.14 & 1121.07 to permit non-commercial raising of chickens and honeybees, Section 1121.08 to specify standards for the raising of chickens and Section 1121.09 to specify standards for the raising of honeybees.

1) That the proposed ordinance incorporate a minimum proposed lot size of 0.5-acre;
2) That the following four minor requests made by the Central Ohio Beekeepers Association be included;
   - ✓ Clarify language on swarms/splits during foraging seasons and permitting COBA members to sell swarm/split hives;
   - ✓ Encourage natural barriers for flyways as additional vegetation for foraging/ pollination;
   - ✓ Referencing and encouraging ODA's Apiary Best Practices; and
   - ✓ Adjusting language regarding water provision.
3) That language be added to include a review of the ordinance by City Council within one year of passage; and
4) That PUD-zoned residential properties be included as part of the ordinance.

Status:	Approved with four conditions (7-0).
Mover:	Chairman Jay Muether
Seconder:	Mr. Bill Uttley
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracey Nixon, Tom Pannett, Bill Uttley.

DISCUSSION ITEMS

Ms. Nixon inquired about the City Forester position. Ms. Clodfelder noted that the City Arborist was a contracted position. Within the last year the City has hired a full-time City Forester.

COMMITTEE COMMUNICATIONS

There were no committee reports due to vacations.

ADJOURNMENT

Chairman Muether, seconded by Mr. Lewie, motioned to adjourn at 9:31 p.m.

CERTIFICATION:

_____

Carson Combs, Planning Manager/Acting Clerk
August 11, 2022

[END OF MINUTES | July 14, 2022]

Attachment: 3 P&Z Minutes (draft) - July 14, 2022 (22-27 : Backyard Chickens & Rear Yard Beekeeping)

Status:	Approved with six conditions (6-0).
Mover:	Vice Chair Bevan Schneck
Seconder:	Chairman Jay Muether
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tom Pannett, Bill Uttley.

CASE 2: PZ-22-27 – Code Amendment
APPLICANT: City of Hilliard, c/o Michelle Crandall, City Manager, 3800 Municipal Way, Hilliard, OH 43026.
REQUEST: Review & approval of an amendment to Hilliard Code Sections 505.14 & 1121.07 to permit non-commercial raising of chickens and honeybees, Section 1121.08 to specify standards for the raising of chickens and Section 1121.09 to specify standards for the raising of honeybees.

[Mr. Combs gave the staff report]

BACKGROUND:

On October 27, 2014, Council adopted an ordinance (14-29) enacting a new Planning and Zoning Code and Zoning Map. City administration is requesting approval of a Zoning Code amendment concerning the backyard raising of chickens and bees for personal use. Since adopting the Code in 2014, the chicken rearing has become popular as outdoor family pets, as a personal source for meat and eggs and as children's projects for organizations such as 4-H. Backyard beekeeping has also become of much greater interest since the widespread awareness of colony collapse disease. The proposed code changes provide a means by which to permit limited raising of chickens and bees on properties of an appropriate size throughout the city. On May 11, 2022, the Environmental Sustainability Commission reviewed the proposed ordinance and forwarded the proposed code sections on to the Planning and Zoning Commission for consideration.

COMMISSION ROLE:

The Commission is to review the proposed code amendment and provide recommended changes to the proposed ordinance. Upon its review, the Commission is to make a recommendation to City Council who will make a final determination on the proposed Code language.

STAFF RECOMMENDATION:

Staff finds that the proposal is consistent with the purpose of the Zoning Code to promote the public health, safety, morals, comfort, and general welfare of the City and its residents. Based on this finding, staff recommends that the Commission forward a positive recommendation to Council concerning the proposed Zoning Code amendments.

CONSIDERATIONS:

Section 505.14: Prohibition on the Keeping of Animals, Bees, Reptiles, Fowl or Livestock within the City Limits

- Section 505.14 within *Part Five – General Offenses Code* currently prohibits bees and fowl citywide. This section has been modified to reference its allowed use as defined in the proposed code language in Sections 1121.07 through 1121.09. This would eliminate a conflict with the Zoning Code.

Section 1121.07: Other Provisions

- This section has been modified to permit the non-commercial raising of chickens and bees as defined in Sections *1121.08 Backyard Chickens* and *1121.09 Rear Yard Beekeeping*

Section 1121.08: Backyard Chickens

Attachment: 4 P&Z Minutes - June 9, 2022 (22-27 : Backyard Chickens & Rear Yard Beekeeping)

- Keeping of backyard chickens would be permitted in the R-R, Rural Residential District; R-1, Low Density Residential District; and the R-2, Low/Medium Residential district for properties at least 1 acre in size with a specified maximum number of chickens based on acreage. Flock sizes greater in number would be regulated as an agricultural use. Review of ordinances in other municipalities reveal that there is no real established number of birds that are commonly accepted.
- The code denotes that homeowners are responsible for any deed restriction or HOA requirements not enforced by the City. The code also limits raising of chickens for personal use.
- Due to noise issues no roosters, ducks, geese, turkeys or other fowl are permitted; on-site slaughtering of animals is prohibited. Those raising chickens as a source of meat would be required to transport chickens to an approved facility.
- The code requires adequate shelter with at least 4 square feet per chicken and yard of at least 8 square feet per bird. Placement of any chickens are required to be within the rear yard at least 15 feet from property lines.
- A certificate of zoning compliance is required to ensure that the placement of any coop and yard meets all zoning requirements. All chicken runs would be required to meet the fence code and obtain a fence permit.

Section 1121.09: Rear Yard Beekeeping

- Keeping of honeybees would be permitted in the R-R, Rural Residential District; R-1, Low Density Residential District; and the R-2, Low/Medium Residential district for properties at least 1 acre in size.
- The number of permitted hives for personal use is limited based upon the size of the property and district in which it is located. Number of hives greater than that specified would be regulated as an agricultural use.
- Hives that are productive will naturally swarm, so the ordinance provides the ability to have a nucleus hive (starter hive) for the captured swarm as part of general management.
- Hives are for personal use with no on-site sales permitted. The property owner will be required to have a valid apiary license from the State of Ohio that will ensure the hives are inspected annually and maintained in accordance with regulatory standards.
- Hives are required to be located within the rear of the property no less than 20 feet from property lines. A minimum of 75 feet is also required to an adjacent residence/primary structure.
- A flyway barrier is required if hives are placed within 30 feet of a property line to ensure that bees fly up and over eyelevel on adjacent properties. Any use of fencing as a barrier requires a fence permit.
- General standards of practice are provided to provide a level of enforcement capability if hives are not being maintained properly; however, annual inspection from the Ohio Department of Agriculture should address practice issues with the beekeeper.
- The code also denotes that the beekeeper assumes all liability and their personal insurance policies should address their activity.
- A certificate of zoning compliance is required to ensure that the placement of hives and flyway barriers meet all zoning requirements.

Applicability of Proposed Code Amendment

- Existing code allows for chickens and bees as agricultural uses in a very limited manner and would be expanded to other properties with the code update as follows:

Chicken Rearing and Beekeeping as a Permitted Activity		
	# of parcels permitted / total # of parcels	
Zoning District:	**Existing Code**	**Proposed Code**
R-R, Rural Residential District	32 / 170*	56 / 170
R-1, Low Density Residential District	Not Permitted	36 / 136

Attachment: 4 P&Z Minutes - June 9, 2022 (22-27 : Backyard Chickens & Rear Yard Beekeeping)

R-2, Low/Medium Residential District	Not Permitted	36 / 2007
Total	**32 / 170**	**118 / 2313**

**Permitted only on properties of three acres or greater under agricultural definition.*

[END OF REPORT | PZ-22-27]

Backyard Chickens

Mr. Combs noted that the Commission has received comments on the proposed ordinance from Commission Member Nixon who is absent, as well as public comment that has been provided to the Commission as part of their deliberation.

Chairman Muether asked if any of the R-2 District were greater than an acre in size; Mr. Combs noted that Page 4 of the staff report includes a table that outlines the number of parcels. Based on the 1-acre size, the number of parcels would increase from 32 parcels that can currently have agricultural use of chickens and bees to 118 out of 2313 parcels that could conduct backyard chicken and bee rearing.

Vice Chairman Schneck inquired about the public comment received; Mr. Combs noted that a property owner along Leap Road has chickens (as well as others that have been identified by Code Enforcement over the past couple of months) and wanted to provide feedback on the proposed language.

Mr. Lewie suggested that the ordinance be modified to include residential PUDs and that the lot size be reduced to 0.5-acre. He noted that his property is 0.2-acre and could easily support chickens and bees without impacting the neighbors. Mr. Lewie also noted that staff should look at the issue of bat barns and that other wild animals such as that should be considered in legislation.

Chairman Muether noted that he liked the 1-acre size to test things out.

Mr. Uttley discussed the size limitations (not audible); Mr. Lewie commented that limitations were similar to the Short-Term Residence ordinance being limited to Old Hilliard.

Mr. Pannett noted an example in Columbus where a neighbor had chickens and other animals that became problematic and that it was very difficult to have the situation resolved. He said this is a good starting point.

Discussion about the acreage ensued between the Commission members. Vice Chair Schneck noted that he would also like to see PUDs included.

Chairman Muether asked how changes would be incorporated; Mr. Combs noted that changes could be made and be brought back to the Commission. He said that more review would be warranted to look at the incorporation of PUDs into the ordinance to ensure proper coordination.

Law Director Phil Hartmann noted the need for additional review time to determine whether PUD texts would need to be modified to accommodate this proposed ordinance.

Mr. Lewie wanted to know what precipitated the ordinance; Mr. Combs noted that the issue has been pursued through the Environmental Sustainability Commission.

Ms. Hale asked for clarification on the Zoning Certificate; Mr. Combs explained that the zoning certificate would be a way to track backyard chickens unless a property in the R-R District was raising chickens as an agricultural use. All other instances would be a Code Enforcement issue and would need to be brought into compliance. Mr. Combs noted that Code Enforcement is normally carried out on a complaint basis.

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Rear Yard Beekeeping

Chairman Muether asked about the hives shown on the screen; as a practicing beekeeper, Mr. Combs explained the hive structure and how honeybees function within the hive structure.

Vice Chairman Schneck asked how many queens there are per hive; Mr. Combs explained that there is one queen per hive and described the process for queen rearing, as well as the role of worker bees and drones. He also explained how the bees enter and exit the hive and why flyway barriers are necessary.

Chairman Muether asked about the number of hives proposed and for a comparison from Mr. Combs' personal experience; Mr. Combs noted that 10 hives could be comfortably placed on 3.5 acres in terms of honey production in a setting that would be comparable to an R-R District / Agricultural District setting. He noted that the proposed code surveys codes from around the country that apply to a suburban setting.

Chairman Muether inquired about the limitations on fencing; Mr. Combs noted that using fencing as a flyway barrier would still need to comply with code and be limited to six feet in height. He explained that the code is concerned about extending the length of the fencing appropriately beyond the end of the hives to encourage bees to fly up over adjacent properties.

Vice Chair Schneck asked about the review of the Environmental Sustainability Commission; Mr. Combs explained that the Commission had the issue in front of them for research for many months. He said that staff developed draft ordinance language for them to consider, and that they wanted the ordinance forwarded to the Planning Commission for review.

Ms. Hale asked what happens when a hive swarms and the property owner is at capacity; Mr. Combs noted that additional consideration will be necessary as part of the ordinance. He noted that the provisions for nucleus hives are intended to provide additional time and flexibility for the beekeeper to stay within the Code. He explained that writing Code is much more complex and involved than simply allowing beekeeping.

Mr. Lewie also noted including residential PUDs and a 0.5-acre minimum.

Mr. Uttley inquired about the potential for these uses to be approved by the City but noted that many deed restrictions might not allow such uses; Chairman Muether pointed out that HOAs do not have the money or resources to address such issues.

Intern Natalie Wood asked the Commission about concerns with bird flu; Vice Chair Schneck noted that it would likely be a State issue, and Mr. Combs confirmed that the Ohio Department of Agriculture would be the agency involved with that issue. Mr. Combs noted that transmission would depend upon variables such as number of birds and distance and offered to provide information at the next meeting if requested.

Chairman Muether noted that additional consideration should be given to look into the PUD issue and to provide the Commission more time to digest the issues presented; Mr. Lewie also reminded staff to look into bat barns/houses.

Mr. Combs requested to the Commission that the case be postponed to the next meeting for further consideration; Chairman Muether requested a voice vote that was approved without dissent.

Status:	Postponed by Voice Vote at the request of Staff (6-0)
Ayes:	

DISCUSSION ITEMS

There were no general discussion items.

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COMMITTEE COMMUNICATIONS

Mr. Uttley highlighted that the Arts Council had dedicated a new mural and that the mural on the Ross Realtors building has been completed. He noted that they are working to identify ten more locations for art. He said they are working on another mural location in Old Hilliard. [microphone issues occurred during his update.]

In Ms. Nixon's absence, Mr. Combs gave an update to the Commission on Recreation and Parks. The most recent meeting was held yesterday and focus centered on how to prioritize public use of playing fields. June 13 will include a presentation to Council on programming for the new Community Center and pro forma projections. She noted that discussion continues as to the program elements and sizing. Summer activities have also been announced including the Celebration at the Station schedule and the upcoming Freedom Fest.

ADJOURNMENT

Chairman Muether motioned to adjourn by voice vote at 8:17 p.m.

CERTIFICATION:

Carson Combs, Planning Manager/Acting Clerk
July 15, 2022

[END OF MINUTES | June 9, 2022]

Attachment: 4 P&Z Minutes - June 9, 2022 (22-27 : Backyard Chickens & Rear Yard Beekeeping)

Ordinance: 22-27 **Passed:**

Page 1 of **Effective:**

AMENDING CHAPTERS 505 AND 1121 OF THE CITY'S CODIFIED ORDINANCES TO REGULATE BACKYARD CHICKENS AND REAR YARD BEEKEEPING WITHIN THE R-R, RURAL RESIDENTIAL DISTRICT, R-1, LOW DENSITY RESIDENTIAL DISTRICT, R-2, LOW/MEDIUM RESIDENTIAL DISTRICT AND PUD, PLANNED UNIT DEVELOPMENT DISTRICT

WHEREAS, City Council adopted Ordinance No. 14-29 on October 27, 2014, establishing a new Planning and Zoning Code and adopted a new Zoning Map; and

WHEREAS, chicken rearing and back yard beekeeping are currently prohibited citywide except for those properties located within the R-R, Rural Residential District that are three acres or more: and

WHEREAS, urban chicken husbandry has recently become popular nationwide and chickens have become more widely accepted as family pets and as a household source of food; and

WHEREAS, hobby beekeeping has become popular with the advent of colony collapse disease, and the significant decrease in nationwide bee population has raised awareness of the importance of honeybees; and

WHEREAS, recent economic changes have significantly increased the cost of basic food items and supply chain issues have impacted the availability of such products and increased interest in homesteading activities; and

WHEREAS, the adoption of the Zoning Code did not foresee changing trends with regard to backyard chickens and apiculture at the time of adoption; and

WHEREAS, the Environmental Sustainability Commission reviewed the topic of urban chicken rearing and beekeeping on May 11, 2022, and forwarded proposed Code language to the Planning and Zoning Commission for consideration, and

WHEREAS, on June 9, 2022, the Planning and Zoning Commission considered the proposed Code and approved Case #PZ-22-27 at its regularly scheduled and advertised meeting on July 14, 2022, to amend the Codified Ordinances making a positive recommendation to City Council that the proposed amendments be adopted; and

WHEREAS, this Ordinance shall be reviewed in one year by City Staff, by members of the Planning and Zoning Commission, City Council and representatives for the Central Ohio Beekeeping Association (COBA); and

WHEREAS, amending Chapters 505 and 1121, as identified in Exhibit "A", attached hereto and incorporated herein, provides for small-scale chicken rearing and beekeeping while promoting 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:

SECTION 1. Council finds that amending Chapters 505 and 1121 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 505 and 1121, 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 the City's Codified Ordinances, 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 22-27

☐ 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		☐	☐	☐	☐

505.14 PROHIBITION ON THE KEEPING OF ANIMALS, BEES, REPTILES, FOWL, OR LIVESTOCK WITHIN THE CITY LIMITS

(a) No animal including, but not limited to bees, reptiles, fowl, livestock, including horses mules, cows, sheep and hogs, shall be kept, harbored, raised or permitted to run at large on any property either public or private within the City limits by any person~~.~~, except as otherwise permitted by Sections 1121.07 to 1121.09 of the Codified Ordinances of the City of Hilliard, Ohio.

1121.07 OTHER PROVISIONS

(a) Domestic Animals.

(1) The keeping of household pets, including dogs, cats, fish, birds, hamsters and other animals generally regarded as household pets is permitted as an accessory use in any Residential District. However, no more than four dogs or cats, six months of age or older, in any combination, shall be kept or housed in or at one dwelling unit.

(2) Agricultural animals such as, but not limited to, horses, cattle, goats, pigs, and sheep ~~and chickens~~ are permitted in the R-R District on parcels of three acres or more; provided that the total number of agricultural animals permitted on parcels of 10 acres or less shall be limited to one animal per gross acre. Manure storage areas shall be located at least 75 feet from any adjoining property line.

(3) Any area where permitted animals are kept shall be maintained in a safe and sanitary condition.

(4) Non-commercial raising of chickens and honeybees on permitted residential properties shall be maintained in accordance with Sections 1121.08 and 1121.09 of the Codified Ordinances of the City of Hilliard, Ohio, respectively.

1121.08 BACKYARD CHICKENS

(a) *Purpose.* The purpose of this section is to provide general criteria for the raising of small-scale chickens in an environment for personal use within the municipality.

(b) *General Requirements*. The keeping of chickens is permitted on residential parcels within the R-R, Rural Residential District; R-1 Low Density Residential District; the R-2, Low/Medium Residential District and the PUD, Planned Unit Development District subject to the following requirements:

Maximum Number of Chickens Permitted			
Zoning Classification	<0.5-acre	0.5-2.99 acres	3.0-10.0 acres
R-R	0	6	3 per acre
R-1	0	6	6
R-2	0	6	6
PUD	0	6	6

(1) The keeping of more chickens than permitted above as an accessory use shall be regulated as a general agricultural operation that must comply with Section 1121.07(a).

Attachment: 1 Exhibit A - Proposed Code Amendment (22-27 : Backyard Chickens & Rear Yard Beekeeping)

(2) In addition to the regulations provided in this chapter, property owners shall be responsible for adherence to all applicable deed restrictions and homeowners association requirements.

(3) Chickens shall be kept for personal use only. Selling chickens, eggs, meat or other chicken-derived products or manure on-site and the breeding of chickens for commercial purposes is prohibited.

(4) No chickens shall be permitted within the residence, on an enclosed porch or within an attached garage.

(5) Slaughtering of animals on-site is prohibited. Any broilers raised on site must be processed off-site in an approved facility in accordance with all State and Federal laws.

(6) No roosters are permitted except as permitted by Section 1121.07(a)(2).

(7) No ducks, geese, pigeons, turkeys, peafowl or other poultry/fowl are permitted except as permitted by Section 1121.07(a)(2).

(c) *Shelter.* All chickens must be maintained on a parcel with a kept shelter for the health and welfare of the animal that will protect them from the elements and predators. All shelters must be constructed of quality materials utilizing standard building techniques, be adequately ventilated and be kept in good working order. A minimum of 4 square feet of enclosed space is required per chicken.

(d) *Foraging.* All chickens must be kept in a confined yard that provides at least 8 square feet of space per chicken. Chickens shall be managed in such a way as to prevent trespassing or creation of a nuisance to surrounding properties or the public right-of-way. No foraging is permitted forward of the primary structure.

(e) *Placement*. All structures shall only be permitted within the rear yard and shall be located at least 15 feet from all property lines. No structure for the purpose of raising chickens shall be placed within any utility or stormwater easement.

(f) *Sanitation*. Areas devoted to the keeping of chickens shall be maintained in a clean and sanitary condition free from accumulations of animal waste, feed, debris, etc. with the following requirements:

(1) All feed must be kept in a rodent-proof and predator-proof container.

(2) Composting manure must be maintained in a safe and sanitary condition and be located no less than 25 feet from the side or rear property line.

(g) *Zoning Certificate Required*. Prior to the installation of any chicken shelter or prior to the commencement of any animal husbandry activities regulated within this section of the Code, an approved zoning certificate is required in conformance with Section 1141.03.

(h) *Fence Permit Required*. Prior to the installation of any confined chicken yard or prior to the commencement of any husbandry activities regulated within this section of the Code, an approved fence permit is required in conformance with Section 1121.02(d)(2).

(i) *Penalty*. Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor and punishable as permitted by law (see Section 1141.06 for penalty and enforcement). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any person who commits a subsequent offense within one year of a prior offense hereunder shall be guilty of a misdemeanor of the fourth degree. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Attachment: 1 Exhibit A - Proposed Code Amendment (22-27 : Backyard Chickens & Rear Yard Beekeeping)

1121.09 REAR YARD BEEKEEPING

(a) *Purpose.* The purpose of this section is to provide general requirements for backyard beekeeping as a personal use within the municipality.

(b) *General Requirements*. The keeping of honeybee hives (colonies) is permitted on residential parcels within the R-R, Rural Residential District; R-1 Low Density Residential District; R-2, Low/Medium Residential District and the PUD, Planned Unit Development District subject to the following requirements:

Maximum Number of Hives Permitted			
Zoning Classification	<0.5-acre	0.5-2.99 acres	3.0-10.0 acres
R-R	0	5	2 per acre
R-1	0	3	3
R-2	0	3	3
PUD	0	3	3

(1) The keeping of more hives than permitted above as an accessory use shall be regulated as a general agricultural operation that must comply with Section 1121.07(a).

(2) For each colony permitted to be maintained in accordance with this Section, there may also be maintained on the same property one additional hive derived from a swarm or split made during the foraging season. Such hives as a part of natural expansion may be sold to other beekeepers to maintain the maximum permitted number of hives.

(3) Any property containing a hive shall have a currently valid Apiary License for the property owner, as obtained from the Ohio Department of Agriculture (ODA) Division of Plant Health and be subject to annual inspection from the ODA.

(4) Colonies shall be kept for personal use only. Selling honey, beeswax propolis or other hive-derived products on-site and the breeding of honeybees for commercial purposes is prohibited.

(5) No leasing of land for the placement of hives by another beekeeper is permitted. Provisions of this code are for the intent of personal beekeeping.

(6) In addition to the regulations provided in this chapter, property owners shall be responsible for adherence to all applicable deed restrictions and homeowners association requirements.

(c) *Placement*. All hives and associated equipment shall only be permitted within the rear yard. All hives shall be set back a minimum of 20 feet from the rear and side property lines. All hives shall also be placed a minimum of 75 feet from an adjacent primary residence.

(d) *Orientation*. Hive entrances should be oriented away from adjacent properties whenever possible so that flight paths do not interfere with adjacent properties. In all cases, placement of hives shall adhere to applicable Flyway Barrier requirements in paragraph (e) of this section.

(e) *Flyway Barrier*. In all cases, a flyway barrier 6 feet in height shall be provided to shield any part of a property line that is within 30 feet of a ground hive. The barrier shall consist of a wall, fence, dense vegetation or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony. Vegetative solutions are recommended to provide additional opportunity for foraging and pollination.

Attachment: 1 Exhibit A - Proposed Code Amendment (22-27 : Backyard Chickens & Rear Yard Beekeeping)

(1) Any required flyway barrier must continue parallel to the property line of the lot upon which the apiary is located for 10 feet in any direction beyond the extent of the hives.

(2) If a barrier of dense vegetation is to be used, the initial planting shall be four feet in height at the time of installation.

(3) A flyway barrier is not required if the property adjoining the property upon which an apiary is located is undeveloped, zoned agricultural or industrial or is a wildlife management area or naturalized parkland with no trails located within 50 feet of the apiary.

(4) A flyway barrier is not required if the hives are located on the roof of a structure containing at least one full story, provided that the hives are located at least 75 feet from any adjacent and occupied structure.

(f) *Fence Permit Required.* Prior to the installation of any flyway barrier, hives or prior to the commencement of any apiary activities regulated within this section of the Code, an approved fence permit for flyway barrier fencing is required in conformance with Section 1121.02(d)(2).

(g) *Standards of Practice*. All beekeeping activities shall be maintained utilizing best management practices and are encouraged to adhere to the Ohio Department of Agriculture's Apiary Best Practices, as may be amended hereafter.

(1) All bee colonies shall be kept in hives with removable frames and other hive body components (supers, brood chambers, bottom boards, covers, etc.) that are maintained in sound and usable condition.

(2) A suitable supply of water shall be made available to the colonies (excepting Winter dormancy from November 1 through March 1) that is placed in a location near the hives to minimize bees seeking water on surrounding properties. No water source shall be permitted in a manner that creates a health hazard.

(3) Each beekeeper shall ensure that no wax comb or other material is left on the ground that might encourage robbing or aggressive behavior.

(4) In any instance in which a colony exhibits unusually aggressive behavior, it shall be the responsibility of the beekeeper to promptly implement actions to address the behavior.

(h) *Liability*. The beekeeper shall assume any and all liability for their bees and therefore are advised to determine whether personal insurance policies cover beekeeping activities.

(i) *Zoning Certificate Required*. Prior to the installation of any hives or prior to the commencement of any apiary activities regulated within this section of the Code, an approved zoning certificate is required in conformance with Section 1141.03.

(j) *Penalty*. Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor and punishable as permitted by law (see Section 1141.06 for penalty and enforcement). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any person who commits a subsequent offense within one year of a prior offense hereunder shall be guilty of a misdemeanor of the fourth degree. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Council Memo: Legislation (22-28)

Subject: Creating OneOhio Opioid Settlement Fund
From: Michelle Crandall, City Manager
Initiated by: Greg Tantari, Deputy Finance Director
Date: August 22, 2022

Executive Summary

As part of the OneOhio Settlement Agreement, this Ordinance will establish a fund for the receipt of monies distributed according to the settlement and appropriate the funds to be used for the permissible reasons.

Staff Recommendation

Staff recommends Council adoption of this ordinance.

Background

On March 9, 2020, City Council adopted Resolution No. 20-R-22, agreeing to the non-binding One Ohio Memorandum of Understanding, which permitted collaboration between the State of Ohio and Local governments to explore resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants. On August 9, 2021, City Council adopted Resolution No. 21-R-52, which accepted the material terms of a settlement and authorized the City Manager to execute a participation agreement.

The settlement resulted in an estimated $804,865,429 to the State of Ohio and its subdivisions over 18 years. Thirty percent of those funds were being distributed directly to the subdivisions. Depending on the level of participation, the City's total amount received may increase over time. In 2021, it was estimated that the City may receive up to $100,746.34.

Consistent with the terms of the Settlement, the City received its first distribution of $4,322.40 and in order to track that the funds are used for the sole purposes (as listed below) it is necessary to create a specific fund for these settlement funds.

Funds must be used for "evidence-based forward-looking strategies, programming and services used to:

1. Expand the availability of treatment for individuals affected by substance use disorders;
2. Develop, promote and provide evidence-based substance use prevention strategies;
3. Provide substance use avoidance and awareness education;
4. Decrease the oversupply of licit and illicit opioids; and
5. Support recovery from addiction services performed by qualified and appropriately licensed providers.

Financial Impacts

In accordance with the settlement agreement, the City will receive yearly distributions.

Expected Benefits

The funds received will be utilized to assist with the programming and services offered consistent with the approved purposes listed above.

Attachments

N/A

Ordinance: 22-28 **Passed:**

Page 1 of **Effective:**

AUTHORIZING THE CREATION OF FUND 216, THE ONEOHIO OPIOID SETTLEMENT FUND.

WHEREAS, by the passage of Resolution No. 21-R-52, City Council authorized acceptance of the material terms of the settlement between the State of Ohio and Local governments in its case against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, in accordance with the settlement, the City has received its first distribution; and

WHEREAS, in order to track that the funds are being used for permissible reasons, it is necessary to create a separate fund; and

WHEREAS, the City of Hilliard will create Fund 216 which will be titled the "OneOhio Opioid Settlement Fund"; and

WHEREAS, creating this Fund is in the best interest and promotes the City's general health, welfare and safety of its residents.

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

SECTION 1. City Council finds and determines that the creation of the OneOhio Opioid Settlement Fund, Fund 216, for the collection and disbursement of funds consistent with the settlement, is in the City's best interest and promotes the City's general health, welfare and safety of its residents.

SECTION 2. Those monies received and deposited in Fund 216, the OneOhio Opioid Settlement Fund, are appropriated upon deposit.

SECTION 3. This Ordinance shall take effect at 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 22-28

☐ 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-58)

Subject: Approving SOMA PUD Modification for Truepointe
From: Michelle Crandall, City Manager
Initiated by: John Talentino, City Planner
Date: August 22, 2022

Executive Summary

The proposed resolution is to adopt a PUD text modification to the Soma Company PUD development text for a mixed-use development that includes office, commercial, restaurant, hotel, and residential uses on 27.73 acres. The text modification will establish a new Subarea 5 (created from the existing Subarea 5 and portions of Subarea 6) and will modify development standards consistent with the proposed development concept.

Staff Recommendation

Staff finds that the proposed text modification is consistent with the Hilliard Comprehensive Plan recommendations concerning land use and is consistent with the purpose of the Soma Company PUD to “create a unified, high quality, multiple use development.” Staff recommends approval of the proposed PUD text modification.

Background

The site consists of two parcels totaling 27.73 acres located on the west side of Trueman Boulevard approximately 1,500 feet south of Davidson Road. The site has approximately 1,900 feet of frontage on Trueman Boulevard and approximately 2,010 feet of frontage along I-270. On October 26, 1998, City Council approved a rezoning by ordinance (98-36) to create the Soma Company PUD which consists of approximately 146 acres on the east side of I-270 between Davidson Road and Cemetery Road.

The site was originally zoned to provide two Class A office sites along I-270. The proposed text modifications will permit two office buildings and associated parking garage in the northwest portion of the proposed site. Retail, restaurant, and hotel uses are shown in the center and northern portion of the site. Multi-family residential buildings including a parking garage are shown in the southern portion of the site and are limited to 367 units. Access to the site will be from the three existing access points on Trueman Boulevard. Primary office buildings in the will receive administrative approval, while other uses/buildings within the development must obtain final development plan approval from the Planning and Zoning Commission.

Financial Impacts

The proposed project is anticipated to generate significant income tax from the freeway-oriented office and support uses.

Expected Benefits

The proposed text modifications will allow for a high-quality mix of commercial and residential uses in the PUD that will anchored by large-scale office uses that will generate significant income tax revenue for the city. The associated uses will provide for a variety of unique retail and restaurant support uses and living opportunities that will serve as amenities for employees within the development. The proposed mix and types of uses will establish the development as a benefit for residents as well as a destination location within the region.

Attachments

- Conceptual Site Plan
- P&Z Record of Action – July 14, 2022
- P&Z Minutes (draft) – July 14, 2022
- Exhibit A – Proposed Text Amendment and Subarea Map



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TRUEPOINTE DEVELOPMENT

CONCEPTUAL RENDERING

m+a architects

2022.036
05.17.2022
page 1

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)



Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

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TRUEPOINTE DEVELOPMENT

CONCEPTUAL RENDERING

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05.17.2022
page 2



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TRUEPOINTE DEVELOPMENT

CONCEPTUAL RENDERING

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2022.036
05.17.2022
page 3

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

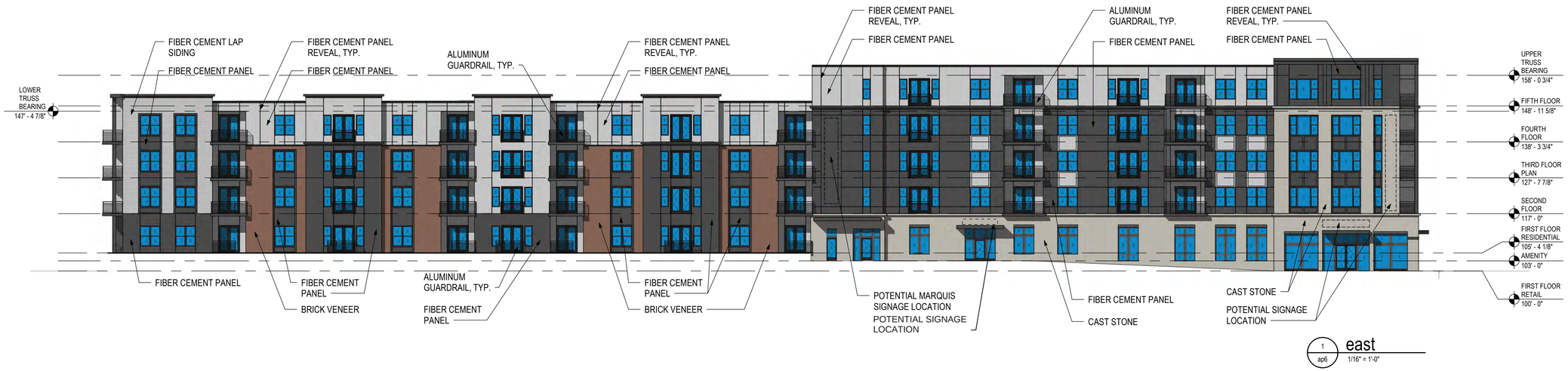


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TRUEPOINTE DEVELOPMENT

CONCEPTUAL RENDERING

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)



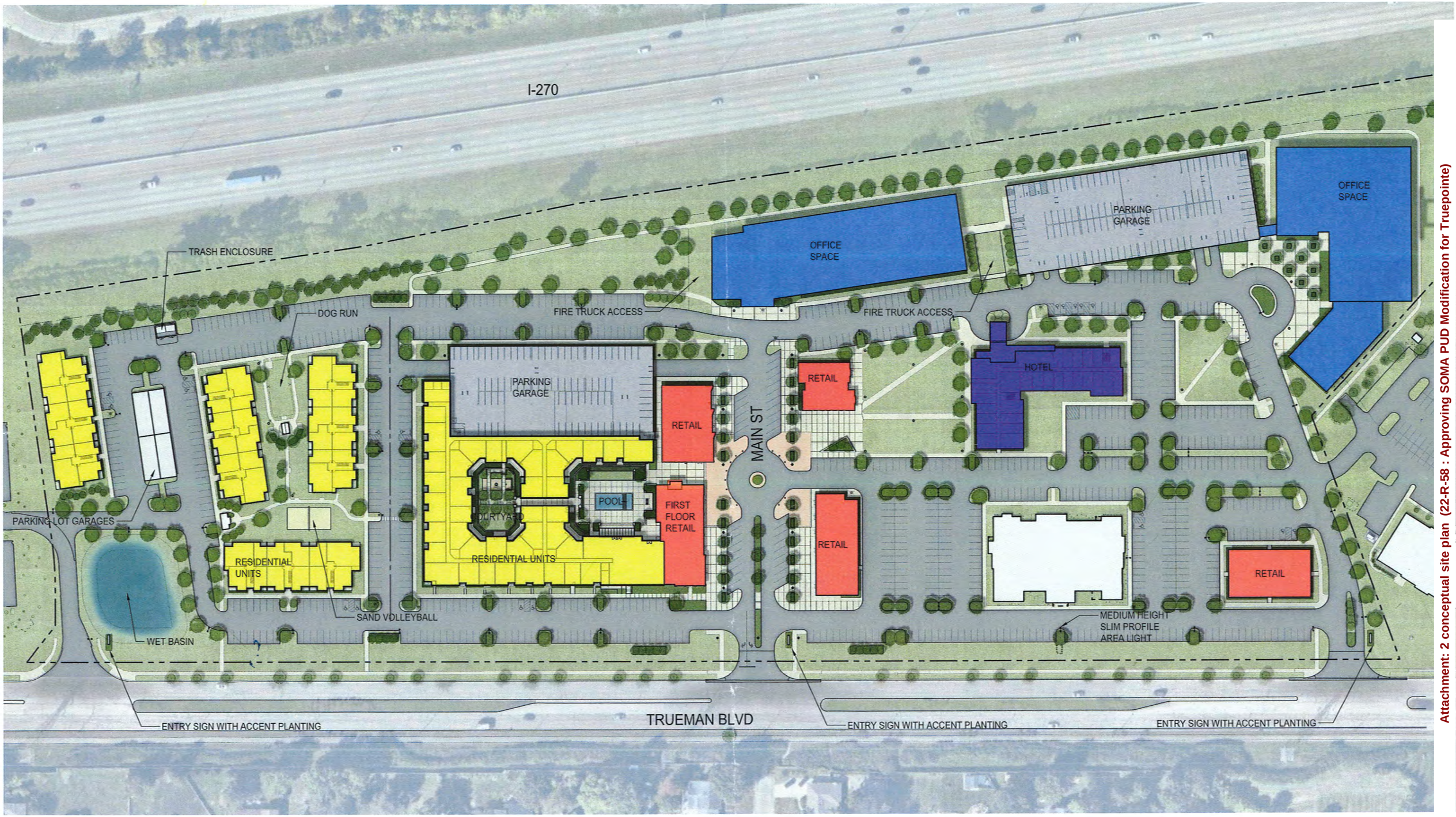


PROPOSED MATERIALS



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Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)



Attachment: 2 conceptual site plan (22-R-58 : Approving SOMA PUD Modification for Truepointe)

MKSK
LANDSCAPE ARCHITECTURE + URBAN PLANNING
462 SOUTH LUDLOW ALLEY
COLUMBUS, OH 43215
614 8212796 MKSKSTUDIOS.COM

OVERALL SITE PLAN

0 30' 60' 120'

client / owner
TRUEMAN BOULEVARD, LLC
project name
TRUEPOINTE MIXED USE DEVELOPMENT

RECORD OF ACTION

Planning & Zoning Commission

City Hall • 3800 Municipal Way • Hilliard, Ohio 43026
and Live-Streaming on YouTube

Thursday, July 14, 2022 | 7:00 pm

CASE 3: PZ-22-32 - TRUEPOINTE DEVELOPMENT – 4525 Trueman Boulevard
PARCEL NUMBER: 050-003043 & 050-010984
APPLICANT: Trueman Boulevard LLC, 4653 Trueman Boulevard, Suite 100, Hilliard, OH 43026; RRIHQ LLC, 4653 Trueman Boulevard, Hilliard, OH 43026; and Shawn Boysko, Equity Construction Solutions, 4653 Trueman Boulevard, Suite 200, Hilliard, OH 43026.
REQUEST: Review & approval of a PUD Modification under the provisions of Hilliard Code Section 1117.08 for a mixed-use development including office, commercial, restaurant, hotel, and residential uses on 27.73 acres.

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

MOTION:

Mr. Pannett made a motion to approve a PUD Modification under the provisions of Hilliard Code Section 1117.08 for a mixed-use development including office, commercial, restaurant, hotel, and residential uses on 27.73 acres with two conditions:

1) That cross-access easements between the site and the adjacent property to the north are recorded, subject to the approval of the Law Director; and
2) That emergency vehicle access shall meet the requirements of Norwich Township Fire Department.

Mr. Uttley 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

STATUS:

Case #3: PZ-22-32 was approved (7-0) and will be forwarded to City Council for consideration.

CERTIFICATION:

Carson Combs, Planning Manager/Acting Clerk
July 15, 2022

[END OF RECORD]

Attachment: 3 P&Z Record of Action - July 14 (22-R-58 : Approving SOMA PUD Modification for Truepointe)

Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracey Nixon, Tom Pannett, Bill Uttley.

CASE 3: PZ-22-32 - TRUEPOINTE DEVELOPMENT – 4525 Trueman Boulevard
PARCEL NUMBER: 050-003043 & 050-010984
APPLICANT: Trueman Boulevard LLC, 4653 Trueman Boulevard, Suite 100, Hilliard, OH 43026; RRIHQ LLC, 4653 Trueman Boulevard, Hilliard, OH 43026; and Shawn Boysko, Equity Construction Solutions, 4653 Trueman Boulevard, Suite 200, Hilliard, OH 43026.
REQUEST: Review & approval of a PUD Modification under the provisions of Hilliard Code Section 1117.08 for a mixed-use development including office, commercial, restaurant, hotel, and residential uses on 27.73 acres.

[Mr. Talentino gave the staff report]

BACKGROUND:

The site consists of two parcels totaling 27.73 acres located on the west side of Trueman Boulevard approximately 1,500 feet south of Davidson Road. The site has approximately 1,900 feet of frontage on Trueman Boulevard and approximately 2,010 feet of frontage along I-270. On October 26, 1998, City Council approved a rezoning by ordinance (98-36) to create the Soma Company PUD which consists of approximately 146 acres on the east side of I-270 between Davidson Road and Cemetery Road. The applicant is requesting approval of a modification to the Soma Company PUD development text for Subareas 5 and 6 to create a mixed-use development that includes office, commercial, restaurant, hotel, and residential uses on 27.73 acres.

COMMISSION ROLE:

The Commission is to review the proposal for conformance to the provisions of Hilliard Code Section 1117.08 and the Soma Company PUD Concept Plan. Upon its review, the Commission is to make a recommendation to City Council who will make a final determination on the proposed PUD text modification.

STAFF RECOMMENDATION:

Staff finds that the proposal is consistent with the Hilliard Comprehensive Plan recommendations concerning land use and that the proposal is consistent with the purpose of the Soma Company PUD "to create a unified, high quality, multiple use development." Staff finds that the proposal is consistent with the provisions of Hilliard Code Section 1117.06 and recommends that the Commission forward a positive recommendation to Council concerning the proposed PUD modification with the following two conditions:

1) That cross-access easements between the site and the adjacent property to the north are recorded, subject to the approval of the Law Director; and
2) That emergency vehicle access shall meet the requirements of Norwich Township Fire Department.

CONSIDERATIONS:

- The site consists of Soma Company PUD Subarea 5 and a portion of Subarea 6. Permitted uses in Subareas 5 and 6 include those listed in Chapter 1123.01 for B-3 zoning districts, except for the following which are prohibited: restaurants, banks, helicopter pads, commercial recreational facilities, essential services, fraternal uses and semi-public uses.
- The proposed plan shows new office buildings and a parking garage in the northwest portion of the proposed site. Retail, restaurant, and hotel uses are shown in the center and northern portion of the

Attachment: 4 P&Z Minutes - July 14 (22-R-58 : Approving SOMA PUD Modification for Truepointe)

site. Multi-family residential buildings including a parking garage are shown in the southern portion of the site. Access to the site will be from the three existing access points on Trueman Boulevard.

- *Community Plan Issues.* The Comprehensive Plan recommends the site for professional office uses. Principal structures should be built near the street with parking lots to the side or rear. Parking lots should be well landscaped with shade trees and shared parking agreements are encouraged. Structures should be connected to pedestrian/bike facilities in the area. Buildings and sites are also recommended to be well designed and have distinct architectural character. The adjacent office development to the north is recommended for corporate office uses which are to be well integrated with surrounding development and amenities, ideally including retail uses within walking distance.
- *Proposed Text Modifications.* The proposed text combines the current Subarea 5 and a portion of Subarea 6 into a new Subarea 5. The proposal recognizes the need to provide the amenities and supporting uses that are needed in the current economy to attract and retain income producing land uses. The proposed text includes the following:

Section 5.A	Specifies the size of the new Subarea 5 as 27.73 acres.	
Section 5.B	Specifies the permitted uses and conditional uses as those listed in the Zoning Code for the B-3 and B-4 zoning districts. Multi-family residential is limited to a maximum of 367 dwelling units.	
Section 5.C	Specifies a maximum lot coverage of 80 percent for impervious surfaces.	
Section 5.D	Specifies the maximum heights and maximum sizes of buildings, the maximum number of parking garage spaces, the maximum number of hotel rooms, and the maximum number of dwelling units.	
Section 5.E.1	Specifies the following minimum building setbacks from the overall Subarea 5 boundary	
	North (side) – 0 feet	East (front) – 40 feet
	South (side) – 5 feet	West (rear) – 50 feet
Section 5.E.2.	Specifies the following minimum pavement setbacks from the overall Subarea 5 boundary:	
	North (side) – 20 feet	East (front) – 25 feet
	South (side) – 20 feet	West (rear) – 60 feet
Section 5.F.6.	Requires tree replacement per Code.	
Section 5.F.7.a.	The screening of vehicular use areas from Trueman Boulevard will be from the existing 4-foot-tall landscaped mound. Additional tree plantings along the property perimeter will be consistent with the existing easement limitations.	
Section 5.F.7.b.	Requires interior landscaping consistent with the provisions of the Code.	
Section 5.G	Requires cut-off type site lighting fixtures with a maximum height of 25 feet in parking lots and the main entry drive, and 14 feet in park areas.	
Section 5.H.1	Specifies the minimum number of parking spaces for the overall Subarea 5 is 2,340 including 820 surface spaces, 1,180 garage spaces, and 340 shared spaces. Specifies the parking ratios for permitted uses.	
Section 5.I.	Access to the site will be from the three existing access points on Trueman Boulevard.	
Section 5.J	Requires trash receptacles to be screened on all sides.	
Section 5.K.	Prohibits outdoor storage. Requires mechanical equipment to be screened on all sides.	
Section 5.L.1	Requires outdoor public spaces to be incorporated into the overall site.	
Section 5.L.2.	Requires park land dedication consistent with the provisions of the Zoning Code for residential uses.	
Section 5.M.	Includes conceptual renderings which demonstrate the level of quality of design and exterior materials that will be required for commercial and residential buildings.	

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Section 5.N.	All new utility lines will be underground. The existing overhead transmission lines will be permitted to remain above ground.
Section 5.P	All signage shall meet the requirements of the Sign Code unless otherwise approved as part of a comprehensive signage plan by the Planning and Zoning Commission.
Section 5.Q.	Building locations, designs, uses, etc., are subject to change as part of the Final Development Plan review.
Section 7.A.2	Specifies the size of the new Subarea 6 as 2.65 acres. The existing building in the northeast portion of Subarea 6 will remain. The majority of current Subarea 6 will be included in the proposed Subarea 5.

[END OF REPORT | PZ-22-32]

Vice Chair Schneck inquired whether a crossing will be provided to get people from the sidewalk on the west side of Trueman Boulevard to the path on the east side. Mr. Talentino explained that the text modification is focused on the uses and general proposal and final details for pedestrian connections will be addressed further along in the process. Mr. Talentino clarified for Chairman Muether that the offices would be approved administratively, but the concept renderings would be used for the Commission to evaluate all other uses as a final development plan.

Steve Wathen, representative for the developer, described their background in the community and provided an overview to Commission and audience. He added that the campus to the north has an existing ¾-mile trail that will be extended into the site to create a 2-mile system.

The site includes internal green spaces and a dog park. He provided a slide show and described the site and renderings. Mr. Wathen noted that every tenant for retail and restaurants are not local purposely to make the site a Hilliard destination. He explained that they have commitments at varying levels for both office buildings, with most health-related jobs new to the city. Mr. Wathen described many of the proposed restaurant options which would include two white tablecloth options. He noted that the demographics within 1 mile of the site include an average family income of $130,000. He noted some other types of proposed uses that include fitness, co-working, coffee shop and bakery, salons and other entertainment uses that are also intended to be unique.

Mr. Lewie agreed with the need for higher-end restaurants and inquired about the timing for build-out. Mr. Wathen explained that the site will include a daytime population of 2,000 people that will be coupled with a nighttime population to benefit retailers. He said the apartments are committed and are looking to break ground this year and build out the site within approximately two years. He said the parking structures will be the first in the city.

Mr. Uttley inquired about traffic and asked about a traffic study and the need for a light. It was explained that a light is planned for the north entrance to encourage office users not to congest the retail area during peak times. Mr. Wathen noted that Trueman Boulevard was planned to accommodate three large Class A office buildings.

Mr. Gutknecht asked about noise impacts from the project. Mr. Wathen explained that the buildings would help to provide a buffer from the I-270 noise. He also pointed out that the mounding and landscaping was implemented years prior to address the noise and impacts of what was expected to be large offices. Mr. Wathen noted for Chairman Muether that they agree with the conditions.

Mark Mitchell, 4040 Idlewood Court, Columbus, noted that he did not agree with the project. He said that the Comprehensive Plan indicated three story offices, while the proposal calls for increased height. Mr. Mitchell said he understands the need for mixed use but the project is in the wrong location. He voiced concerns about traffic

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impacts and inquired about the Comprehensive Plan's pedestrian bridge in addition to lighting impacts. He said that this plan does not take neighborhood concerns into consideration.

Mr. Talentino clarified for the Commission that the subarea currently permits a height of 80 feet. He noted that every PUD can be changed, but in this case a maximum number of units is denoted that would require going back through both the Commission and City Council for approval.

Michael Sullivan, 4344 Huntwicke Court, said as a resident for 28 years complemented the developer and said he agreed with 90 percent of what's proposed. He asked for more information about the residential uses. He asked for clarification about the walk-up units.

Mr. Wathen stated that 2-bedroom units will sell at over $2,000/month. He explained that the residential in the center includes flats above retail uses that are attached to a parking garage. He said the walk-up units are in the back and would be townhomes that will rent for even higher prices. Mr. Wathen explained that his company manages the site and the office buildings. Millhouse from Indianapolis will manage the residential uses because that is their focus.

Mr. Pannett asked about the pedestrian bridge and how light pollution will be addressed. Mr. Talentino said the Plan has a bridge across I-270 along the southern edge of the site that will not happen. Lighting will be regulated through lighting plans, and elements such as shields, etc. can be implemented to meet the requirements.

Mr. Pannett (seconded by Mr. Uttley) made a motion to approve a PUD Modification under the provisions of Hilliard Code Section 1117.08 for a mixed-use development including office, commercial, restaurant, hotel, and residential uses on 27.73 acres with the following two conditions:

1) That cross-access easements between the site and the adjacent property to the north are recorded, subject to the approval of the Law Director; and
2) That emergency vehicle access shall meet the requirements of Norwich Township Fire Department.

Status:	Approved with two conditions (7-0).
Mover:	Tom Pannett
Seconder:	Bill Uttley
Ayes:	Chairman Jay Muether, Vice Chair Bevan Schneck, Eric Gutknecht, Chris Lewie, Tracey Nixon, Tom Pannett, Bill Uttley.

Mr. Lewie wanted clarification that a traffic study will be produced by the applicant; clarification was made that a traffic study has been reviewed by staff.

CASE 4: PZ-22-33 – AMAZON DATA CENTER – 4120 Scioto Darby Road
PARCEL NUMBERS: 050-003336, 050-002806, 050-003210, 050-0002427, 050-002299 & 050-002301
APPLICANT: Amazon Data Services, Inc., 410 Terry Avenue North, Seattle, WA 98108; c/o Isabella Culliton, Kimley-Horn, 7965 North High Street, Columbus, OH 43235.
REQUEST: Review & approval of a Level "B" Site Plan consisting of 7 data center buildings and additional security and utility buildings on 152.13 acres in accordance with Chapter 1131 of the Zoning Code.

[Ms. Thiel gave the staff report]

Attachment: 4 P&Z Minutes - July 14 (22-R-58 : Approving SOMA PUD Modification for Truepointe)

Resolution: 22-R-58 **Adopted:**

Page 1 of **Effective:**

APPROVING A MODIFICATION TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR 27.73 ACRES KNOWN AS TRUEPOINTE (SUBAREAS 5 AND 6) OF THE SOMA COMPANY PUD LOCATED ON THE WEST SIDE OF TRUEMAN BOULEVARD APPROXIMATELY 1,500 FEET SOUTH OF DAVIDSON ROAD TO CREATE A NEW SUBAREA 5 WITH SPECIFIED USES AND DEVELOPMENT STANDARDS.

WHEREAS, City Council approved a Planned Unit Development (PUD) consisting of 146.421± acres of land for the SOMA Company PUD by the passage of Ordinance No. 98-36, effective November 25, 1998; and

WHEREAS, City Council approved the following modifications to the SOMA Company PUD Development Plan and Text:

- Resolution No. 00-C-61, effective January 23, 2001;
- Resolution No. 01-C30 (Amended), effective July 23, 2001;
- Resolution 02-C-03, effective January 28, 2022;
- Resolution No. 03-C-18, effective July 14, 2003;
- Resolution No 05-R-04, effective January 24, 2005;
- Resolution No. 5-R-17, effective May 9, 2005;
- Resolution No. 07-R-24, effective August, 2007;
- Resolution No. 7-R-32, effective October 9, 2007;
- Resolution No. 08-R-02, effective January 28, 2008;
- Resolution No. 08-R-22, effective July 14, 2008;
- Resolution 13-R-37, effective April 22, 2013;
- Resolution 13-R-77, effective Nov 4, 2013;
- Resolution 14-R-45, effective April 28, 2014;
- Resolution 21-R-33, effective July 10, 2021; and

WHEREAS, Trueman Boulevard LLC; RRIHQ, LLC; and Equity Construction Solutions (the “Applicant”) submitted application number PZ-22-32 to the City’s Planning and Zoning Commission to modify the SOMA Company PUD Development Text concerning uses, parking and building setbacks, building height, architectural quality and other related development standards for Subareas 5; and

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

WHEREAS, at its regularly scheduled and advertised meeting on July 14, 2022, the City’s Planning and Zoning Commission voted to forward a positive recommendation to City Council that the SOMA Company PUD Development Text be revised as proposed; and

WHEREAS, a copy of the amended development text for SOMA Company PUD Development Plan and Development Text is attached hereto as Exhibit “A” and incorporated herein by reference (“SOMA Company PUD Development Text – Subarea 5”).

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

SECTION 1. The SOMA Company PUD Development Text for Subareas 5 and 6 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 "SOMA Company PUD Development Text – Subarea 5"

SECTION 3. This Resolution shall be in full force and 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 - Resolution 22-R-58						
☐ 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-58** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

Diane C. Werbrich, MMC

PUD MODIFICATION AND DEVELOPMENT STANDARDS AMENDING SOMA PUD establishing the TRUEPOINTE MIXED-USE DEVELOPMENT MASTER PLAN

July 6, 2022

Introduction:

This PUD Modification (the "Truepointe PUD Master Plan") amends and replaces subareas 5 and 6 of the original SOMA Company development plan and text adopted by the City Hilliard under Resolution 14-R-45 (last amended 4-28-14) and establishes a new consolidated Subarea 5 that incorporates and includes a limited amount of the previous SOMA subareas acreage of 27.73+/- acres (PINs 050-003043-00 and 050-010984-00, existing medical office use.) A vibrant, campus-style, mixed-use development establishing living, working, hospitality and restaurant uses, and amenitized gathering areas, along with common green spaces will result from this amended PUD. The Truepointe PUD Master Plan will further define Hilliard's image along I-270 and attract job and tax producing uses along the Trueman Boulevard commercial corridor.

The site design and uses include three office buildings in 2, 3 and up to 6-story configurations, five multi-family residential buildings ranging from 3 to 5 stories, five retail and restaurant buildings, one 4-story hotel, two multi-level commercial parking garages, four 5-car residential garages as well as surface parking throughout. Supporting the "24/7 live, work, play" mixed-use concept, a featured building in the middle of the site includes residential on three sides, wrapped around interior courtyards, with attached retail buildings and a shared parking garage. Additional multi-family is located on the southern portion of the site. Corporate offices, a co-working building and a hotel anchor the northern portion of the site. The co-location of self-supporting uses and the creation of a modern, high quality, integrated business campus is designed to attract competitive employers and to accommodate their highly valued employees in a manner that will make the Truepointe site Hilliard's premier commercial office location. (Please see subsection L. Outdoor and Public Spaces for a further description of this live, work, play concept.)

Background, Existing Land Uses and Development Plans:

The SOMA Company zoned approximately 146.421+/- acres immediately east of I-270, north of Cemetery Road and south of Davidson Road for mixed use development. The north-south collector road from Fishinger Boulevard to Davidson Road was installed to support the SOMA development, along with the necessary utilities and other infrastructure.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

Of this original acreage, 27.73+/- acres are being modified with this application. Approximately 21.664 +/- acres (PIN #050-003043-00) are owned by Trueman Boulevard LLC, which is the applicant of record and a legal entity which is fifty percent controlled by Equity Inc. and fifty percent controlled by Milhaus, a residential developer located in Indianapolis. The property to be developed was purchased in January 2022. Construction commencement is targeted for late 2022. The development and construction will be conducted by Equity and Milhaus in a joint venture, with Milhaus directing the development of the multifamily and Equity directing the development of the office and retail. A separate parcel amounting to 6.061+/- acres (PIN #050-010984-00) is owned by RRIHQ LLC, with Steve Wathen as the manager of this trust. The existing uses on the 6.061+/- acres site include the current Battelle for Kids medical office building in its existing condition on the RRIHQ, LLC parcel, as well as undeveloped land. Outside of this PUD Modification, the balance of the original SOMA site development, and new Subarea 6, at 2.65 acres are to be governed under its original approval terms or as otherwise updated.

Comprehensive Plan Compliance and Consistency with Original SOMA Company PUD

The primary emphasis of the Comprehensive Plan for this property was the construction of the arterial connector from Fishinger Boulevard to Davidson Road, which would enable tax generating office and commercial development. The road extension was completed at the time of the previous SOMA development approval. This proposed PUD modification would fulfill the purpose of the Comprehensive Plan, the original SOMA PUD site approval and the road extension in facilitating tax generating office and commercial development. This modification and the addition of residential, retail, restaurant, hospitality, and other amenities and supportive uses are needed in the current economy and market to attract and retain high value corporate office jobs and tax base in Hilliard. The modern mixed-use development that is proposed will integrate the variety of uses on site that are self-supportive, income producing and image defining for the Trueman Boulevard Corridor.

(NOTE: The following text amends and replaces the approved SOMA Text beginning at page 41 of that text and consolidates the original SOMA Subareas 5 and 6 into New Subarea 5.)

5. New Subarea 5 (Replaces 27.73+/- acres of existing SOMA Text subareas 5 and a portion of subarea 6.)

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

A. Location and Size

1. Subarea 5 is located east of I-270 and west of Trueman Boulevard.

2. Subarea 5 is 27.73+/- acres in size.

B. Permitted Uses:

1. Those uses listed in Chapter 1111.02 “Schedule of Uses” as permitted or conditional uses for B-3 Institutions and Offices and B-4 I-270 Corridor District, including but not limited to:

2. Office/Commercial and existing Medical Office

3. Retail and Restaurant uses

4. Residential: A maximum of 367 multi-family units.

   a. Three story multi-family dwellings -up to 152 units (144 shown on plans) in four stand-alone buildings with adjacent one-story residential garages.

   b. Residential: Central multi-family building up to 215 dwelling units (209 shown on plans) attached to a multi-level commercial parking garage [C] and adjacent retail buildings.

5. Hotel.

6. Streets, sidewalks, shared use paths and rights-of-way

7. Commercial Parking Garages - 4 to 6 level garages, and surface parking with shared parking as identified on plan exhibits.

8. Open spaces and outdoor amenities, landscaped and hard-scaped entry features, stormwater management ponds and shared commercial dumpster facilities within each parking garage, common mail kiosk, residential trash enclosure and other site uses allowed under the code that are incidental to and consistent with the B-3 Institutions, Commercial Offices, B-4 I-270 Corridor District Uses and multi-family residential uses as described herein and on plan sheet exhibits.

9. Notes: Final unit counts, building stories, heights and details are to be presented with the final development plan application. Final development plans for office buildings and/or office uses shall be reviewed and approved

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

administratively by the City of Hilliard. Final development plans for all other permitted uses shall be reviewed and approved by Planning Commission.

C. Max lot coverage: Up to 80% impervious surfaces allowed, 69.5% impervious surfaces depicted (Preliminary Development Plan title sheet 1/12) .

D. Height Standards Per Building Uses:

Generally, height shall be graduated from the highest buildings along I-270, to medium to lower heights in the middle and eastern-most portion of the site. Larger setbacks, landscape treatments and parking areas help buffer building heights closer to Trueman Boulevard. Final heights are to be submitted with final development plans when end users are identified.

1. Building 'A' - Multi-family building at up to 5 stories (up to 215 units) connected to South Parking Garage C and adjacent to retail buildings D and E, up to 75 feet.
2. Buildings 'B' - Four separate, 3 story walk-up residential buildings, up to 38 units (36 units per building as shown on plans 144 units, with the allowance of up to 152 units), up to 45 feet.
3. South Parking Garage (Building 'C') up to 5 levels, 480 spaces, connected to Multi-family Building B and Retail Building D, up to 60 feet.
4. Building 'D' - Retail building 8,100 +/- sf, 1 story, up to 20 feet
5. Building 'E' - Retail building 7,200 +/- sf, 1 story, up to 35 feet
6. Building 'F' - Retail building 9,000 +/- sf, up to 2 stories, up to 45 feet
7. Building 'G' - Retail building 13,200 sf, up to 2 stories, up to 45 feet
8. Building 'H' - 4 story hotel, 108 rooms, up to 60 feet
9. Building 'I' - Existing Battelle for Kids building,19,500 sf, 1 story/35 feet as approved with existing conditions and standards.
10. Building 'J' - Retail building 7,475 sf, 1 story, up to 35 feet
11. Building 'K' - Co-work/flex office building, up to 17,000 sf, 2 stories, attached to building L up to 45 feet.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

12. Building ‘L’ - Office building up to 3 stories (up to 100,000 sf) along I-270, up to 60 feet.

13. North Parking Garage (Building ‘M’) up to 6 levels, 711 spaces, along I-270, up to 70 feet.

14. Building ‘N’ - Office building up to 6 stories (up to 200,000 sf) along I-270, up to 110 feet.

15. Building “P” – Stand alone garages with 20 spaces serving the multi-family buildings.

E. Setbacks:

1. Building setbacks from the overall Subarea boundary shall be as follows:

    a. North (side) 0 feet required minimum

    b. South (side) 5 feet required minimum

    c. East (front) 40 feet required minimum

    d. West (rear) 50 feet required minimum

2. Minimum vehicular use area setbacks from the overall Subarea boundary shall be as follows:

    a. North (side) 20 feet required minimum

    b. South (side) 20 feet required minimum

    c. East (front) 25 feet required minimum

    d. West (rear) 60 feet required minimum

3. Setbacks and measurements between buildings, parking areas and yard areas are to be provided as approved on final development plans.

4. North (side) building setback of 0 feet does not include proposed 20 feet No-Build Easement located on adjacent parcel to the north as shown on final development plans exhibits.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

5. All perimeter setbacks must be landscaped to meet the standards of this PUD text and shall be depicted on final landscaping and development plans.

F. Landscaping:

1. All landscaping shall be in accordance with the requirements of Hilliard City Code Section 1125 unless otherwise provided herein.

2. Landscaping along Trueman Boulevard is shown in the existing and planted condition which shall remain as shown on Exhibits L-3 and L-4.

3. Landscaping along western property line facing I-270 shall be as shown on the Exhibits L-3 and L-4 and shall include proposed trees planted between site parking and building uses and the existing gas line easement, subject to gas company review of easement standards.

4. Any portion of a lot upon which a building or a parking area are not constructed shall be landscaped with lawn as a minimum. General depictions of landscape screening for building and parking garage foundations are depicted on landscape plan exhibits. Landscaping for headlight screening is depicted on plans for access to residential areas.

5. 1125.04 (g) - All interior streets are private and mostly function as drive aisles and access to parking, and do not meet public street tree requirements. Street trees on each side of the main arterial entry drive shall be located as depicted on landscape plans, subject to adjustment based on final development plan approval. Site open spaces and ponds are generally ringed with perimeter trees.

6. 1125.04 (i.) - Tree Replacement Standards

a. Tree replacement within subarea 5 is impacted by existing utility easements along Trueman Boulevard on the east and a gas line easement along I-270 on the west. Replacement tree standards are established based on new trees maturing with spacing allowance for healthy growth and the context of an urban, mixed-use development setting.

b. Existing trees to be removed = 90 trees @ 1,394 caliper inches

c. 697 replacement caliper inches are provided on site (349 replacement trees at 2 inches caliper)

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

d. With a total of 90 trees to be removed that are to be replaced with 349 trees, the replacement ratio is greater than 3.9:1, which is in addition to other required plantings.

7. 1125.05 - Vehicular Use Areas

a. 1125.05 (b) Perimeter Landscaping of Vehicular Use Areas - Existing sanitary and utility easements limit planting trees on the east and west property perimeters. To meet the intent of the code for perimeter screening of vehicular use areas from public streets, the existing mounding of 4+/- feet in height, along with changes in site elevation from east to west provide the screening of the vehicular use areas from Trueman Boulevard. Perimeter buffers trees are to be planted along the western property line subject to existing gas line easement limitations and path placement. Tree plantings are also to be provided along the border of northern site entrance leading into the site from east to west. Final perimeter plantings are to be located on the final development plans.

b. 1125.05 (c) (1) and (2) Interior Landscaping in Vehicular Use Areas - Interior landscaping and tree placement in vehicular use areas shall meet code requirements to provide parking lot and interior plantings as depicted on final development plans. A central boulevard access is lined with trees in curbed planters at the main site entrance. Parking islands are used to define aisles and break rows of parking, while providing shared parking between land uses and will average one interior island per one hundred feet in length. In areas without plantings, parking lot islands shall be planted with turf or will be mulched at minimum. Low and durable accent landscaping such as shrubs, ornamental grasses and perennials will be provided along with entry signage features and along the central and northern entry streets from Trueman Boulevard. Entry feature designs are to be finalized at the time of final development plan.

8. 1125.06 Buffering and Screening Existing screening is to remain in place and will be supplemented by the addition of 8 trees to meet code and to buffer and screen between the southern-most residential building B and the existing neighboring assisted living facility to the south.

G. Lighting:

1. Light designs and character are to be depicted on the lighting exhibit sheets attached to final development plan. Lighting designs shall meet Hilliard code requirements unless otherwise modified at final development plan approval.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

2. The general design intent for lighting is to be similar to the developments to the north, south and along Trueman Boulevard. The mounting heights for the parking lots and the main arterial entry street is 25 feet in height. The main arterial entry street and park areas will have post type light fixtures. Building mounted fixtures will contribute to the site lighting. The style of this building lighting is to be incorporated into architectural designs.

3. External lighting within all subareas shall be cut-off type fixtures.

4. All types of parking, pedestrian and other lighting shall be on poles or wall mounted cut-off fixture and shall be similar in type and style, as depicted on lighting exhibits at the time of final development plan approval.

5. All light poles and standards shall be dark in color and shall either be constructed of black or dark bronze metal.

6. Parking lot lighting shall be high-pressure sodium or LED. Building and landscaping lighting may be incandescent or metal halide.

7. Landscape and building up lighting from a concealed source shall be permitted.

8. All lights shall be arranged to reflect light away from any street or adjacent property.

9. All building illuminations shall be from concealed sources.

10. No colored lights shall be used to light the exterior of buildings.

H. Parking and Loading.

1. Total minimum parking available for the entire Subarea 5 shall be 2,340 spaces. Of these, 820 surface parking spaces are on-site, 1180 commercial parking garage spaces and 340 shared parking spaces to meet the total number of available spaces.

a. Total minimum parking available is based on the following ratios: for Multi-family (1.75 per unit), for Retail (1.0 per 250 sf), for Restaurant (1.0 per 50 sf), for Hotel (1.0 per room), for Office (1.0 per 300 sf).

b. Shared parking will include a combination of on-site shared surface parking (113 spaces), off-site shared parking (60 spaces) and parking garage spaces (167 spaces) for a total of 340 shared spaces that may be occupied up to 50% of the day.

c. Total shared parking spaces will not exceed 30% of total required spaces.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

I. Access and Curb Cuts.

1. Access to Subarea 4 shall be from the three existing access points on Trueman Boulevard. A central boulevard access is supplemented by two other accesses shared with existing developed properties, on the north and to the south of the site.

2. Cross access easements shall be declared for the site and the adjacent property to the north, subject to the approval of the Law Director.

J. Waste and Refuse.

1. Where not contained within parking garage buildings, all waste and refuse shall be containerized and screened from view by a solid masonry or wood framed wall (not concrete block) compatible with building materials on three sides, and a metal or wood fence/gate on the fourth side. Two additional refuse collection facilities are located within parking garages C and M.

K. Storage, Equipment, Service Areas and Mail Kiosks

1. No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structures. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building and/or landscaping treatment.

2. No noises, smoke, odors, vibration or other nuisances shall be permitted.

3. No area of the site will be used for outdoor storage.

4. Service courts and loading docks shall be screened from all streets or adjacent buildings by landscaping, mounding or walls and/or other acceptable techniques.

5. All mechanical equipment and related structures shall be screened effectively from grade level view by a fence, vegetation, wall or harmonious architectural material and character.

6. Mechanical equipment or other utility hardware on roof or buildings shall be screened from outside views with materials harmonious with the building.

7. Mail kiosks are to be incorporated into site designs at the time of final development plan with appropriate architectural, lighting, landscaping treatment and accessibility standards, subject to USPS requirements.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

L. Outdoor and Public Spaces:

1. The Truepointe Master Plan development will provide a vibrant, walkable mixed-use district for the City of Hilliard, where residents can live, work, and play. To elevate this experience, the project's open spaces emphasize a quality public realm with pedestrian connections to attractive green space amenities, active public plazas, and parks with outdoor event space. The development framework provides an efficient, thoughtful use of pedestrian space between a mix of uses, including multi-family, retail, restaurant, office, and hotel-hospitality.

A signature, mixed use main street off Trueman Boulevard enters the core of the development with a central civic green, destination shopping, outdoor gathering, dining, fitness, and special events. The main street entry includes wide sidewalks with space for shade trees and retail/restaurant outdoor seating. The central civic green could host outdoor events such as concerts or movies and provides outdoor gathering and dining space for destination restaurants or taverns with rooftop dining.

Within the northern office-commercial a series of public parks and plazas, connected by a pedestrian-oriented streetscape network provide outdoor amenities. Both proposed office buildings and hotel include special paved vehicular arrival courts and pedestrian plazas with shade trees and seating. The northwest office area (Office Buildings 'K' & 'L') includes co-working office space and serves as a green campus, including a sustainable park, a vehicular arrival court plaza, and shared North Parking Garage 01 (Building 'M'). This office building engages strong views of the existing lake to the north and will be connected to the adjacent office park with improved surface parking.

Within the southern portion of the site (multifamily residential) are attractive amenities, such as a dog park, an outdoor shade pavilion with grilling stations, picnic space, sand volleyball, a centralized mail kiosk, connected trails with benches, passive/active courtyards with swimming pool, cabanas, lounge space, fire pits, outdoor dining, cornhole or bocce, shaded seating, and a hammock grove.

This Truepointe multi-modal development seeks to balance vehicular circulation needs and parking demands with strong pedestrian connectivity, biking, and overall public realm experience.

2. Open Space Commitments, Parkland Dedication (1187.06) and Outdoor Amenities will meet code requirements and are to be depicted on final development plans.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

M. Architectural Commitments:

1. Commercial Design: building materials and design shall be consistent and compatible with buildings along the I-270 outer belt between Cemetery Road and Sawmill Road. While this district represents a broad range of building materials and architectural styles, these structures are generally a minimum of two stories in height, and constructed of glass, metal, pre-cast concrete.

a. Color Palette: Buildings may be constructed with a variety of colors to support creative urban designs and a vibrant mixed-use environment. Accent colors in brighter hues are permitted for building accent features.

b. Materials: Brick, brick veneer, stone, stone veneer, stucco stone, pre-cast concrete, fiber cement, metal, glass, natural wood, wood composite, stucco, high quality vinyl siding with nominal thickness of .044" and wood grain finish and fiberglass are all permitted building materials.

c. Roof: Flat roofs are permitted, provided all roof top mechanical units are fully screened from view.

d. Articulation and Fenestration: Buildings shall have a consistent finish on all four sides. Fenestration shall be proportional with building size and massing.

e. Refer to Retail Conceptual Renderings (pages 1-- 4), dated 5/17/22 for proposed retail design that meets the design intent defined above.

f. Final office, hotel and retail elevations and building designs shall be provided at the time of final development plan approval and as building users are identified.

2. Residential Design: Conceptual renderings of residential structures are provided to show examples of the materials, quality and designs planned for Building A. These concept drawings are subject to change at the time of final development plan and meant for illustrative purposes at this preliminary stage.

a. Approved materials for residential buildings include but are not limited to the following:

i. Brick, brick veneer, brick soldier course headers

ii. Aluminum guardrails, balcony railing, other metal coping material and metal canopies.

iii. Fiberglass doors, vinyl windows and siding panels.

iv. Cast stone/Ground face block.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

v. Fiber cement panels with reveals and fiber cement siding.

vi. Architectural metal panels.

b. Building A height shall not exceed 75 feet, including 5 floors and roof architectural features.

c. Buildings B height shall not exceed 45 feet, including 3 floors and roof architectural features.

d. Color palette: Residential colors are more diverse than traditional suburban options to reflect the mixed-use environment and more urban-style architecture with colors that reflect a modern-traditional context with industrial influences.

e. Refer to Conceptual Residential Building 'A' Elevations, dated 6/8/22, for proposed residential design that meets the design intent defined above.

f. Articulation and Fenestration: Buildings shall have a consistent finish on all four sides. Fenestration shall be proportional with building size and massing.

g. Roof: Flat roofs are permitted, provided all roof-top mechanical units are fully screened from outside view.

N. Utilities and Grading:

1. All new utility lines including water service, electricity, telephone and gas, and their connections or feeder lines should be placed underground. Provided, however, the existing overhead transmission lines shall remain above ground. Meters, transformers, etc. may be placed above ground, but should be screened from view. To the extent possible, utility line placement will be sensitive to existing vegetation.

2. All utility connections should be out of view or screened.

O. Traffic Commitments:

Refer to the Traffic Impact Study, dated 6/3/22 for Technical Analysis, Traffic Signal Warrant Analysis, Conclusions and Recommendations and all supporting documents.

P. Signage:

A comprehensive sign package, including but not limited to monument signage details, retail, building, directional signage designs and standards and other signage needs is to be supplemented at the time of final

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

development plan consideration and shall meet Hilliard Code requirements unless otherwise approved by the planning and zoning commission.

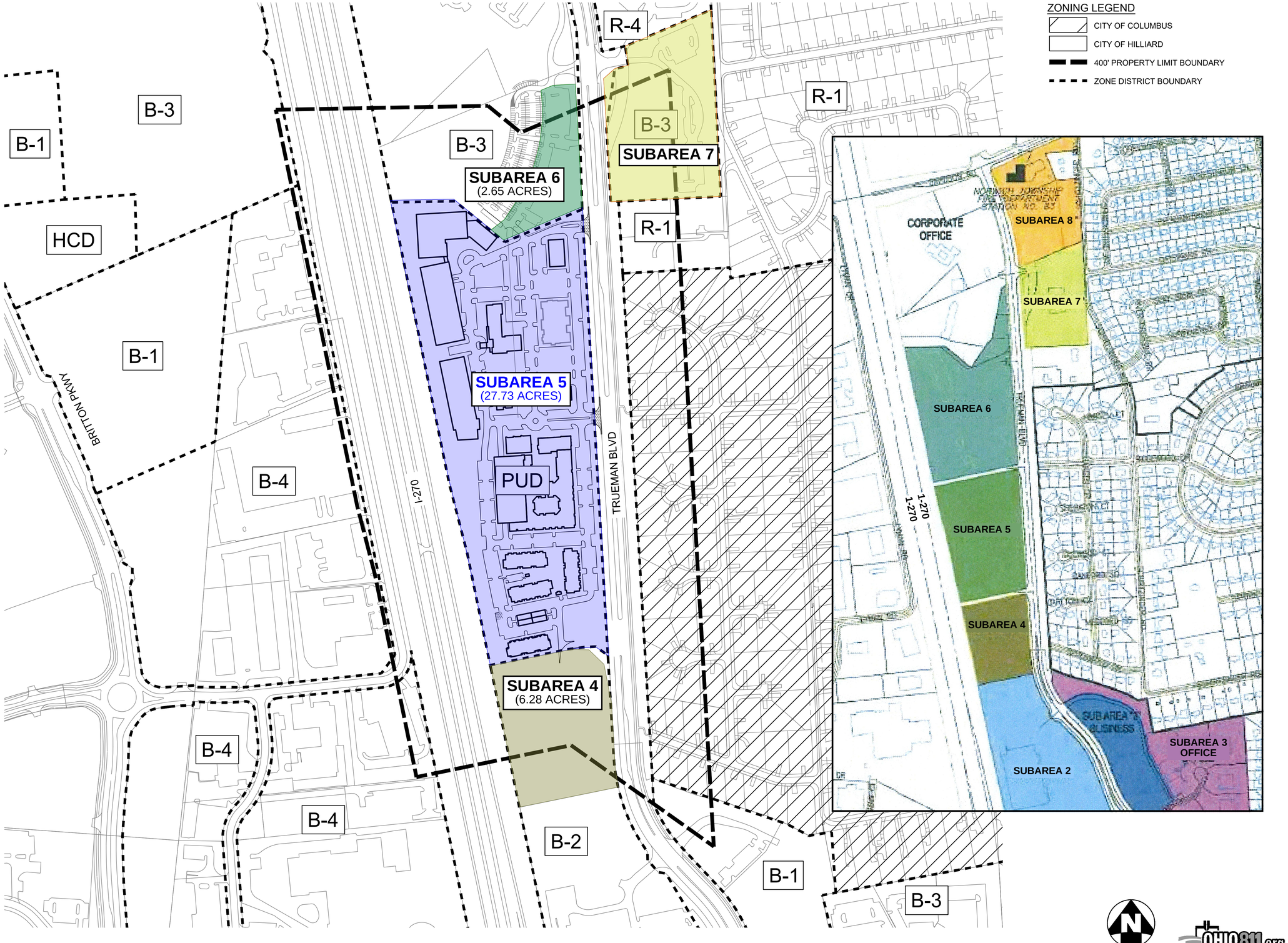
Q. General PUD Notes:

1. The building locations, footprints, square footage, heights, planting installations, designs and architecture and the exhibits attached to this PUD Modification text depicting the same are conceptual in nature and illustrative of what could be built on the site under the text and plan standards. The final designs, uses and configuration of uses are subject to change and alteration at the final development plan stage and subject to final engineering based the needs of end users and the separate ownership division of buildings or areas as well as other necessities driven by engineering, topography, structural changes, cross-access easements, utility placement and related final engineering and final site design determinations.

2. All or portion(s) of the Truepointe PUD may be submitted to the provisions of Chapter 5311 of the Revised Code of Ohio (Ohio's "Condominium Act"). If submitted to the provisions of the Condominium Act, a forced and funded condominium association will be formed by the applicant to maintain, repair, and replace the common elements in the condominium. The condominium association, if created, will have the right, power, and authority to charge assessments to unit owners in the condominium in an amount that is adequate to provide for the maintenance, repair, and replacement of private streets, associated parking spaces, open spaces, sidewalks, and other elements of the community that are of common interest to unit owners.

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

INSPIRED PEOPLE ▲ CREATIVE DESIGN ▲ TRANSFORMING COMMUNITIES



THE KLEINGERS GROUP
CIVIL ENGINEERING
SURVEYING
LANDSCAPE ARCHITECTURE
www.kleingers.com
350 Worthington Rd, Ste B
Westerville, OH 43082
614.882.4311

SEAL:

NOT FOR CONSTRUCTION

NO.	DATE	DESCRIPTION

PRELIMINARY DEVELOPMENT PLAN
FOR
TRUEPOINTE MIXED USE DEVELOPMENT
4525 TRUEMAN BLVD
HILLIARD, OH 43026

PROJECT NO:	200123.004
DATE:	06/08/2022
SCALE:	0 100 200 400
SHEET NAME:	LAND EXHIBIT
SHEET NO.	2/12

OHIO811.org Before You Dig

Attachment: 1 Exhibit A Proposed Text and Map (22-R-58 : Approving SOMA PUD Modification for Truepointe)

Council Memo: Legislation (22-R-62)

Subject: Authorizing Professional Services Agreement for Branding/Rebranding Process
From: Michelle Crandall, City Manager
Initiated by: David Ball, Communications Director
Date: August 22, 2022

Executive Summary

This Resolution authorizes a professional services agreement and the expenditure of funds for a branding/rebranding process that will include the City, Economic Development, Recreation and Parks, Division of Police, and the future Recreation & Wellness Campus.

Staff Recommendation

Staff recommends that Council approve this piece of legislation.

Background

Periodically, it is important to revisit and refresh an organization's brand, and in the modern age of rapid marketing evolution 10 years is a long lifespan to maintain brand elements. Without periodic assessment, it is very possible to look outdated. The City of Hilliard last performed a rebranding process in 2013 (predating the Community Relations Department.) Since then, some elements of its brand have been effectively leveraged and implemented, while other parts – notably, the "Real People. Real Possibilities" tagline – languished.

While developing the Strategic Communication Plan tied to City Council's 2021 goalsetting, each individual member of Hilliard City Council referenced branding or a branding refresh as something they felt the Community Relations Department should pursue. The plan to undergo new branding was officially presented to City Council at its Aug. 21, 2021, meeting. Funding of $120,000 was included and approved in the approved 2022 Operating Budget for this process.

In May, Community Relations issued an RFP asking agencies that specialize in branding to offer proposals to partner with the City in this process. Six agencies responded. In July, a team of stakeholders heard virtual presentations from the three firms that the Director of Community Relations identified as being the best fit for the City's needs. Those firms were Guide Studio, Cleveland; Chandlerthinks, Franklin, Tenn.; and Paul Werth, Columbus.

While all three agencies are experienced and highly capable, Guide Studio was selected as the preferred agency based on a combination of past municipal branding work (including several communities in Central Ohio), stakeholder engagement process, and cost.

Financial Impacts

The cost from Guide Studio is $59,490, which is well below the $120,000 budgeted for the project. Staff is asking City Council to approve spending up to $70,000 to allow for contingencies that may occur, such as additional stakeholder engagement efforts or additional iterations of logos and other deliverables.

Expected Benefits

A brand is often defined as "that which makes an organization/company distinct in a positive way in the minds of its customers." As such, it is much more than a logo or tagline. An effective brand should be an outward reflection of what makes us unique. By investing in defining that uniqueness and determining how we uniformly present that identity to the rest of the world, the City's image will benefit, our messaging will be refined, and our marketing efforts will have a collaborative focus.

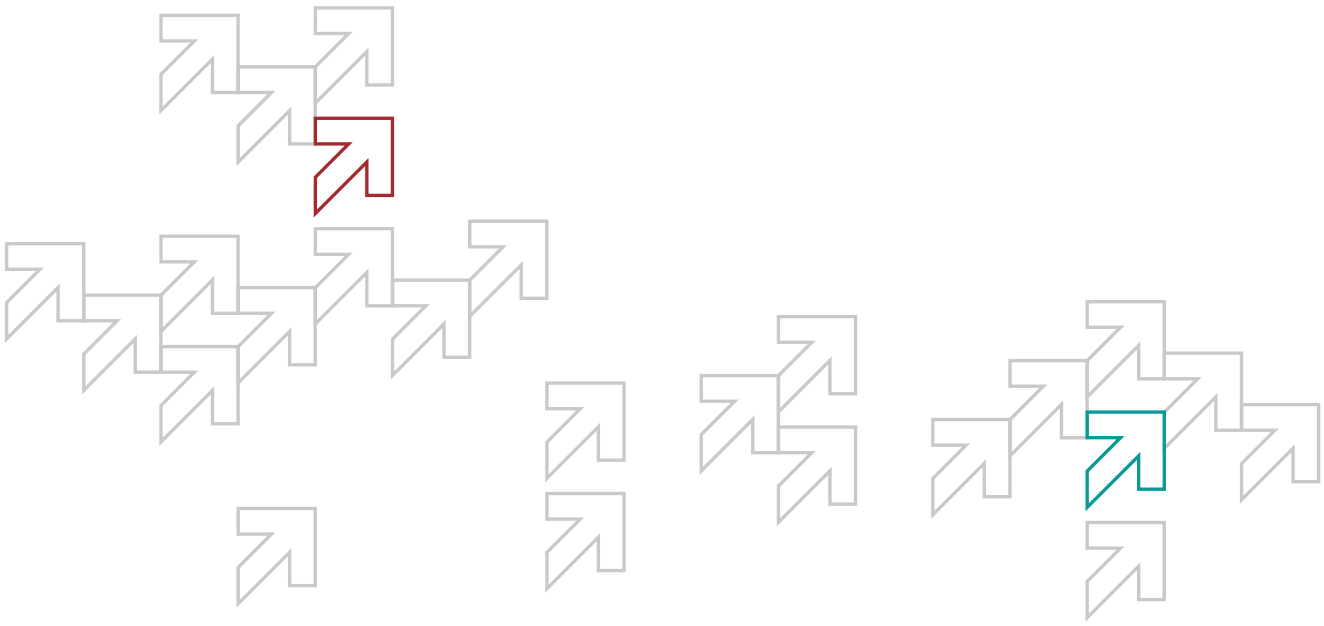
By developing a new or refreshed brand, we expect to see marketing benefits for Economic Development, Recreation and Parks, and the future Wellness Center. We also expect to have a

modernized brand that serves as a unifying “umbrella” for all City departments while acknowledging departmental distinctiveness where appropriate.

Attachments

- Guide Studio Proposal
- Exhibit A – Professional Services Agreement

Guide



PROPOSAL | 9 JUNE 2022

BRAND REVITALIZATION PROJECT

City of Hilliard, Ohio

13110 Shaker Square, Suite 101
Cleveland, OH 44120

guidestudio.com
216-921-0750

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

We believe that Brand and Wayfinding are powerful communication tools that can improve image, elevate experience, and contribute to positive economic growth for communities and public places.

On behalf of Guide Studio, I am pleased to submit our proposed Branding Approach and Qualifications for the City of Hilliard, Ohio.

Embarking on an update to your City's Brand is an important decision that presents some valuable opportunities. Branding allows communities to define and own their position — who they are, what they do and how they're different — so they can confidently seek new opportunities instead of passively reacting to them. It helps you answer the question, "Why should people and businesses call this place 'home'? Your community brand has vast, long-term implications that go beyond a fresh logo. It's a vehicle that helps to steer your economy, public policies, safety, business development and user experience forward. Its an exciting step in your history and a move toward achieving your Vision.

Design With Direction™

Guide Studio uses a three-step process that will help you create a lasting, place brand that represents the character and values of your City. We also provide you with practical tools, guidance and accountability for how you use that brand to build recognition, pride and economic growth.

- **Step 1: Engagement** to inform the work. Place brands are different than corporate brands and the "owners" are the people that you want living and creating businesses in your City. We believe that you and your stakeholders are the true experts of what the City of Hilliard offers and our team facilitates conversation to extract the right information and arrive at the best solutions.
- **Step 2: Design** that serves a purpose and your needs. We believe that design can be beautiful, solve problems, and strengthen communications. We create solutions that highlight your character, values, and best assets and synthesize the right visuals and words to tell your story. We use design to bring consistency and clarity to the image that stands for your beliefs and trickles down to your organization's departments, programs and services — representing your organization in a smart professional way.
- **Step 3: Implementation** support and tools that help you succeed. Discovery, planning and design is an exciting time in a project, but we all know that the work doesn't end with new messaging or a logo. Branding initiatives require the right plan which can inform budget and resource requirements, tools to protect your image and keep up with marketing communications, while instilling pride and confidence that will drive you and your stakeholders to keep going as you grow your community.

Carefully Cultivated Experience and Expertise

For over 20 years, Guide Studio has focused on building our expertise and partnerships in the services that help community organizations communicate effectively with residents, visitors and businesses. We help develop brand tools that improve image and tell your authentic story; we design wayfinding programs that welcome visitors and guide the experience of place through signage, graphics and technology; and we help communities stay connected with their people through engaging websites, and smart communications strategies. Not only has Guide Studio been working with place-based clients for almost 25 years, but each of our team members have 20+ years of experience as strategic design consultants for places, and this is how you benefit:

- **We understand the needs and challenges facing municipalities and place-based organizations** Guide Studio's experience, expertise and services have been carefully cultivated to address image, reputation, communication and experience challenges that face municipalities and public-places.

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

From the outset, we were so impressed with Guide Studio, not only for their creativity, but their approach to the relationship. Rather than dictating their own process and ideas, they opened up a dialogue and listened."

Lee Brown, Director, Planning and Building Department, City of Worthington

- **Our process and methodology for this work is proven and we will guide you every step of the way**
  We design a project journey with your goals, objectives, and end benefits in mind. We know these projects can be complicated, especially when managing the expectations of community stakeholders. But this isn't our first rodeo and we aren't afraid to face issues head on to help you find consensus and harmony for this work within your community.
- **We use brand and design to solve challenges and meet objectives**
  We understand how important your brand is to your place. Whether we have helped you build your brand or we are using it to establish a sense of place in your community, we understand how to apply brand to built environments for maximum impact. We pride ourselves in maintaining a high standard of design quality as well as developing solutions that work within budgets and are purposeful and implementable.

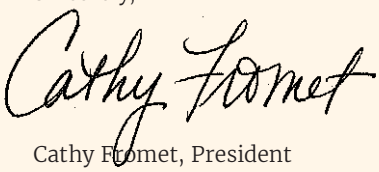
We empower you to manage your image, reputation and experience
We want you to feel confident in the results of the projects we deliver — but we know the hard work doesn't end there. It is critical to your investment that you are set-up with the right tools, processes and actions plans to ensure that your brand, communications or wayfinding programs will be implemented and managed for optimal results, now and into the future.

We Know and Love Public Places

Communities are our passion, and this team has worked with hundreds of communities and civic organizations in Ohio and beyond. This focused experience has helped us deeply understand the issues and challenges related to branding, wayfinding and communications specifically for places. Every project has provided us new and valuable insights that we provide back to our clients through education and the execution of our work.

We feel comfortable that the project we are proposing covers the expectations outlined in your RFP. We have the knowledge and expertise to deliver the work objectives outlined in this proposal and we believe the information contained in this response will demonstrate our process, as well as clearly presenting our experience in developing a Place Brand for the City of Hilliard.

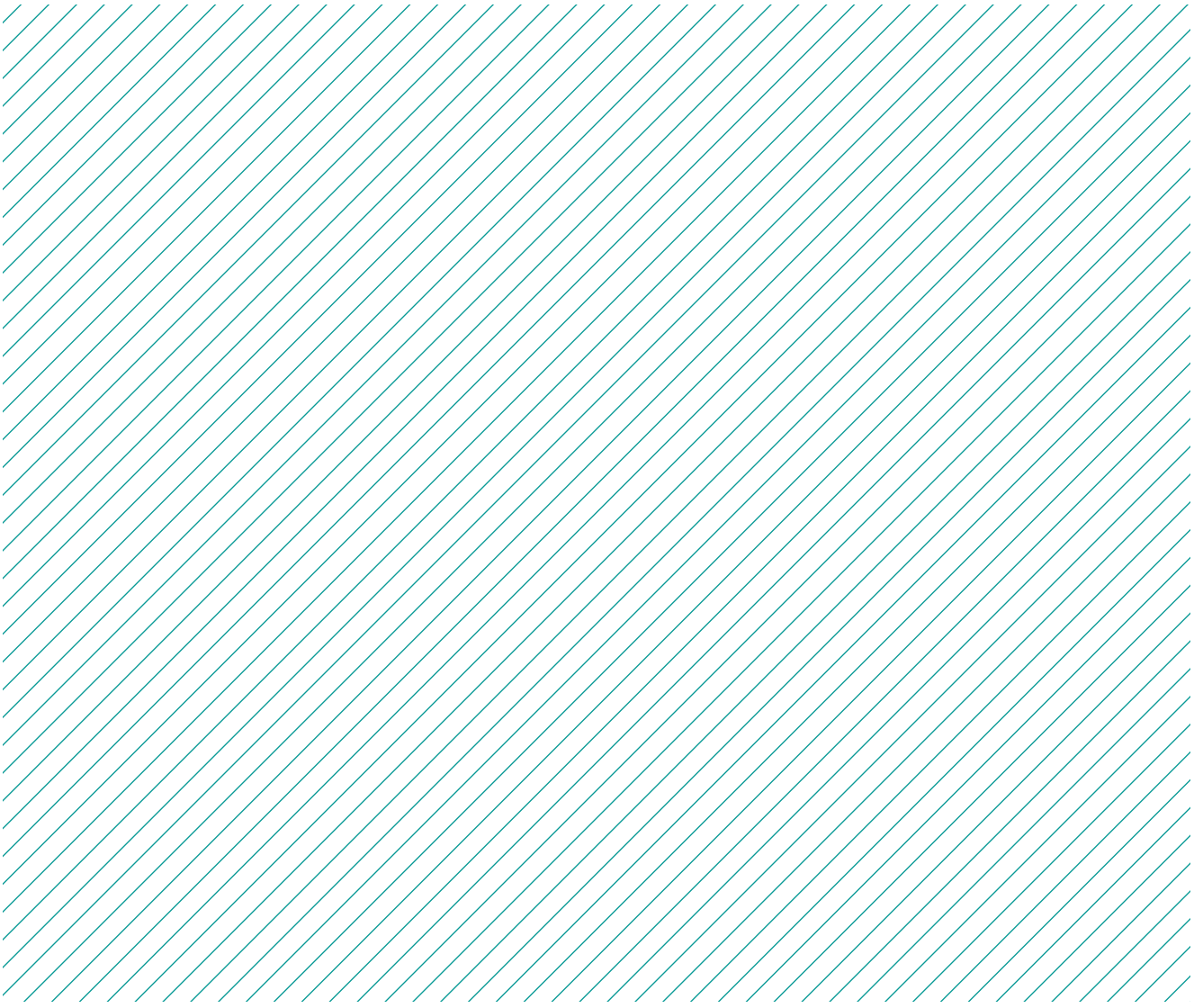
Sincerely,



Cathy Fromet, President
cathy@guidestudio.com

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Qualifications



Guide Studio helps municipal governments and place-based organizations develop brand, wayfinding, and communication tools to engage people — helping these organizations strengthen pride and attract investment in their communities.

The Engagement Loop of Places

When we approach any project, we consider the opportunities each person has to engage with your place. We help you create the image you want and provide the tools that ensure your brand is positively and appropriately represented in each interaction — from the first visit to your website to the moment they walk through your streets and any communication that follows.

Communities and public places share the unique challenges of connecting philosophical, physical and virtual experiences. When each touch-point represents your vision and values, the visitors, residents, stakeholders that engage and believe become champions by demonstrating pride and investment.

We believe that Branding, Wayfinding and Marketing are powerful communication tools that can help improve image, elevate the experience, and contribute to positive economic growth for communities and public places.



Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Our services support municipal governments and place-based organizations with the strategies, designs and implementation plans that can help improve image, elevate the experience and foster engagement with your people.

Place Branding

Branding is important to any public place. It defines the critical elements that people value about a community and provides a foundation for how to express these things to the most people in the most consistent way.

- Community Engagement
- Brand Audit
- Positioning
- Messaging
- Identity Design
- Brand Guidelines and Templates
- Brand Implementation Plan

Wayfinding

Wayfinding is one of the most valuable communication tools that public place can use to set up a positive and engaging experience for people who are new to or unfamiliar with a place. Signage and technology are part of the wayfinding tool kit; but more than that it's a strategy that provides information in the right way, at the right moments, so people don't get lost or confused.

- Community Engagement
- Wayfinding Analysis
- Wayfinding and Sign Planning
- Sign Program Design
- Sign Standards
- Implementation Management

Brand Implementation

A place brand is so much more than a logo. Understanding how to use a brand platform to effectively communicate to audiences, attract new people or businesses, and improve the image of place requires planning, creative implementation and a resource management.

- Brand Launch Planning
- Marketing Strategy
- Communications Planning
- Messaging Salad Bar
- Brand Voice
- Placemaking Planning
- Website Design & Development
- Ongoing Design Support

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Since 1997, Guide Studio has partnered with communities and place-based organizations to communicate and engage with their residents, visitors, and local businesses.

We have helped developed over 100 place-brands, supporting these organizations in their branding, marketing, and wayfinding to attract and engage their audience.

Design With Direction®

ENGAGE

IT STARTS WITH PEOPLE

The best part of our jobs is getting to know new people and places! We have developed a tool box of fun and engaging exercises that allow us to facilitate strength-based conversations. From these we can extract your distinct story and articulate it in a way that builds trust, appreciation, and consensus within your organization and with your stakeholders.

- Facilitated workshops (virtual & in person)
- Focus Groups
- Interviews
- Online surveys
- Competitor Analysis
- Experience Tours
- Project Websites
- Branding, Wayfinding & Placemaking Audits

DESIGN

THE BLUEPRINT FOR EVERYTHING

We create the right visuals and words to bring your story to life. We focus on consistency and clarity of message that trickles down through your experiences, departments, programs, and services—to give your organization a smart, professional foundation to work with.

- Design created from foundational plans and strategies
- Personality & character studies
- Iterative and collaborative design process
- Budget building and refinement throughout the process

IMPLEMENT

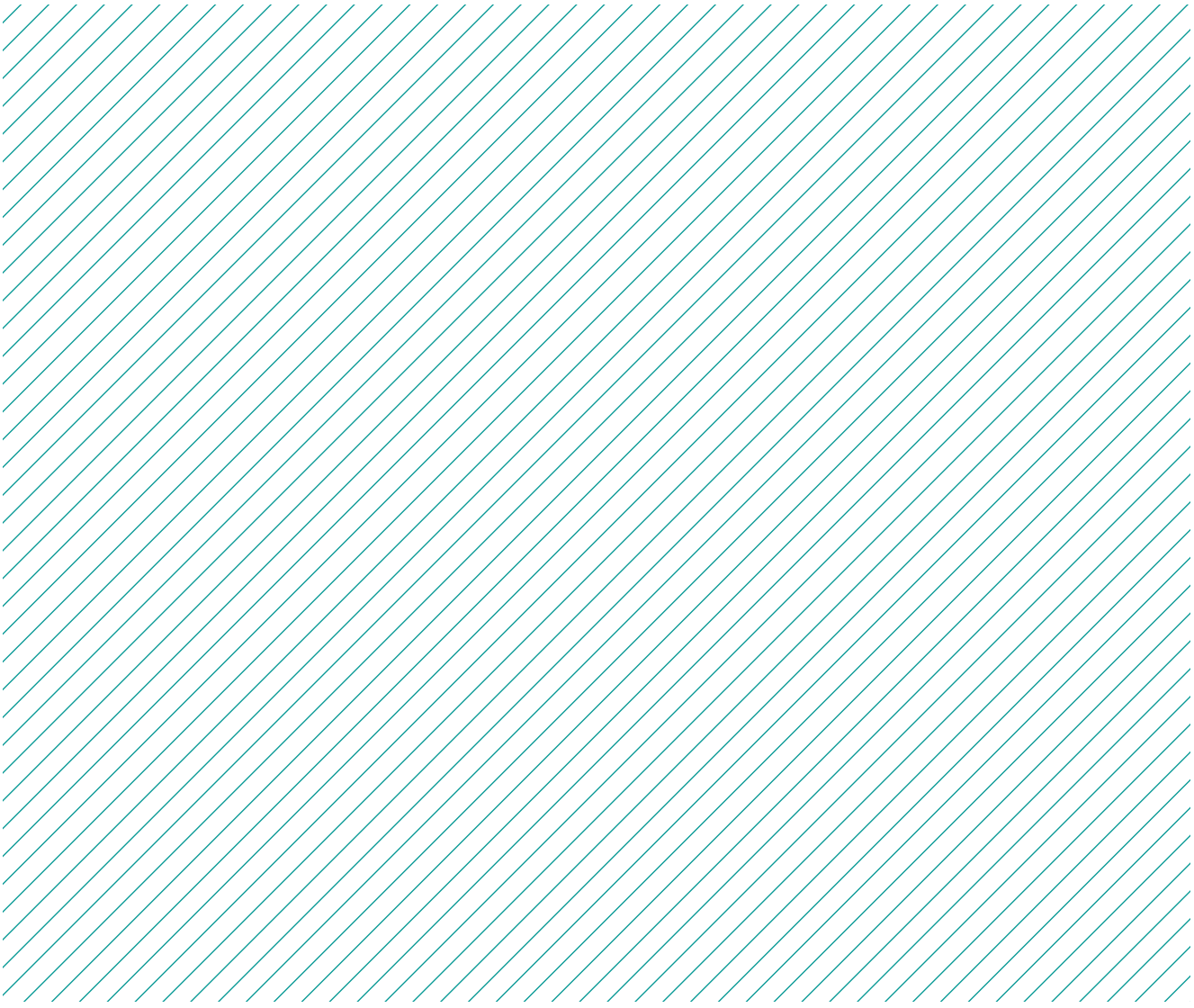
SUPPORT AND TOOLS TO HELP YOU SUCCEED

We give you the tools you'll need for implementation in the long term. We can help you plan budget, resource requirements, and any other details you'll need for brand consistency -- now, and into the future.

- Phased Implementation Plans: Community Building, Economic Development, Placemaking
- Accountability check points
- Success monitoring
- Process Building and Training
- Implementation management and support

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Portfolio



A Shared Vision

The U.S. Route 23 Corridor Plan is a shared vision for a main transportation artery in Delaware County that leverages its central location, connectivity, and prime real estate to transform the corridor into a well planned, attractive, and vibrant boulevard with right-fit development to support residents and businesses.

The corridor's history dates back nearly 200 years to a horse-and-buggy byway when Ohio lawmakers established the Columbus and Sandusky Turnpike in 1826. In 1926, the road was integrated into U.S. Route 23, a federal highway that extends from Jacksonville, Florida., to Mackinaw City, Michigan. The 15-mile stretch of the U.S. highway, known as Columbus Pike now bears the name DC23, or Delaware Connection 23.

The Brand supports communications about the Route 23 Corridor planning initiative, to attract investment, and educate the public on the opportunities ahead (as well as the risks of no action). Within the corridor, the use of the brand will help connect the rural and urban feel from the north to the south, establishing a sense of place for those living, working or driving along DC23.

DC23

Delaware County, Ohio



photo by Ohio Department of Transportation



DELAWARE CONNECTION 23





"This was my first time working with a consultant – thanks for making it so fun and easy on our end. We really appreciate the work you put in and your expertise. We are thrilled with the end result. We hit the ground running last week and have already gotten great press."

Kelsey Scott, Delaware County Economic Development Coordinator







Guide Services

Community Engagement

Brand Strategy

Naming

Brand Identity Design

Brand Standards

Communication Plan

Client

Delaware County, OH

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

©Guide Studio, Inc.

Where Families Grow & Businesses Prosper

West Chester is a strong township with a positive community standing, however, its existing brand didn't reflect its current, more refined character. With a healthy economy and reputation, West Chester felt the pressure to maintain a positive trajectory as they charted their growth. Another challenge lied in finding a solution for updating the many branded pieces around the city, including permanent structures, such as sidewalks and the iconic clock tower. The objective was to update West Chester's traditional brand and identity to match their modern sophistication.

A refreshed look for the Township encompassed the essence of their traditional style yet in a more modern approach. The Township also boast a talented Communications team who was ready for a thorough communications roadmap to help reach their audiences, aligning each audience with their preferred distribution channels and meaningful messaging.

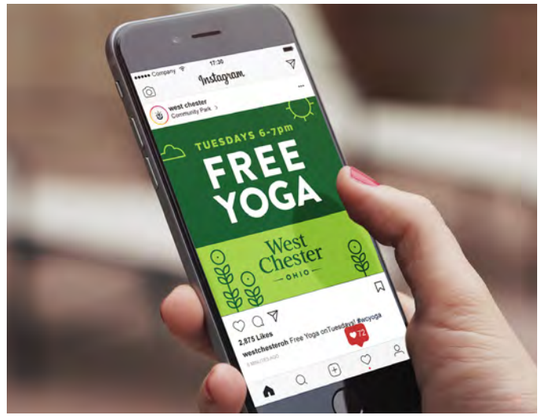
An implementation plan was developed to update and replace all of the materials, signs and areas around the city that use the old brand.

City of West Chester

Ohio



West Chester
OHIO









"The Guide team were good advocates for our goals, they heard what we were saying. That's what you want from any company you work with – to know that they're listening to you, listening to our focus groups, that they can take all that information and come back with a product that feels like your community."

Barbara Wilson,Director of Public Information & Engagement, West Chester Township

Guide Services

- Stakeholder Engagement
- Focus Groups & Surveys
- Brand Strategy
- Brand Identity
- Brand Guidelines
- Brand Implementation Plan
- Brand Launch Toolkit
- Event Logos
- Gateway Signage Design

Client

City of West Chester, OH

©Guide Studio, Inc.

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

9.B.2.a

Where the City Meets the Lake

North Coast Harbor is a district in downtown Cleveland that sits on Lake Erie and anchors world-class venues such as the Rock and Roll Hall of Fame and Museum, FirstEnergy Stadium – home of the Cleveland Browns – and the Great Lakes Science Center.

Owned by the City, the district is managed by Downtown Cleveland Alliance, the City's Downtown Association. Guide Studio helped this district create a unique and recognizable brand, leverage tenant stakeholders to support and promote the brand, market events to activate the space, and developed signage to help visitors have the best experience possible.

As North Coast Harbor's agency of choice, Guide Studio has had the privilege of working with the North Coast Harbor year after year to develop sub-brands for all their events, general marketing and communications around programming, leagues and public events, as well as continued support in general marketing and PR to support a flow of traffic to this beautiful lakefront destination!

North Coast Harbor

Cleveland, Ohio





photo courtesy of Downtown Cleveland Alliance



Cleveland's
North Coast
HARBOR
city meets the **lake**



Signature Events

NORTH COAST namasté

block PARTY AT NORTH COAST HARBOR

fishCLE for free NORTH COAST HARBOR

NORTH COAST HARBOR LAKEFRONT LEAGUES

ICEFEST AT NORTH COAST HARBOR

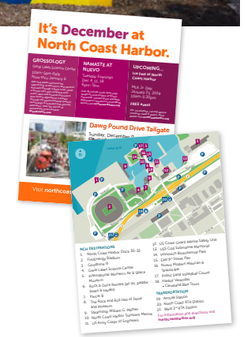








covered and repurposed existing signs



Prior to working with Guide Studio, all of these entities [FirstEnergy Stadium, the Rock Hall, Great Lakes Science Center, etc.] were operating in silos. We had to bring everyone together to get aligned around the same mission — to promote North Coast Harbor as a must-see destination. If we get people here on a daily basis, we all benefit.

Jessica Kerr, North Coast Harbor Project Manager, Downtown Cleveland Alliance

Guide Services

- Stakeholder Engagement
- Brand Strategy
- Brand Identity Design
- Event Sub-brand Design
- Website Design
- Marketing & Promotion Support
- Wayfinding Analysis
- Sign Plan Development
- Sign System Design
- Implementation Support

Client

Downtown Cleveland Alliance, OH

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

©Guide Studio, Inc.

9.B.2.a

Making the Impossible, Possible

Home to nearly 100,000 people, the independently-governed city of Longmont, CO blends rich urban amenities with small town charm. Often characterized by a feisty personality, innovative spirit and majestic Rocky Mountain views, this vibrant community continues to reach new heights in their pursuit of giving people a great place to live, work and visit.

Unfortunately, the city's existing brand didn't reflect their distinct values and vision. Longmont also needed to overcome some concerns around losing their small-town appeal amidst their growth. In essence, their identity needed to connect their creative, forward-thinking personality with their warm community feel.

Guided by new positioning that highlighted the community's competitive advantages, the brand identity took on a fresh, modern look. The mark blends representations of Long's Peak and flowing creeks to depict the city's picturesque landscape.

Comprehensive brand guidelines were developed to help city officials leverage and share the new identity while protecting its equity.

City of Longmont

Colorado

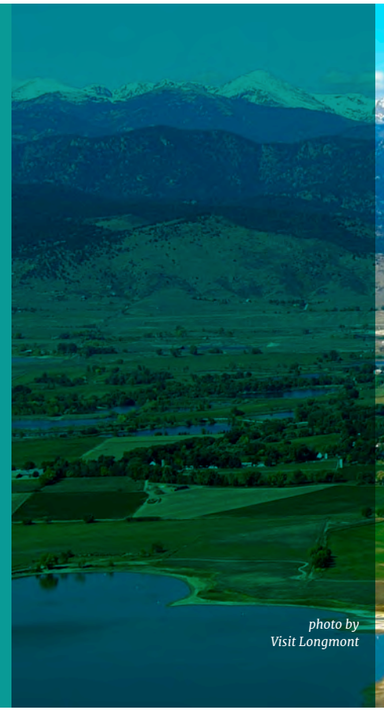


photo by Visit Longmont





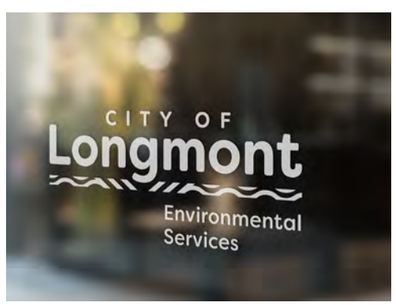
CITY OF LONGMONT COLORADO



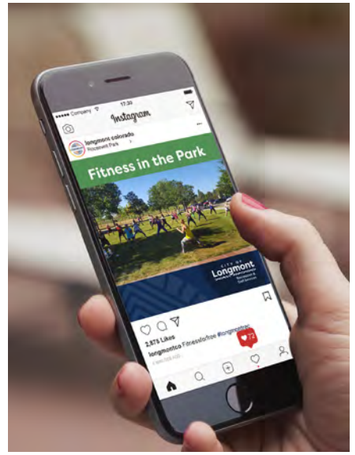




facilitated engagement







We were particularly impressed by Guide Studio's expertise in municipal branding, as well as their brand discovery process and community involvement. We believe their work will drive a shift in perception about the quality of life we offer.

Marijke Unger, Citywide Communications Manager, City of Longmont, CO

CITY OF Longmont Sustainability

NextLight LONGMONT'S GIG INTERNET

Guide Services

- Community Engagement
- Brand Strategy
- Brand Identity Design
- Brand Standards
- Implementation Plan
- Department Sub-brand

Client

City of Longmont, CO

©Guide Studio, Inc.

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

9.B.2.a

Resourceful By Nature

Like many other humble midwestern cities, the City of Kaukauna flies under the radar when it comes to showcasing their amazing assets. Being under-recognized and under-valued by outsiders, makes it difficult to attract businesses, foot traffic, and visitors. The truth is, Kaukauna has a rich history as the first of the Fox River cities and one of the first settled communities in state of Wisconsin. The riverfront city evolved over time, taking advantage of the natural surroundings to become an industry-powered community, including four papermills. Employment opportunities, excellent schools, sports and parks - has fueled a high quality-of-life with a low cost-of-living.

The new City mark has a vintage feel as a nod to the City's industrial roots. With an abstract representation of the historic lock and dam on the Fox River, the logo is designed to highlight both the natural beauty of the area as well as the City's uniquely progressive history, including its use of hydropower and other renewable energy sources. New brand messaging was crafted to aid the City in telling a story that demonstrates their strengths, stability, and history.

City of Kaukauna

Wisconsin



"We needed a brand that reflects the impressive range of what we have to offer."

Bob Jakel, retired Planning and Community Development Director

Community engagement sessions and site tours were squeezed in before the pandemic made in-person engagement impossible. The brand development process was conducted virtually and Kaukauna's new brand was launch in August 2020.

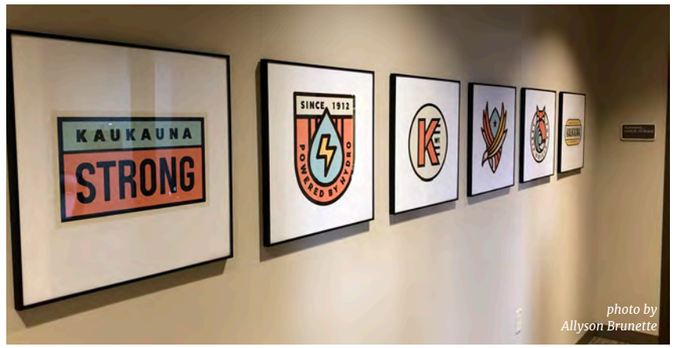


photo by Allyson Brunette

Traditions badges support and expand the brand identity to highlight community assets.





"Guide Studio led us through a branding process that has helped us shift the disconnect many community members have with realizing the amenities that they love, are in fact managed, protected, and a critical piece of the fabric of our City. The new brand helps us highlight Kaukauna's best attributes that people may be unaware of – it's time that we shine."

Allyson Watson Brunette, Principal Planner, City of Kaukauna



photo by Allyson Brunette



photo by Allyson Brunette

Guide Services

- Stakeholder Engagement
- Focus Groups & Surveys
- Brand Strategy
- Brand Identity
- Brand Guidelines
- Brand Implementation Plan
- Brand Launch Toolkit
- Event Logos

Client

City of Kaukauna, WI

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Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Opportunity Abounds

Davenport is the largest and most diverse community within the Quad Cities region. Equally urban and rural, the city is made up of many unique neighborhoods that own a distinct identity, culture and personality. People from all walks of life can find their perfect fit while connecting with others who appreciate this quintessential, Midwestern experience.

Despite its tremendous growth and diverse amenities, Davenport wasn't viewed as the progressive metropolis it had become in recent years. Mis-perceptions clouded the real view of the city and they needed a brand that not only illuminated major strengths, but also positioned the city as the progressing, vibrant, urban hub in the region.

With focused engagement of over 600 citizens, Davenport now understands and owns their position as the urban center of the Quad Cities. Supporting this position is a visual identity that features Davenport's iconic Skybridge, a strong yet unpretentious color palette, and an approachable illustration style that will allow the city to continue to create multiple icons to showcase their assets.

City of Davenport

Iowa



photo courtesy of City of Davenport

THE CITY OF DAVENPORT
IOWA I USA











Guide Services

- Community Engagement
- Brand Strategy
- Brand Identity Design
- Brand Standards
- Implementation Plan

Client

City of Davenport, IA

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Home Town Living, Modern Spirit

Located in the center of Ohio just north of Columbus, the City of Delaware is home to a population of around 38,000 residents, a robust light industrial/ manufacturing base, Ohio Wesleyan University and a charming downtown shopping district.

While the city was doing just fine, they wanted to stand out even more. With their sights set on continued development and economic vitality, they asked for our help with a new wayfinding system. But during the process, they ended up with a new brand first.

The new logo triggers nostalgia and pride with its classic, Americana vibe. Along with the logo, "Traditions Badges" highlight the city's eclectic attributes and can be used in a variety of marketing communications pieces. A new wayfinding program was developed and infused with brand character and prioritized getting people to and from the historic downtown district. With brand guidelines and robust sign standards in place, the City has been to building and expanding brand awareness through their own platforms as well as those of their community stakeholders.

City of Delaware

Ohio



EST 1808
CITY OF
DELAWARE
OHIO

Traditions Badges









In 2019, Historic Downtown Delaware was designated by the American Planning Association as 1 of 4 Great Neighborhoods in America for their Great Places Awards.

Guide Services

- Community Engagement
- Brand Strategy
- Brand Identity Design
- Brand Standards
- Downtown Wayfinding
- City-wide Wayfinding
- Park System Sign Standards
- Industrial/Business Park Sign Strategy

Client

City of Delaware, OH

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

©Guide Studio, Inc.

Come Together and Thrive

South Euclid's landscape showed evidence of the economic downturn after the housing crash of 2008. Vacant properties shook the confidence of the inner-ring suburb's characteristic hardy, resilient nature. Still, grassroots, sustainability-driven efforts were put in place to renovate vacant homes and transform empty lots into community gardens. The city needed this progressive message to reach the public and inspire people to embrace a new South Euclid as home.

With a progressive long-term view, South Euclid selected a logo and tagline that spoke to its commitment to sustainability, which aligned with the interests and values of prospective home buyers. Placemaking efforts like gateway signs, banners and neighborhood identifiers helped bring the brand to life in the space, and the identity was also carried through into marketing, advertising and communications.

"The City of South Euclid is a community that leads and doesn't follow, and the result is a new vibrancy in our neighborhoods."

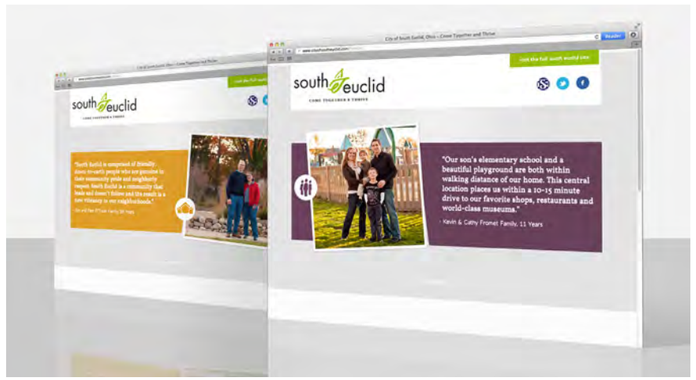
Jim and Pam O'Toole,founders, PLA-WIN Neighborhood Group

City of South Euclid

Ohio



south euclid
COME TOGETHER & THRIVE











Guide Services

- Community Engagement
- Brand Strategy
- Brand Identity Design
- Brand Champions Training
- Gateway Signage
- Banner Design
- Communication Campaign

Client

City of South Euclid, OH

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

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Elevate Community and Support Opportunity

The cities within the rapidly growing central Ohio/ Columbus region know that competition is fierce and Reynoldsburg is no exception. Twenty years ago, the city began shifting from a quiet rural suburb and began seeing bustling retail/commercial corridors take hold. But in recent years, residents and stakeholders have seen retail trend shift, competing communities gain new businesses and grew concerned that their city was becoming stagnant.

The City of Reynoldsburg used the brand development process to re-energize and cast a spotlight not only on their amazing assets such as their park systems and ready-for-development corridors — but the values and personality of the community itself. Their new mark is fresh, simple and progressive, with a subtle nod to their history as the birthplace of the commercial tomato. With a brand platform under their feet they have the tools ready to attract and entice new opportunity to the city.

City of Reynoldsburg

Ohio



photo by Business View Magazine

Reynoldsburg
OHIO · 1839







Guide Services

- Stakeholder Engagement
- Focus Groups & Surveys
- Brand Strategy
- Brand Identity
- Brand Guidelines
- Brand Implementation Plan
- Brand Launch Toolkit
- City Hall Sign Program

Client

City of Reynoldsburg, OH

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©Guide Studio, Inc.

9.B.2.a
Guide

So Much More Than Home

A small and dense inner ring suburb of Cleveland, University Heights is known for being home to various educational institutions and home to a wide range of religious institutions and diverse population. While the city is a well-established east side community, it lacked the tools to communicate and compete with neighboring inner ring suburbs that boast similar benefits. Guide Studio, along with residents and stakeholders, worked together to unearth the unique attributes of University Heights, while also identifying as part of a larger east side "Heights" community that share many desirable attributes.

The logo design is a UH that fits into a mosaic like badge that is actually a section of the University Heights map where the curvy streets and intersections actually form a U and an H. The eclectic color palette that resembles a mosaic refers to the Brand Strategy and its messaging around the "community mosaic" and diverse resident population.

City of University Heights

Ohio

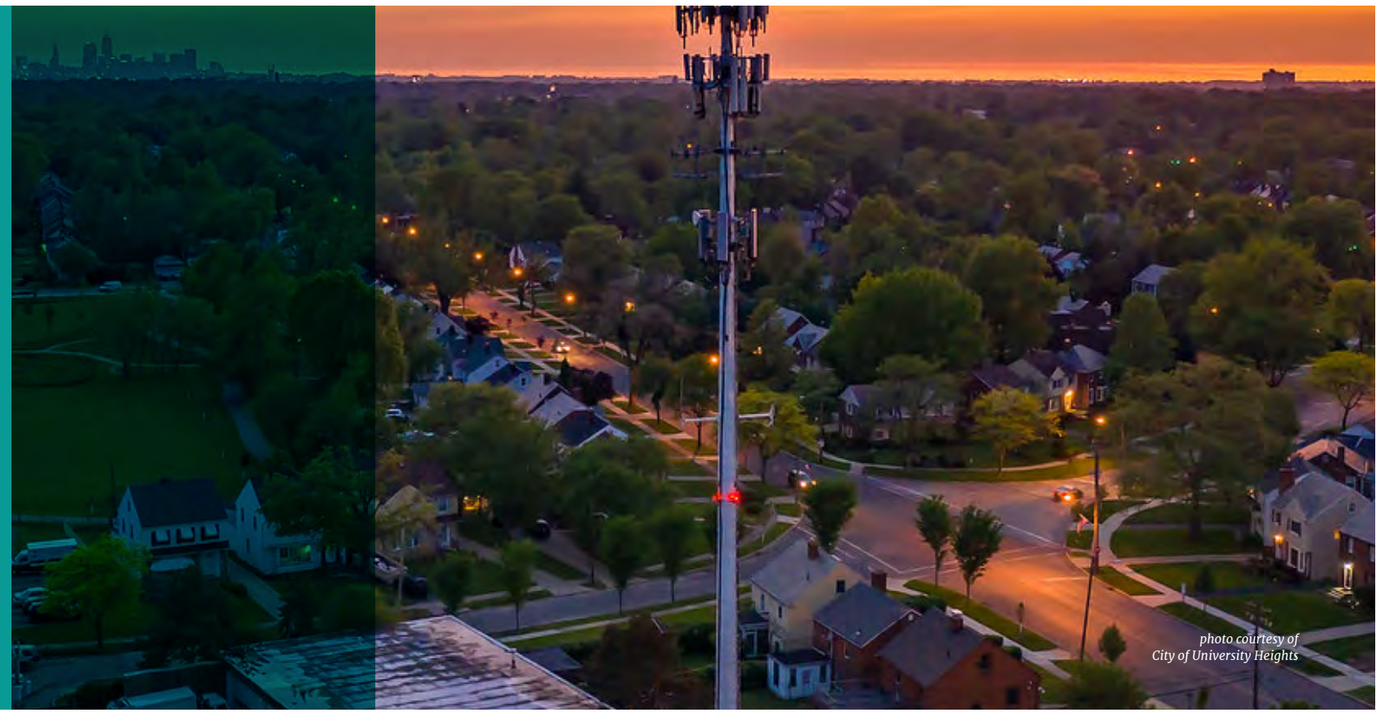


photo courtesy of City of University Heights

UNIVERSITY HEIGHTS

"I think we really nailed it here. It has energy, color, it's vibrant and yet it's traditional. This is us, right here."

Mayor Michael Brennan,City of University Heights, Cleveland.com











Guide Services

- Stakeholder Engagement
- Brand Strategy
- Brand Identity
- Brand Guidelines
- Brand Implementation Plan
- Wayfinding Analysis
- Gateway Signage & Sign System Development

Client

City of University Heights, OH

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Our clients know that we are as dedicated to their projects as they are. We thoroughly enjoy working with them and think they are amazing. We would love to add you to this list!

Delaware County

County Brand launched in 2017

Campus Sign System completed 2019

DC23 Brand Launched 2020

Jane Hawes, Director of Communications
JHawes@co.delaware.oh.us

Stakeholder Engagement, Focus Groups & Surveys, Brand Strategy, Brand Identity, Brand Guidelines, Sign Program Design, Special Program Naming, Brand Strategy, Brand Identity, Brand Guidelines, Marketing Communications Plan

Delaware County Commissioners
101 North Sandusky Street
Delaware, Ohio 43015

740-833-2109

City of Kaukauna, WI

City of Kaukauna Brand completed in 2020

Allyson Brunette, Principal Planner
abrunette@kaukauna-wi.org

Community Engagement, Focus Groups & Surveys, Brand Strategy, Brand Identity & Badge System, Brand Guidelines, Communications Materials, Implementation Plan

City of Kaukauna
144 W. 2nd Street
Kaukauna, WI 54130

920.766.6315, ext. 1165

City of Delaware, OH

Clients since 2013

David Efland, Director of Planning
defland@delawareohio.net

Lee Yoakum, Community Affairs Coordinator
lyoakum@delawareohio.net

Community Engagement, Focus Groups & Surveys, Brand Strategy, Brand Identity Development, Brand Standards, Planning and Design of Downtown, City-wide and Park System Signage and Wayfinding Program

City of Delaware
1 South Sandusky Street
Delaware, OH 43015

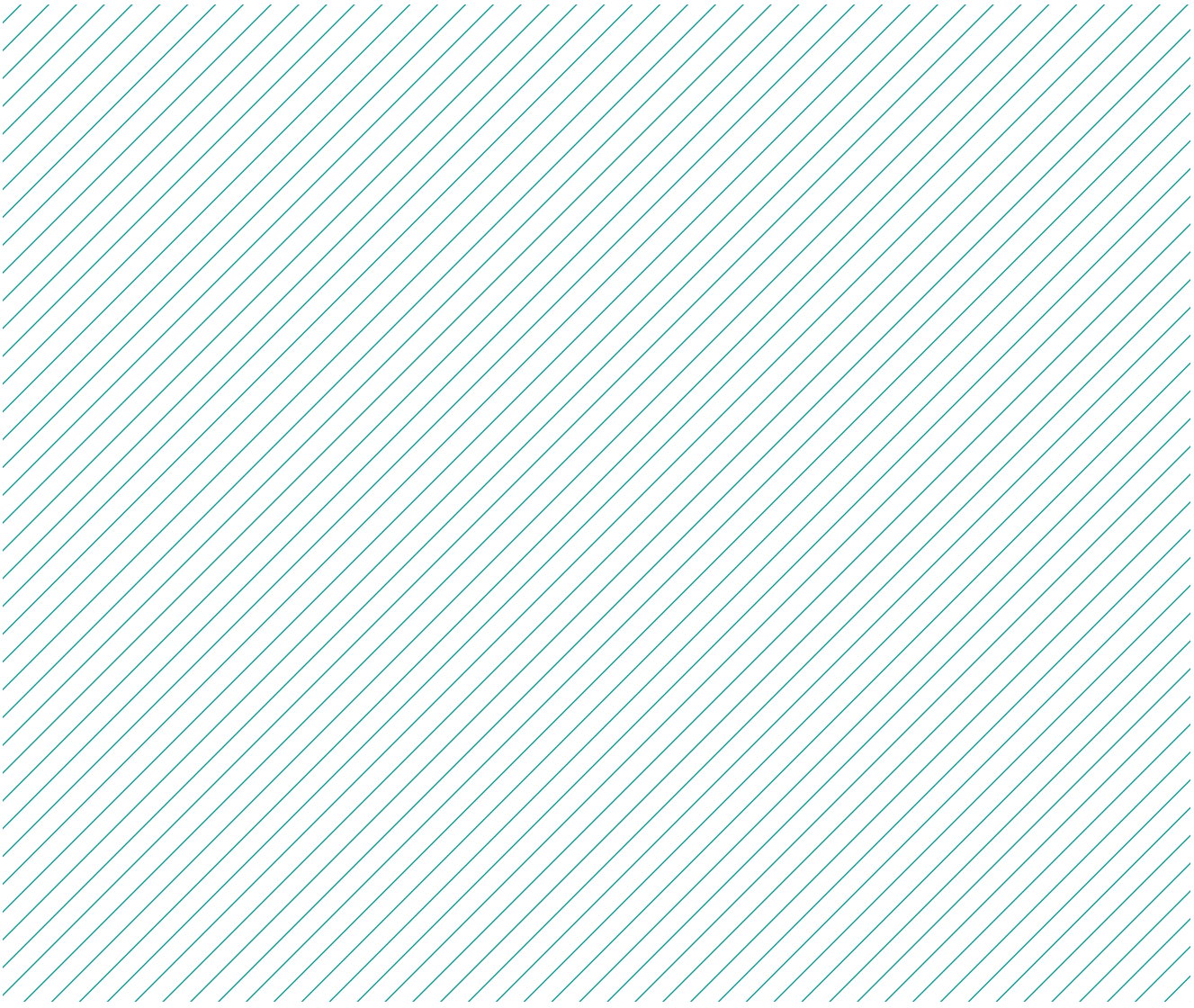
740-203-1600

"We were particularly impressed by Guide Studio's expertise in municipal branding, as well as their brand discovery process and community involvement. We believe their work will drive a shift in perception about the quality of life we offer."

Marijke Unger, Citywide Communications Manager

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Project Team



CLIENT RELATIONSHIP TEAM

Engagement Facilitator

Cathy Fromet
President
Wayfinding & Brand Strategist

23 Years Experience
16 Years at Guide Studio

Jessica Sharp
Operations Manager

13 Years Experience
Just began at Guide Studio

Erica Deutsch
Business Development Manager

18 Years Experience
12 Years at Guide Studio

DESIGN CONSULTING TEAM

Project Manager

Gina Gerken
Creative Director
Brand Strategist

22 Years Experience
22 Years at Guide Studio

Kevin Fromet
Senior Design Consultant
Wayfinding Strategist

23 Years Experience
8 Years at Guide Studio

Project Designer

Jamie Wilhelm
Senior Design Consultant

22 Years Experience
10 Years at Guide Studio

COLORADO TEAM

Rachel Downey
CEO/Owner
Littleton, Colorado

23 Years in Business

Carrie Moradi
Senior Design Consultant
Wayfinding Strategist
Fort Collins, Colorado

18 Years Experience
6 Years at Guide Studio

Quick Facts

Founded
1997, incorporated 1999
Certified Female Business Enterprise

Location
13110 Shaker Square, Suite 101
Cleveland, OH 44120

Contact
216-921-0750
cathy@guidestudio.com

Website
www.guidestudio.com

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Cathy Fromet

President/Strategist/Facilitator

Creative Problem Solver. Human Map. Fearless in the Face of a Challenge.

Cathy's passion and drive for her work has made her a longtime champion for communities and place-based organizations. Over her 20+ years of experience, she has been a designer, strategic consultant, facilitator and wayfinding expert, giving her a 360-degree perspective on the challenges and opportunities faced by our clients, places with people-traffic. Her depth of expertise extends beyond design and strategy, and she frequently consults on fundraising for public projects, stakeholder engagement and cross-functional strategic planning.

In her current role as President, Cathy focuses on business development and understanding how best to serve our clients.

MORE THINGS TO KNOW

Master of the Google search

Mom to 2 intensely creative boys

Devours books by the dozen

Education

Bowling Green State University
Bachelor of Fine Arts

Project Experience

City of Longmont Brand Strategy, Identity Design & Implementation Plan
Longmont, CO

City of Kaukauna Brand Strategy, Identity Design & Implementation Plan
Kaukauna, WI

City of Davenport Brand Strategy, Identity Design & Implementation Plan
Davenport, IA

Delaware County Brand Strategy and Identity Design
Delaware County, OH

Orange Township Brand Strategy, Identity Design, Implementation Plan, & Website
Orange Township, OH

City of Delaware Brand Strategy, Identity Design & Wayfinding Master Plan
Delaware, OH

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Gina Gerken

Creative Director

Relationship builder. Harmony seeker. Instinctively creative.

For Gina, it was love-at-first-sight with Guide Studio. Barely out of college, Gina met founder, Rachel Downey at an AIGA portfolio review and was hired on the spot. Her undeniable talent has shaped the direction and growth of Guide Studio over the past twenty years, and she continues to play an integral role in developing and stewarding the business.

Gina's diverse background is rooted in graphic design, EGD (environmental graphic design) and brand development, always with intent to connect strategy with design. In her tenure at Guide Studio, she has created compelling brands for over 100 clients and is known to spend late nights pouring over the details to perfect a project.

MORE THINGS TO KNOW

Mid-century modern design-lover (before it was popular)

Mother of one curly-haired and imaginative girl

Tiki bar and craft beer enthusiast

Education

Bowling Green State University
Bachelor of Fine Arts, Magna Cum Laude

Project Experience

DC23 Brand Strategy, Identity Design and Communication Plan
Delaware County, OH

City of Davenport Brand Strategy, Brand Identity and Implementation Plan
Davenport, IA

City of Kaukauna Brand Strategy, Brand Identity and Implementation Plan
Kaukauna, WI

Orange Township Brand Strategy, Identity Design, Implementation Plan, & Website
Orange Township, OH

City of Newark Brand Strategy, Brand Identity and Communication Plan
Newark, OH

Great Miami Riverway Brand Strategy, Naming, Brand Identity and Implementation Plan
Dayton, OH

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Jamie Wilhelm

Design Consultant

World traveler. Lego lover. Keeps it simple.

The first time Jamie picked up an Industrial Design magazine, it sealed the deal: making things purposeful and appealing was going to be his destiny. Trained in both industrial and graphic design, Jamie moves in and out of 2D and 3D design with ease, resulting in work that reflects his understanding of structure and space, as well as the technology behind it. Guide Studio clients especially appreciate Jamie's ability to ideate high design concepts within budgets and timelines.

MORE THINGS TO KNOW

Likes to try new foods and not afraid to try anything

Has over 30 pairs of cool patterned socks

Father of 2 crazy girls

Adjunct Professor at The Cleveland Institute of Art

Education

Kent State University
Master of Fine Arts in Visual Communication Design

Rhode Island School of Design
Bachelor of Fine Arts in Industrial Design

Project Experience

City of Davenport Brand Strategy, Brand Identity and Implementation Plan
Davenport, IA

City of Strongsville Brand Strategy & Brand Identity
Strongsville, OH

City of Reynoldsburg Brand Strategy, Brand Identity and Implementation Plan
Dayton, OH

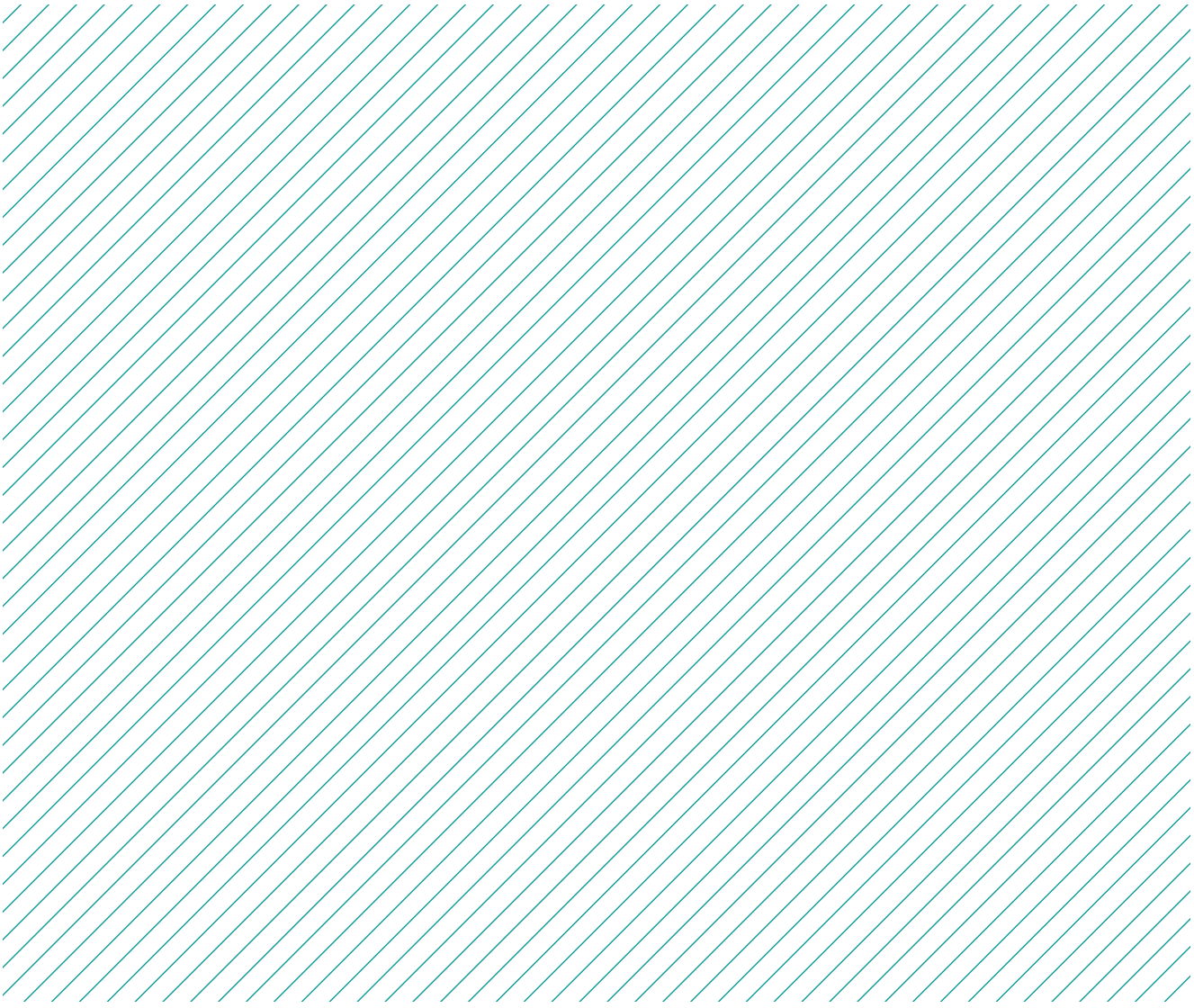
Downtown Lakewood Brand Identity, Wayfinding Master Plan and Sign Program Design
Lakewood, OH

Delaware County Brand Strategy, Brand Identity and Sign Program Design
Delaware County, OH

Village of Bratenahl Brand Strategy, Brand Identity and Implementation Plan
Bratenahl, OH

Attachment: Guide-Qualifications_HilliardOH sm (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Scope & Approach



Our Promise

- To guide you through a creative and strategic process that helps you understand how brand tools can be effectively used in YOUR community;
- Provide a process that allows you and your stakeholders to feel that you contributed and feel a sense of ownership for the project and its outcomes;
- And project deliverables that allow your team to feel prepared to confidently implement this work.
- That you have a supportive partners in our team as you continue to progress this work for the City of Hilliard.

Project Scope

- **Community Engagement** The information that will inform your brand and implementation strategy as well as your visual identity will come directly from the people who care the most about the City of Hilliard.
- **Brand Story & Positioning** We will create a Brand Platform that defines all the elements that create your Brand Story and Positioning, including Target Audiences, your City's Distinct Advantages, as well as community Character and Personality.
- **Brand Identity & Guidelines** We will interpret the elements defined in your Brand Platform to create a visual narrative that will be the symbolic representation of the City Brand. Guidelines will be developed to provide direction and rules for the use of the visual brand to help you use it in appropriate, creative and consistent ways to protect the integrity of the identity.
- **Implementation Plan** We will create a Implementation Plan designed to help the City familiarize residents, and the regional and national community with the distinctive qualities and opportunities that coincide with residing and investing in the City of Hilliard.

Project Approach

Getting Started

We refer to the Client Team as the one to two individuals from your organization who will act as the project managers on the client side. For balanced support throughout the project process, we will utilize a Steering Committee made up of local and civic organizations. With the support of Guide, this group will be responsible for advising the process, making decisions and advocating for the determined solution.

Research

- **Initial Meeting with the Client Team:** To establish priorities, define the work plan and project timeline, set benchmarks, define the working relationships, and identify the appropriate public and/or internal communication process. We will determine the approach to gathering both qualitative and quantitative data and learn about challenges as you see them to help guide our Phase 1 work.
- **Existing Brand, Master Plans, Special Initiatives Review:** We will request any existing strategic plans, narratives, brand and identities currently in use for review and analysis. This information helps to inform how we develop our discovery sessions as well as future recommendations.

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Discovery — Community Engagement

Our Discovery work is typically conducted over 2-3 days and may include the following activities:

- **Discovery Session with Steering Committee:** The consulting team will facilitate one Discovery Workshop with the selected Steering Committee representatives. Session is typically 2-3 hours.
- **Discovery Workshop with Community Stakeholders:** The consulting team will facilitate one Discovery Workshop with a cultivated (invite only) group of stakeholders (20+ participants). This workshop further verifies the brand story and fills in the gaps that quantitative research can't provide. Workshop is typically 2 hours.
- **Discovery Interviews:** The consulting team may conduct interviews with individuals that may not be able to attend the workshops but have an important voice in the Community Brand. Focus interviews are 30 minutes.
- **Community Experience Tour:** Walking/Driving tour of your community with members of the client team and/or steering committee.
- **Online surveys:** We may conduct online surveys that will help us verify the ideas and conclusions that may have been drawn through the Discovery Workshops.

NOTE: The exercises for these sessions have also been adapted for us to conduct virtually if needed.

Brand Platform — Brand Story & Positioning

Key findings from the work conducted in Phase 1 will be summarized and documented in the Brand Platform. From this information, key themes and commonalities on the outreach and research will be highlighted, including:

- **Key Findings:** We will present our analysis of the information and data collected during this Discovery Process. This may include:
  - Perceptions, Opportunities and Challenges uncovered
  - Target Audience/Persona Definitions
  - Distinct Advantage/Value Propositions Definitions
  - End Benefit Definitions
- **Brand Positioning:** How you position your community amongst your stakeholders, visitors and peers; this includes a cohesive statement as well as identification and articulation of Target Audiences, Distinct Advantages, Products/Services and End Benefits.
- **Personality:** The personification of your brand that influences internal and external communications, brand voice and community culture.
- **Style Boards:** We use example imagery and design precedence to begin to establish the look and feel for your brand.

Project Communication - Optional

Project Website We will develop a simple website to help build awareness around the process of the branding effort. This tool allows the project team, steering committee, stakeholders and the greater community to stay up-to-date with the branding and campaign effort. This site will provide:

Project Press Release We will develop an initial project press release prior to Discovery, and work with you to determine best method of distribution. This press release will address messaging around the most asked questions surrounding a community branding effort. We want you to feel prepared, set the appropriate expectations with residents and businesses, and be excited about the work we are about to begin.

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BRAND IDENTITY & GUIDELINES

We utilize the Brand Platform to provide a foundation for which the visual representation of your Brand and its core components will be refined/designed and developed.

Brand Identity Design

- **Brand Identity:** Conceptual design includes up to 3 identity options. At our discretion, with each concept, we will share examples of the brand in action— the brand look and feel may be applied to select applications such as a business card, stationery, social media skins, etc.
- **Brand Elements:** Including font and color palettes, image styles and other distinguishing elements.

Identity Development & Refinement

- **Brand Identity Design Revisions/Refinement:** Once a concept is selected, we include up to two rounds of revisions/refinement to the Brand Identity Design and will provide artwork in the necessary electronic versions to accommodate multi-purpose applications.
- **Targeted Key Messages:** Key Messages are high-level statements that articulate the most relevant information to each of your specific audience groups. This tool is a cornerstone for public-facing communication.
- **Brand Application Examples:** A series of Brand Application examples will be developed. Conceptual visualization of the key materials identified by the client and consultant is a helpful tool for previewing how the brand will be presented through various communications assets such as banners, signage, presentation templates, website homepage, advertising, newsletters and other communication templates, etc. (specific examples to be determined with the client). The examples presented will help with budgeting and planning for brand implementation.

Protect & Share

Brand Guidelines document key elements of the brand platform, visual and verbal brand identity to support desired uses, avenues and expectations for sharing the identity with interested parties.

- **Brand Guidelines:** Once the look of the brand visual package has been approved, our team will create Brand Guidelines. These guidelines provide detailed documentation of the brand platform as well as correct and incorrect uses of the brand, its various applications and styles. It also includes directions on color palettes, imagery use, typography and tonality guidelines with samples as well as shared-use guidelines between the stakeholder organizations. This document will be provided to the client as a digital file (pdf).
- The Brand Guidelines will be one of the most important deliverables; because the brand will be used widely by various departments and programs, consistency of visual identity and messaging is critical to success. The Brand Guidelines will be presented via on-line meeting software—Zoom.

Basic Brand Launch Kit

To help you get the new brand off the ground and on the right foot, we are including the following tools to help you launch the new brand.

- **Standard Communication Templates:** Includes business card templates, letterhead and PowerPoint slide design (Cover page and 3 interior pages) or Social Media Post Templates. Artwork as InDesign and Power Point files will be provided. Please note, includes (1) design for each template. If you would like to see multiple options/versions, an additional fee will be added.

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- **Press Release:** Using insights uncovered during the Brand Strategy process, we will write your initial new Brand Press Release.

BRAND IMPLEMENTATION PLAN

We will work with the City of Hilliard to get your new Brand out into the world on the right foot. Our Implementation Plans are part Strategic Marketing Plan/Part Tactical Action Plan for building Brand Awareness of your City.

Implementation Planning

This process will establish the short-term and long term recommendations, mapping out a step-by-step guide to implementing the new brand and getting your placemaking/marketing communications underway.

- **Full-day Planning Session:** We will conduct multiple working sessions with the Client Team and the Steering Committee to discuss roll-out of the new brand and how staff and individual programs may adopt and champion this brand as well as the marketing strategies and tactics that will get your messages out into the world.
- **Brand Launch Plan:** Develop a Brand Launch Plan that identifies key strategies and details tactical recommendations, timeline and budgets for a comprehensive picture of the next steps, including “day of,” first week, first month and months 3 through 6.
- **Brand Implementation Plan:** Develop a Plan that identifies tactical recommendations for future marketing communication initiatives/campaigns and tactics so that your Brand can begin working for you. This includes timelines and budgets along with a comprehensive picture of the next steps.

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Proposed Project Schedule

WEEKS 1-3	• **Initial meeting with client team via online meeting** • Internal project & Discovery Workshop preparation; Project Communications set-up • Conduct initial research; Review of existing research, plans, etc. • Deploy pre-workshop surveys
WEEK 4	• **Discovery Workshops (multiple days on-site)**
WEEKS 5-8	• Develop key findings report from research review, survey and Discovery sessions • Develop Brand Platform Strategy • **Presentation of the DRAFT Brand Platform to Steering Committee via online meeting**
WEEKS 9-11	• Deploy broad reach online survey — testing themes and concepts • Finalize Brand Platform
WEEKS 9-12	• Conceptual Brand Identity Development • **Present Brand Identity Concepts to Steering Committee/Client Team via online meeting** • Re-group with Client Team for conceptual feedback
2 WEEK BUFFER	• Conceptual Design Feedback/Revision period
WEEKS 15-18	• Selected Brand Identity Refinement • Develop Brand Application Concepts and Key Message Development • **Design Development Presentation via on-site presentation (considered final presentation)** • **Implementation Workshop via on-site Meeting** • Delivery of Production-Ready Logo Artwork
WEEKS 20-23	• Development of Brand Guidelines and Implementation Plan • Basic Brand Launch Kit Development • **Share DRAFT of Brand Guidelines and Implementation Plan via online meeting**
WEEKS 24	• **Delivery of Implementation Plan, Templates & Brand Guidelines**

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INVESTMENT

Brand Revitalization Project | City of Hilliard, Ohio

Guide

The Scope and Approach we present is a standard recommendation for any community that is seeking to undertake a branding initiative. We know municipal budgets can be tight, so we've created an approach that is flexible so you don't have to do this work all at once! Starting with Discovery is a given, and if you are really trying to articulate who you are, we suggest pairing Discovery with Brand Story & Positioning. If your visual identity is the piece that you are struggling the most, we might suggest Discovery and Identity Design with Guidelines. We are happy to discuss the approach that would work best for you.

Fees for Services

Estimates are based on historic data, assumptions of scope and include time and materials for project management, client meetings, administrative activities and other work as described for an all-inclusive price.

DISCOVERY & COMMUNITY ENGAGEMENT	**$14,500**
$145 per hour; Expenses included in total	
• Project Website ($3,500 value)	optional
BRAND STORY & POSITIONING	**$11,600**
$145 per hour; Expenses included in total	
BRAND IDENTITY & GUIDELINES	**$22,950**
$135 per hour; Expenses included in total	
• Identity Design	$14,500
• Key Messages	$3,375
• Brand Guidelines with Applications	$5,075
• Basic Brand Launch Kit ($3,500 value)	included
BRAND IMPLEMENTATION PLAN	**$10,440**
$145 per hour; Expenses included in total	
Estimated Professional Services Fees (expenses included)	**$59,490**

Guide Studio uses a blended hourly rate. It is a single hourly rate which is calculated based on company-wide financial data; it represents a blend of all employee hours and the variety of tasks, payroll costs and overhead expenses.

Out-of-Pocket Expenses: Are included in the fees proposed above. No additional funds will be requested to cover out-of-pocket expenses. **Fees and expenses estimates do not include applicable sales or use tax.**

Additional Site Visits

Additional Site Visits (including expenses) are $2,500 per person/per day.

Submitted by:

Cathy Fromet, President
cathy@guidestudio.com

13110 Shaker Square, Suite 101
Cleveland, OH 44120

guidestudio.com
216-921-0750

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Resolution: 22-R-62 **Adopted:**

Page 1 of **Effective:**

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH GUIDE STUDIO, INC. REGARDING A BRANDING/REBRADING PROCESS.

WHEREAS, in 2021, the Department of Community Relations (the "Department") presented a plan to City Council for the City to undergo a branding refresh for the City (the "Project");

WHEREAS, by the passage of Ordinance No. 21-36, City Council approved $120,000 for the Department to move forward with the Project; and

WHEREAS, in May 2022, the Department issued a Request for Proposal ("RFP") asking firms to present proposals to partner the City for the Project; and

WHEREAS, in June 2022, six proposals were received, and following review, three firms were interviewed and Guide Studio, Inc. was determined the best firm for the Project; and

WHEREAS, by the passage of Ordinance No. 21-36 on November 22, 2021, funds were appropriated in the 2022 Operating Budget, and pursuant to Section 3.10 of the Charter, authorization of funding for this Project may be established by resolution of Council; and

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

SECTION 1. An expenditure in an amount not to exceed $70,000 is authorized from Fund 101 Object 53 for the Project.

SECTION 2. The City Manager is hereby authorized to enter into a professional services agreement ("Agreement") with Guide Studio Inc. in substantially the same form as the one **attached** hereto as Exhibit "A" and incorporated herein, for the Project. 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 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-62						
☐ 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-62** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

_____

Diane C. Werbrich, MMC

CITY OF HILLIARD, OHIO

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement") is by and between the City of Hilliard, Ohio, 3800 Municipal Way, Hilliard, Ohio 43026, (hereinafter referred to as "**City**"), and Guide Studio, Inc. (hereinafter referred to as "**Service Provider**").

Witnesseth, that for the mutual considerations herein specified, **City** and **Service Provider** have agreed and do hereby agree as follows:

SECTION I – OBLIGATIONS OF SERVICE PROVIDER

A. Perform the Services as set forth in Exhibit A (proposal dated June 9, 2022).

B. If the **Service Provider** is an individual, complete, sign and return the Ohio Public Employees Retirement System ("OPERS") Independent Contractor Acknowledgement form.

C. Give prompt notice to **City** should the **Service Provider** observe or otherwise become aware of any fault or deficit in the project or any nonconformance with the Agreement.

D. Remit to **City** after the termination of this Agreement, all files and documents pertaining to the project that have been obtained or produced including, but not limited to, permits, licenses, applications, codes, drawings, site plans, photographs and similar materials. **Service Provider** shall be entitled to retain copies for the **Service Provider's** files.

SECTION II – OBLIGATIONS OF HILLIARD

A. Assist the **Service Provider** by placing at its disposal all available information pertinent to the Services for the project.

B. Use its best efforts to secure release of other data applicable to the project held by others.

C. Make all necessary provisions to enter upon public and private property as required to perform the Services.

D. Give prompt notice to the **Service Provider** should **City** observe or otherwise become aware of any fault or deficit in the project or any nonconformance with the Agreement.

SECTION III – TERM AND TERMINATION

A. This Agreement begins on the date signed by the City Manager and the **Service Provider** shall promptly provide the **City** with the Services as set forth in Exhibit A.

Attachment: Exhibit A.Guide Studio (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

B. The **City** may terminate this Agreement at any time by giving **Service Provider** thirty (30) days advance written notice. In the event this Agreement is terminated by **City** prior to its natural expiration, **Service Provider** shall be paid the amounts for work actually performed in accordance with this Agreement to the date of this early termination.

C. This Agreement will terminate upon completion of the Services outlined in Exhibit A. This Agreement may be extended for an additional year(s) if agreed to in writing, executed by the **City** and the **Service Provider**, subject to the appropriation of sufficient funds.

SECTION IV - PAYMENT

A. **Service Provider** shall be compensated for the Services outlined in Exhibit A for a total not to exceed $70,000. For any assigned additional tasks/projects, **Service Provider** shall be compensated as agreed upon by the **Service Provider** and **City**, contingent upon the appropriation of sufficient funds and the approval of Hilliard City Council, if required.

B. The **Service Provider** shall submit invoices to the attention of the **City's** Director of Community Relations, David Ball, or designee, properly identified with the appropriate **City** purchase order number. Payment to **Service Provider** shall be made within thirty (30) days of receiving an invoice, if additional information is not required by the **City** in order to pay the invoice.

SECTION V – RELATIONSHIP OF PARTIES

The parties acknowledge and agree that **Service Provider** is an independent contractor and is not an agent or employee of **City**. Nothing in this Agreement shall be construed to create a relationship between **Service Provider** and the **City** of a partnership, association, or joint venture. Further, the parties acknowledge that **Service Provider** is paid a fee, retainer or other payment as per Section IV of this Agreement; is not eligible for workers' compensation or unemployment compensation; is not eligible for employee fringe benefits such as vacation or sick leave; does not appear on **City's** payroll; is required to provide his or her own supplies and equipment; and is not controlled or supervised by **City** personnel as to the manner of work.

SECTION VI – INDEMNIFICATION

A. Professional Liability. Relative to any and all claims, losses, damages, liability and cost, the **Service Provider** agrees to indemnify and save **City**, its officers, officials, and employees harmless from and against any and all suits, actions or claims for property losses, damages or personal injury arising from the negligent acts, errors or omissions by the **Service Provider** or its employees.

B. Non-Professional Liability (General Liability). To the fullest extent permitted by law, the **Service Provider** shall indemnify, defend and hold harmless **City**, its officers, officials, employees or any combination thereof, from and against claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of the acts or omissions of the **Service Provider**, provided that such claim, damage, loss or expenses is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property (other than the work itself) including loss of use resulting therefrom, but only to the extent caused by the negligent acts or omissions of the

Attachment: Exhibit A.Guide Studio (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Service Provider, any subconsultant(s) of the **Service Provider**, its agents, or anyone directly or indirectly employed by them or anyone for whose acts they may be liable. Such obligations shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this paragraph.

SECTION VII - INSURANCE

A. The **Service Provider** shall secure and maintain, at his/her/its own expense, errors and omissions insurance in an amount not less than One Million Dollars ($1,000,000.00) per claim/annual aggregate to protect himself from any claim arising out of the performance of professional services and caused by negligent acts, omissions or negligent acts for which the **Service Provider** may be legally negligent. The **Service Provider** shall maintain said coverage for the entire contract period and for a minimum of one year after completion of the work under the contract.

B. In addition to errors and omissions insurance, the **Service Provider** shall also secure and maintain, at his/her own expense, insurance for protection from claims under Worker's Compensation acts, claims for damages because of bodily injury including personal injury, sickness or disease or death of any and all employees or of any person other than such employees, and from claims or damages because of injury to or destruction of property including loss of use resulting therefrom, and any other insurance prescribed by laws, rules, regulations, ordinances, codes or orders.

C. The **Service Provider** shall secure and maintain, at his/her own expense, General Liability insurance in an amount not less than One Million Dollars ($1,000,000.00) per occurrence.

D. The **Service Provider** shall secure and maintain, at his/her/its own expense, Property insurance for protection from claims or damages because of damage to or destruction of property including loss of use resulting therefrom in an amount not less than Five Hundred Thousand Dollars ($500,000.00).

E. The **City** shall be held harmless for any damage to the **Service Provider's** property and/or equipment during the course of performance under the Contract.

F. The above referenced insurance shall be maintained in full force and effect during the life of this Contract and for one year beyond, where specified. Certificates showing that the **Service Provider** is carrying the above referenced insurance in at least the above specified minimum amounts shall be furnished to, and approved by, the **City** prior to the start of work on the project and before the **City** is obligated to make any payments to the **Service Provider** for the work performed under the provision of this contract. All such Certificates, with the exception of those for Worker's Compensation and Errors & Omissions coverage, shall clearly reflect that the City of Hilliard is an “Additional Insured”.

SECTION VIII – EMPLOYEE DOCUMENTATION

A. **Service Provider** guarantees that the individuals employed by the Service working on this project are authorized to work in the United States. The **Service Provider** will upon demand provide **City** with appropriate documentation (Form I-9) for any

Attachment: Exhibit A.Guide Studio (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Service Provider employee performing services for **City**.

B. The **Service Provider** agrees to indemnify **City** in accordance with Section VI of the Agreement for any issue arising out of the **Service Provider's** hiring or retention of any individual who is not authorized to work in the United States.

SECTION IX – TAXES

A. **Service Provider** has the following identification number for income tax purposes: _____.

B. **Service Provider** is subject to and responsible for all applicable federal, state, and local taxes.

C. The **City** represents that it is a tax-exempt entity and evidence of this tax-exempt status shall be provided to **Service Provider** upon written request. **Service Provider** hereby further agrees to withhold all municipal income taxes due or payable under the provisions of Chapter 183 of the Codified Ordinances of City, Ohio, for wages, salaries and commissions paid to its employees and further agrees that any of its subcontractors shall be required to agree to withhold any such municipal income taxes due under such chapter for Services performed under this Agreement.

D. The **Service Provider** shall receive Internal Revenue Service form 1099 from the **City** for income tax reporting purposes.

SECTION X – ASSIGNMENT

Neither party may assign this Agreement without obtaining express, written consent from the other party prior to assignment.

SECTION XI – ENTIRE AGREEMENT/AMENDMENT

This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof and supersedes all prior negotiations, discussions, undertakings and agreements between the parties. This Agreement may be amended or modified only by a writing executed by the duly authorized officers of the parties hereto. It is understood and agreed that this Agreement may not be changed, modified, or altered except by an instrument, in writing, signed by both parties in accordance with the laws of the State of Ohio.

SECTION XII - DISCRIMINATION

A. No discrimination for reason of race, color, national origin, religion, sex, genetic information, pregnancy, age, ancestry, military status, sexual orientation, gender identity, marital status, veteran's status, or disability shall be permitted or authorized by **City** and/or **Service Provider** in connection with the Services.

B. Nothing in this Agreement shall require the commission of any act contrary to any law or any rules or regulations of any union, guild, or similar body having jurisdiction over the Services of **Service Provider**.

SECTION XIII. GOVERNING LAW/VENUE.

Attachment: Exhibit A.Guide Studio (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Any controversy or claim, whether based upon contract, statute, tort, fraud, misrepresentation or other legal theory, related directly or indirectly to this Agreement, whether between the parties, or of any of the parties' employees, agents or affiliated businesses, will be resolved under the laws of the State of Ohio, in any court of competent jurisdiction in Franklin County, Ohio.

SECTION XIV. SEVERABILITY.

If any provision of this Agreement is held invalid or unenforceable, such provision shall be deemed deleted from this Agreement and shall be replaced by a valid, mutually agreeable and enforceable provision which so far as possible achieves the same objectives as the severed provision was intended to achieve, and the remaining provisions of this Agreement shall continue in full force and effect.

SECTION XV. PARAGRAPH HEADINGS.

Paragraph headings are inserted in this Agreement for convenience only and are not to be used in interpreting this Agreement.

Attachment: Exhibit A.Guide Studio (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

IN WITNESS WHEREOF, the parties, each by a duly authorized representative, have entered into this Agreement and this Agreement is effective on the date signed by the City Manager as identified below.

Guide Studio, Inc.	**City of Hilliard, Ohio**
_____	_____
By: _____	Michelle L. Crandall City Manager
Its: _____	Date: _____
Date: _____	

Approved as to Form

_____
Philip K. Hartmann, Law Director

CERTIFICATE OF FUNDS

I, David D. Delande, Director of Finance of the City of Hilliard, Ohio, do hereby certify that the funds for this Agreement with Guide Studio, Inc. in the amount of $70,000. have been appropriated and are in the City Treasury or are in the process of collection, and that said funds are not and cannot be appropriated for any other purpose.

_____	_____
Date	David D. Delande Director of Finance

Authorizing Appropriation Legislation: 21-36
Passed: November 22, 2021
Effective: January 1, 2022

Purchase Order No.:

Authorizing Contract Legislation: 22-R-__
Adopted:

Attachment: Exhibit A.Guide Studio (22-R-62 : Authorizing Professional Services Agreement for Branding/Rebranding Process)

Council Memo: Legislation (22-R-63)

Subject: MORPC Attributable Funds Application for Cemetery Rd over I-270 Trail Overpass
From: Michelle Crandall, City Manager
Initiated by: Letty Schamp, Transportation & Mobility Director
Date: August 22, 2022

Executive Summary

This legislation authorizes the City Manager to apply for federal financial assistance through the MORPC-Attributable Funds program for the Cemetery Road over I-270 Trail Overpass and Safety Improvements (CIP T-162) and execute any required agreements.

Staff Recommendation

Staff recommends approval of this legislation to allow the City to seek federal funding for the Project.

Background

In 2020, the City commenced a planning study along Cemetery Road to guide redevelopment of the corridor to meet the future needs of the community. Through the planning and public engagement process, recommendations were made to improve the vitality, safety, and comfort of the Cemetery Road corridor.

I-270 was identified as a barrier to connectivity of the City's trail and sidewalk network. The section of Cemetery Road over I-270 between Britton Parkway and Trueman Boulevard, which carries between 35,000 – 48,000 vehicles per day, provides no accommodations for non-motorized users and presents a high stress environment for people walking and bicycling.

By passage of Resolution No. 21-R-83, Hilliard City Council authorized a professional services agreement and the expenditure of funds to prepare a feasibility study for a trail crossing of I-270 along Cemetery Road to connect the City's existing trail network on Britton Parkway and Trueman Blvd. Various alternatives were explored for a crossing of I-270 that do not preclude any future interchange modification contemplated by ODOT.

Four alternatives were presented to the public for comment between July 5 – August 5, 2022. The City received 411 responses to the survey. Based on the advantages and disadvantages of the four alternatives and the public comment, Alternative 2 is the Recommended Alternative to move forward in design if funding is secured. Alternative 2 proposes a shared-use path on the south side of Cemetery Road with a tunnel beneath the free-flow eastbound to southbound ramp and a pedestrian bridge over I-270. The estimated construction cost for Alternative 2 is $5.84M. Because a project of this size and scope would be very difficult to fund without outside funding resources, staff intends to explore various grant programs to assist in funding the Project.

The federal transportation program in the United States was authorized in 2021 by the Infrastructure Investment and Jobs Act (IIJA). Three of the many funding programs that the IIJA reauthorized are the Surface Transportation Block Grant (STBG) Program, the Congestion Mitigation and Air Quality (CMAQ) Program, and the Transportation Alternatives (TAP) Program. The Ohio Department of Transportation (ODOT) sub-allocates a portion of these funds to MORPC. MORPC is charged with attributing the funds to projects and activities sponsored by the local transportation agencies within the central Ohio region. This federal funding program is known as ***MORPC-Attributable Funds***.

MORPC, through a public committee, has established a competitive evaluation process to help determine which of the requests from local agencies will be granted. Policies that govern the current application process were adopted in May 2022. To encourage investment in infrastructure that supports regional goals, a greater percentage of funds have been allocated toward active transportation projects in this round of funding.

The City desires to apply for MORPC-Attributable Funds for the Cemetery Road over I-270 Trail Overpass & Safety Improvements to supplement local funds. Applications are due on September 28, 2022. If awarded, these funds could cover up to 80% of the construction and right-of-way costs for the Project. One hundred percent (100%) of the cost for design of the Project and a minimum of 20% of the construction and right-of-way costs would need to be covered by non-federal sources.

In many cases, there are insufficient resources through MORPC-Attributable Funds to fund all the needs of the region. Therefore, it is common that less than 80% of the construction cost for a Project is granted, leaving the local agency to assemble other federal and non-federal sources to fully fund a project. For this reason, staff will continue to explore and apply for other sources of revenue to fund this important project.

Financial Impacts

There are no anticipated financial impacts.

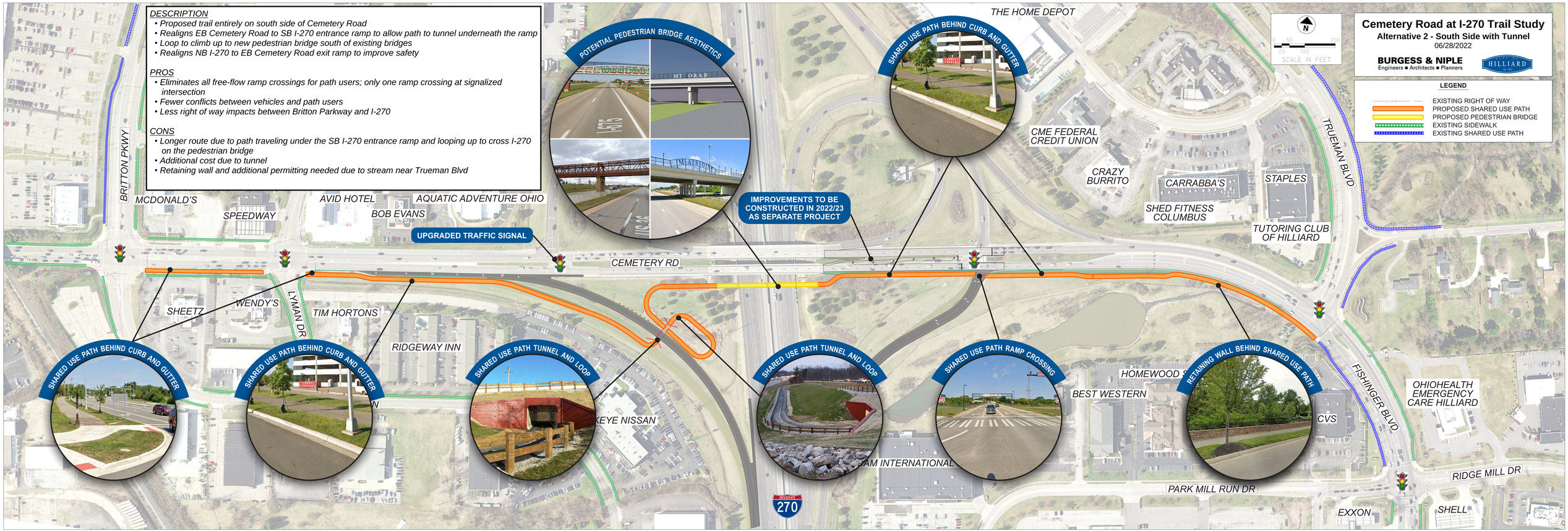
Expected Benefits

The benefit of passage of this legislation is the potential for reduction of local funds required for construction of the project.

Attachments

- Recommended Alternative: Alternative 2 – South Side with Tunnel

Alternative 2 - South Side with Tunnel



Resolution: 22-R-63 **Adopted:**

Page 1 of **Effective:**

AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN ATTRIBUTABLE FUNDS APPLICATION TO THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) TO ASSIST IN FUNDING THE CEMETERY ROAD OVER I-270 TRAIL OVERPASS AND SAFETY IMPROVEMENTS (CIP T-162) AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

WHEREAS, MORPC oversees the disbursement of federal transportation funds authorized by Congress in the Surface Transportation Block Grant (STBG) Program, the Congestion Mitigation and Air Quality (CMAQ) Program, and the Transportation Alternatives (TAP) Program, collectively known as "MORPC-Attributable Funds"; and

WHEREAS, by passage of Resolution No. 21-R-83, Hilliard City Council authorized a professional services agreement and the expenditure of funds to prepare a feasibility study for a trail crossing of I-270 along Cemetery Road to connect the City's existing trail network on Britton Parkway and Trueman Blvd, known as Cemetery Road over I-270 Trail Overpass and Safety Improvements (CIP T-162), hereinafter the "Project"; and

WHEREAS, four feasible alternatives were developed, and a public comment period occurred between July 5 – August 5, 2022; and

WHEREAS, Alternative 2, which consists of a shared-use path on the south side of Cemetery Road with a tunnel beneath the free-flow eastbound to southbound ramp to I-270 and a pedestrian bridge over I-270 and has an estimated construction cost of $5.84M, has been selected as the Recommended Alternative; and

WHEREAS, due to the size and cost of the Project, the City cannot fund the Project through local sources of revenue alone; and

WHEREAS, the City has determined that it is necessary and in the City's best interest to submit a grant application for MORPC-Attributable Funds to assist in funding the Project.

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

SECTION 1. The City Manager is hereby authorized to submit an application for MORPC-Attributable Funds for the Project.

SECTION 2. The City Manager is further authorized to enter into agreements as may be necessary and appropriate to apply for and receive federal financial assistance administered through MORPC for the above-named project. Such agreements shall be approved as to form by the City Law Director and in accordance with all authority granted to the Director of Finance, as evidenced by his signature therein, and any limitations imposed thereby.

SECTION 3. This Resolution is effective upon its adoption.

ATTEST:

_____

Diane C. Werbrich, MMC
Clerk of Council

SIGNED:

_____

President of Council

APPROVED AS TO FORM:

_____

Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-63						
☐ 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-63** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

_____

Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-64)

Subject: SS4A Application for Cemetery Rd Trail Overpass & SUP
From: Michelle Crandall, City Manager
Initiated by: Letty Schamp, Transportation & Mobility Director
Date: August 22, 2022

Executive Summary

This legislation authorizes the City Manager to apply for federal financial assistance through a newly created federal discretionary program known as the Safe Streets and Roads for All (SS4A) grant program and to execute any required agreements for the Cemetery Road over I-270 Trail Overpass and Safety Improvements (CIP T-162).

Staff Recommendation

Staff recommends approval of this legislation to allow the City to seek federal funding for the Project.

Background

The background for this legislation is similar to the background for 22-R-63, which authorizes the City Manager to apply for MORPC Attributable Funds for CIP T-162 Cemetery Road over I-270 Trail Overpass & Safety Improvements.

The Bipartisan Infrastructure Law (BIL) established the new SS4A discretionary program in 2022 to fund local, regional, and Tribal initiatives through grants. The grants are specifically targeted toward programs and projects that prevent roadway deaths and serious injuries. State DOTs are ineligible for SS4A grants; the program was developed to support the needs of local agencies on their local street system.

In order to apply for an SS4A infrastructure grant, the agency must have a local street safety plan, which specifically outlines policies, programs, and projects that will prevent roadway fatalities and serious injuries, and the project must be identified as a need in the safety plan.

Data collection and analysis of crashes and crash trends began in 2021 as part of the City's Comprehensive Plan. When this new federal grant program was announced in May 2022, the City advanced development and completion of a local street safety plan, which is being called the ***Safe Streets for Hilliard*** Plan, in order to apply for an infrastructure grant in 2022.

A draft of the *Safe Streets for Hilliard* Plan is included as an attachment herein for informational purposes. **City Council members are invited to provide feedback to staff on the draft plan on or before August 24, 2022.** The final *Safe Streets for Hilliard* Plan will be presented to City Council for adoption at its September 12, 2022, Council meeting.

Applications for SS4A grants are due on September 15, 2022. If the City is awarded funding for the combined project, these funds could cover up to 80% of the total project cost. The remaining 20% of the project cost would need to be covered by non-federal sources.

Financial Impacts

There are no anticipated financial impacts.

Expected Benefits

The benefit of passage of this legislation is the potential for reduction of local funds required for the Project.

Attachments

- Draft *Safe Streets for Hilliard* Plan

CITY OF HILLIARD est. 1853

Real People. Real Possibilities.

Safe Streets for Hilliard

AUGUST 2022



Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

This page is reserved for the completed resolution

Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

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DRAFT

Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

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Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

Introduction

The streets and sidewalks in the City of Hilliard are essential resources– they enable people to travel freely to their destinations and back home. A priority for the city is to make sure friends, family members, visitors, and other essential users can use this network without the risk of a severe crash.

The City of Hilliard, in coordination with several stakeholders, developed the **Safe Streets for Hilliard Plan**. This document establishes near and long-term strategies to reduce, and one day eliminate, fatalities and serious injuries from occurring. Between 2017-2021, 38 people in Hilliard had their lives altered and three families suddenly and unexpectedly lost a loved one.



To prevent future tragedies, this plan looks at the critical issues causing crashes. The plan also lays out policy, program, and project ideas to ensure roads are designed with safety as the number one priority, road users are educated, laws are enforced, speeds are appropriate to the road context, and emergency responders can be as efficient and effective as possible.

Creating a Safe System

In January 2022, the US Department of Transportation (USDOT) released their National Roadway Safety Strategy. It emphasizes the importance of safety by:

1) Endorsing zero fatalities as the national goal, and

2) Supporting the Safe System Approach (SSA) as the method or process to get to zero.

To move closer to this goal, additional resources are being allocated to safety improvements. Traditional funding programs, like the Highway Safety Improvement Program, are seeing financial boosts and new sources, like the Safe Streets for All (SS4A) discretionary grants, are now available.



Exhibit 1: Safe System Approach (FHWA)

To capitalize on these resources, the Safe Streets for Hilliard Plan was developed using the SSA. Transportation and safety stakeholders in the city and region already implement important safety programs and projects. The SSA does not eliminate or drastically change those efforts. Instead, it was used as a tool to frame stakeholder conversations and data analysis to identify solutions that more intentionally address safe roads, safe road users, safe speeds, post-crash

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care, and safe vehicles. The five elements (inner ring) and six principles (outer ring) of the SSA were considered throughout the development of this plan (Exhibit 1).

The Action Plan describes solutions for the issues most relevant in the City of Hilliard to include:

Safer Roads: Improving roads through planning, engineering, and design to facilitate safe travel for all road users.

Safer Road Users: Encouraging road users to execute safe driving behaviors and enforcing traffic laws.

Safe Speeds: Considering speeds in coordination with the surrounding environments and contexts.

Vision, Goals and Targets

The safety policies, programs and projects identified in the Action Plan were prioritized based on their potential to achieve the safety vision, goals, and objectives for the City of Hilliard. Stakeholders reviewed crash data and discussed what a successful safety program looks like over the next several years.

The following **vision** expresses the ideal safety conditions for the City: *Create safe spaces and streets for all road users in our community to prevent severe crashes.*

The **goals** emphasize where investments and resources will be directed to achieve the vision. The goal for this plan is to reduce severe crashes with a focus on:

- Intersections
- Young Drivers
- Speed

An underlying goal is to address vulnerable road users at intersections and when considering speed-related interventions.

The **objectives** measure success and state specifically how the goals and vision will be met. By following the actions in this plan, the city intends to reduce the amount and severity of crashes and continue to **work toward zero** over the years. Figures 1-3 show how this will be accomplished for fatalities, serious injuries, and non-motorized fatal and serious injury crashes.

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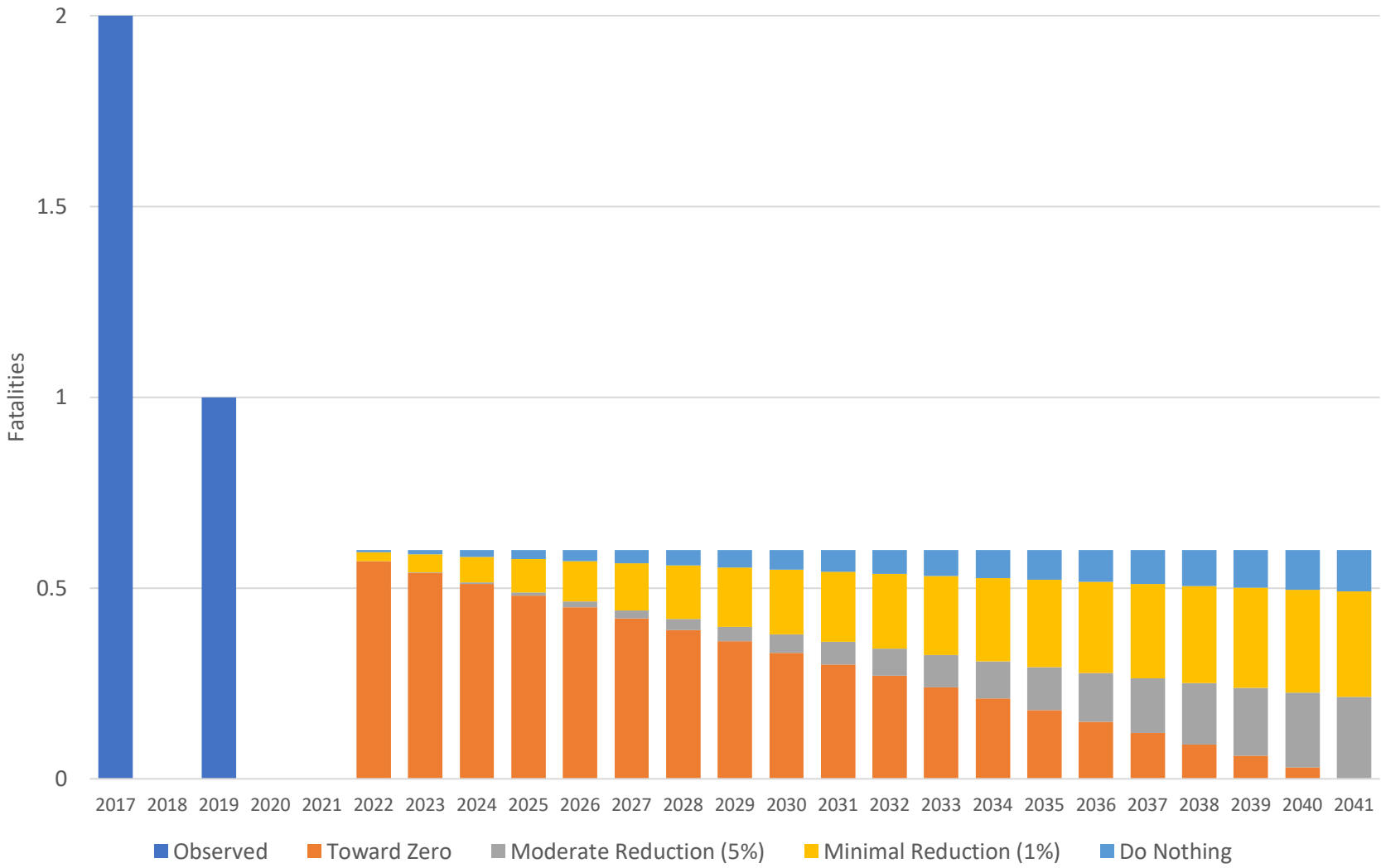


Figure 1: Fatality Objectives

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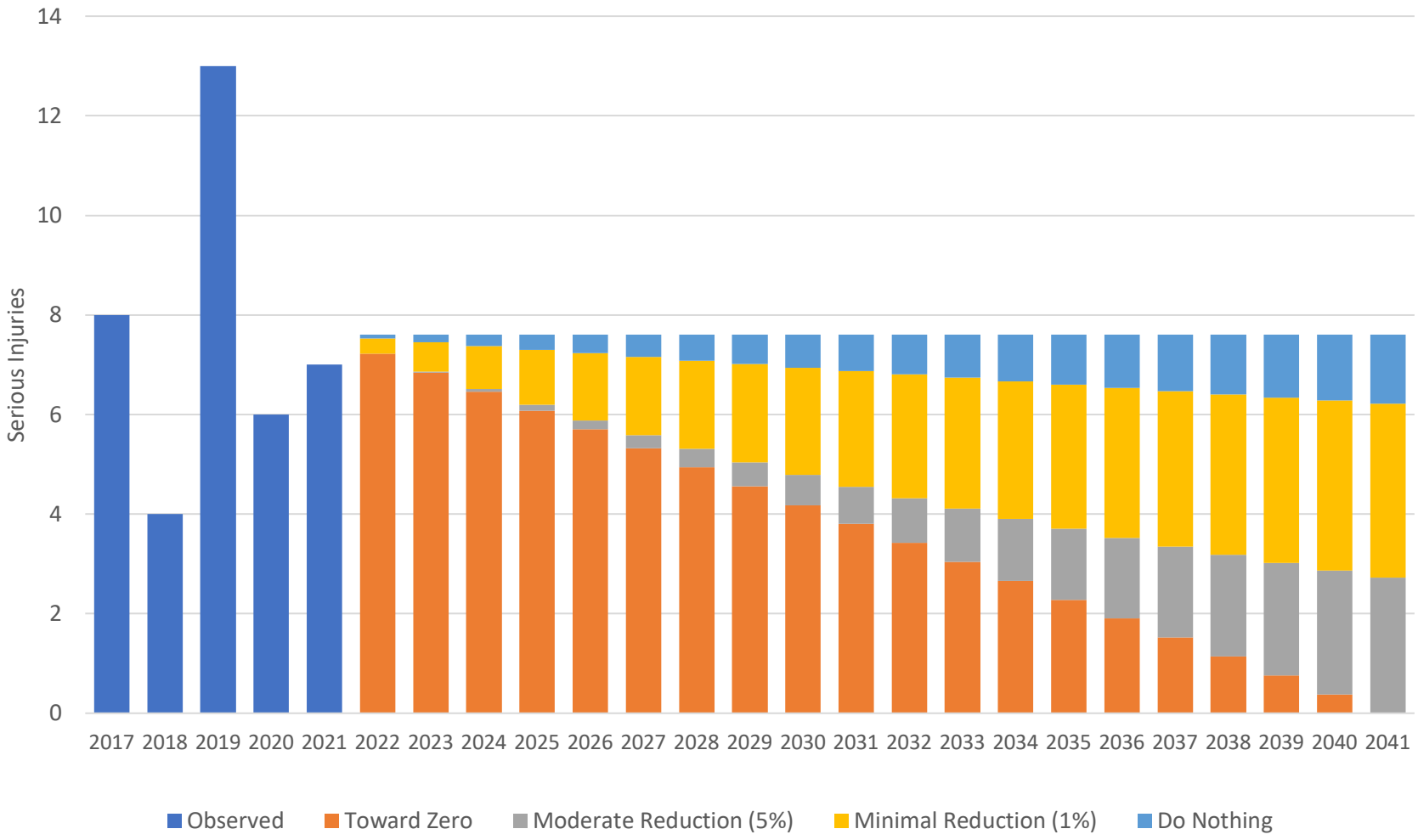


Figure 2: Serious Injury Objectives

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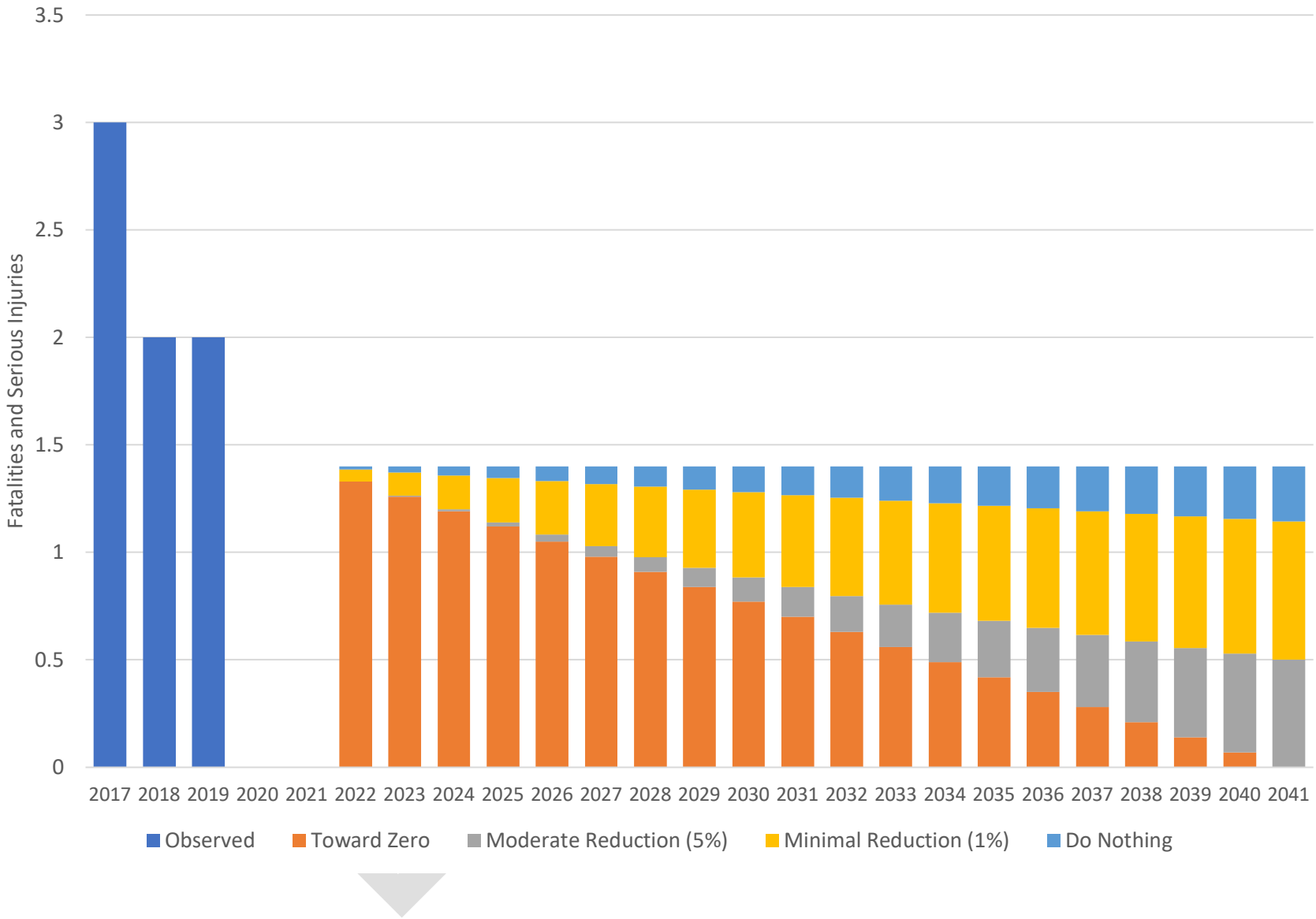


Figure 3: Non-Motorized Objectives

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Current Safety Program

The transportation safety program in the City of Hilliard and the region, through the Mid-Ohio Regional Planning Commission (MORPC) and Franklin County Safe Communities Program, has been active for years. Safety policies; data analysis; planning and engineering; education and enforcement; and emergency response are in place to keep fatality and serious injury trends from seeing sharp increases. These efforts are ongoing and evident in the strategies of this plan. The following shows the current portfolio of local and regional safety work to be built upon.

City of Hilliard:

- Implement and Modify Roundabouts (15 in place with more planned)
- #RoundaboutRules campaign to teach and reinforce the key rules to navigate multi-lane roundabouts
- Targeted crosswalk improvements on arterials
- Hilliard police department targeted enforcement and outreach campaigns
- Elementary school pedestrian safety program
- Safety town education program for preschool age children
- Transportation safety education class to English as a second language students

MORPC:

- Developed **2019 Central Ohio Transportation Safety Plan**, which includes an Action Plan with strategy solutions related to Serious Crash Types, Vulnerable Road Users, Driver Safety, and Emerging Technologies. Applicable strategies were incorporated in the **Safe Streets for Hilliard Plan**.
- Provides technical assistance to local agencies to apply to ODOT for funding for systemic improvements, road safety audits, and safety studies.
- Developed sample ordinances, policies, and resolutions primarily related to Distracted Driving.

Franklin County Safe Communities:

- Deliver proven teen driver safety education using the Think Fast and Impact Teen Driver programs
- Provide driver education trainings and/or materials related to vulnerable road users, vehicle maintenance, unbelted drivers, impaired driving, and distracted driving (materials can be translated into any language)
- Conduct community outreach on transportation safety topics at events around the County
- Coordinate the Sheriffs Telling our Parents (STOP) program which provides educational materials to parents when their young drivers are warned or cited for a traffic violation
- Sustain partnerships with transportation safety professionals bi-monthly through coordination calls
- Organize and support seatbelt checks and competitions at high schools across the County

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Planning Process

The process to inform the **Safe Streets for Hilliard Plan** followed the format for a Comprehensive Safety Action Plan, specified by the Safe Streets for All grant Notice of Funding Opportunity (NOFO). Table 1 describes the planning process and how the criteria for a Safety Action Plan were met.

	Comprehensive Safety Action Plan Element	How Achieved for Hilliard
1	Governing body in the jurisdiction publicly committed to an eventual goal of zero roadway fatalities and serious injuries	Hilliard City Council reviewed and approved the Plan
	Set targets to achieve significant declines in roadway fatalities and serious injuries	The Plan commits to work toward zero deaths and includes targets for fatalities, serious injuries, and non-motorized severe crashes to show how this will be achieved over the next 20 years. The stakeholder group agreed to the toward zero deaths commitment.
2	To develop the Action Plan, a committee, task force, implementation group, or similar body established and charged with the plan's development, implementation, and monitoring	A stakeholder/implementation group was convened for plan development and will implement the strategies and actions within. Stakeholders included: • City of Hilliard • Hilliard Police • Franklin County Health Department • Hilliard Schools • Mid-Ohio Regional Planning Commission • FESTA • Safe Communities
3	Analysis of existing conditions and historical trends to baseline the level of crashes involving fatalities and serious injuries across a jurisdiction, locality, Tribe, or region	Documented in Existing Conditions section of Plan
	Analysis of the location where there are crashes, the severity, as well as contributing factors and crash types	Documented in Existing Conditions and Emphasis Area sections of Plan

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	Comprehensive Safety Action Plan Element	How Achieved for Hilliard
	Analysis of systemic and specific safety needs is also performed, as needed (e.g., high risk road features, specific safety needs of relevant road users)	Documented in Existing Conditions and Emphasis Area sections of Plan
	A geospatial identification (geographic or locational data using maps) of higher risk locations	Documented in Existing Conditions and Emphasis Area sections of Plan
4	Engagement with the public and relevant stakeholders, including the private sector and community groups	Documented in Public and Stakeholder Engagement section of Plan
	Incorporation of information received from the engagement and collaboration into the plan	The Action Plan strategies and activities are a direct result of the stakeholder/public input survey and stakeholder engagement meeting
	Coordination that included inter- and intra-governmental cooperation and collaboration, as appropriate	Hilliard coordinated with Franklin County Public Health and MORPC as part of this planning process.
5	Considerations of equity using inclusive and representative processes	Festa and Franklin County Public Health were key stakeholders in this process, with both groups representing communities including low-income families, the elderly, and minorities.
	The identification of underserved communities through data	Documented in Demographic and Equity Considerations sub-section of the plan
	Equity analysis, in collaboration with appropriate partners, focused on initial equity impact assessments of the proposed projects and strategies, and population characteristic	Documented in Demographic and Equity Considerations sub-section of the plan
6	The plan development included an assessment of current policies, plans, guidelines, and/or standards to identify opportunities to improve how processes prioritize safety	The stakeholder group included a cross-section of agencies implementing safety programs. The effectiveness of those programs was discussed, and relevant activities included in the Action Plan. In addition, strategies from the MORPC Action Plan were discussed and relevant ones reflected in this plan.

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	Comprehensive Safety Action Plan Element	How Achieved for Hilliard
	The plan discusses implementation through the adoption of revised or new policies, guidelines, and/or standards.	Both existing and new safety programs/projects were identified through the planning process. The implementation of these efforts is documented in the Action Plan and each action is assigned a "lead agency."
7	The plan identifies a comprehensive set of projects and strategies to address the safety problems in the Action Plan, time ranges when projects and strategies will be deployed, and explain project prioritization criteria	The results of the crash data analysis and stakeholder/public input helped identify locations and strategies to address Hilliard's top safety needs. The pre-amble to the Action Plan describes how projects and strategies were prioritized and the timeline for implementation.
8	A description of how progress will be measured over time that includes, at a minimum, outcome data.	Documented in Next Steps: Progress and Transparency section of Plan
	The plan is posted publicly online	The Final Plan is posted on the City of Hilliard website
9	The plan was finalized and/or last updated between 2017 and 2022	August 2022

Table 1: Safe Streets for Hilliard Planning Process

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Existing Conditions

Planning Area

The area being considered for this plan is the City of Hilliard's corporate limits as of August 2022 (Exhibit 2).

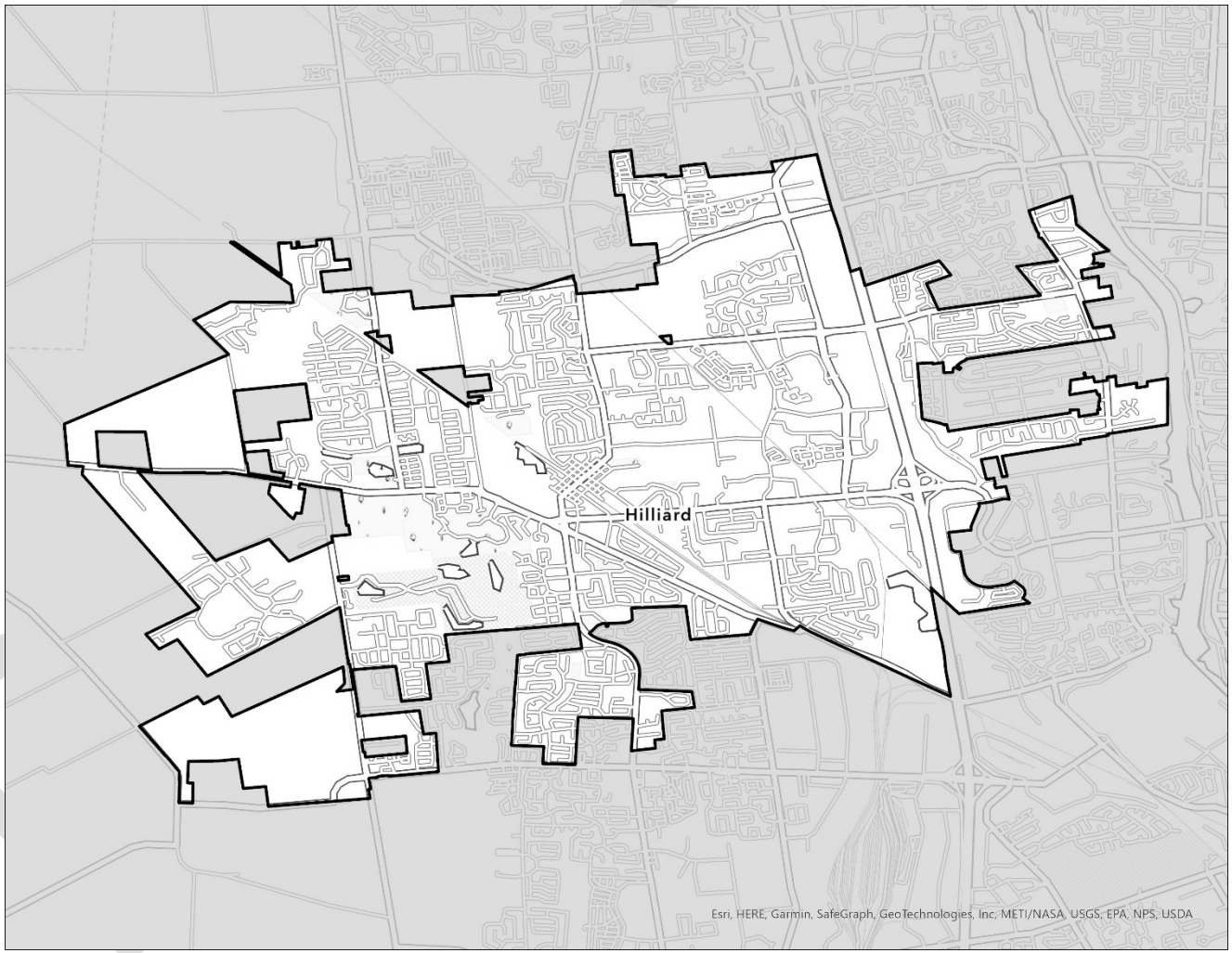


Exhibit 2: Safe Streets for Hilliard Planning Area

Data Analysis

For this **Safe Streets for Hilliard Plan**, crash data from 2017-2021 was gathered from Ohio Department of Transportation's (ODOT) GIS Crash Analysis Tool (GCAT) and analyzed using ODOT's Crash Analysis and Planning Evaluation (CAPE) Tool. All the crash trend, crash type, and contributing factors analysis used this data. However, the high injury network for this plan was completed during the update to the **2022 Hilliard Thoroughfare Plan**. The analysis is still relevant and includes data from 2015-2019.

Both analyses were shared with the project management team and stakeholder group to provide context on crash trends and locations. This information was used to inform and prioritize the actions resulting from this planning process.

Crashes resulting in injury have seen a downward trend in recent years and fortunately the City of Hilliard has not seen a fatal crash since 2019. However, there were two fatal crashes in 2017 and Hilliard averages 160.2 injury crashes from 2017-2021 (Figure 4).

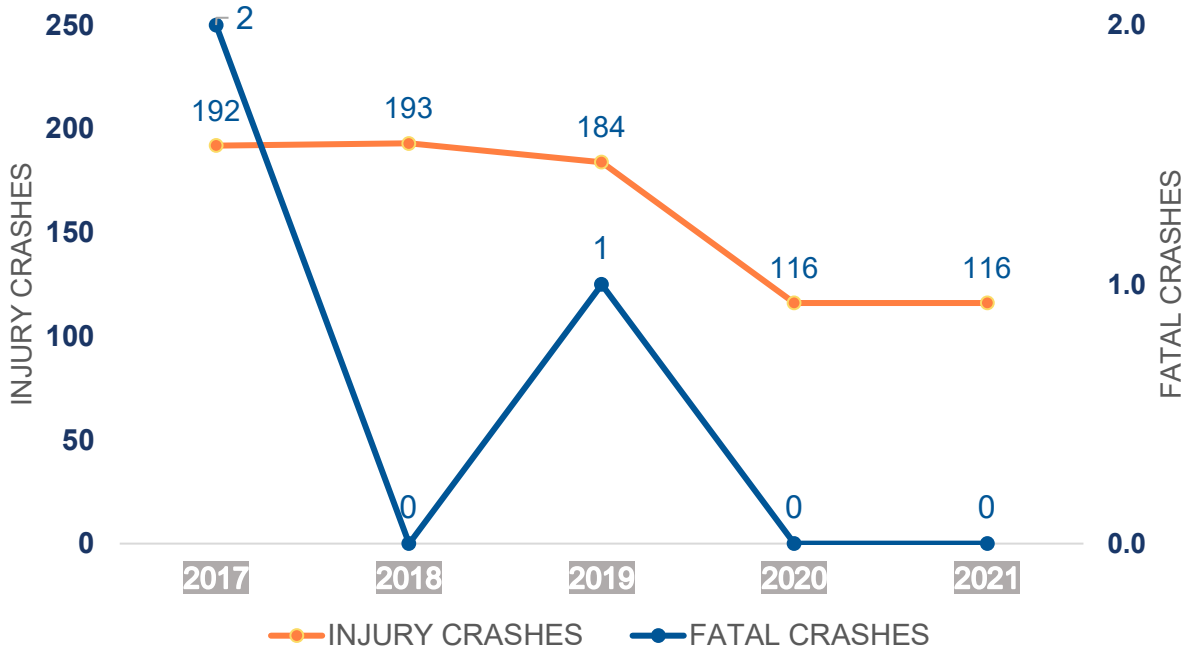


Figure 4: Crash Statistics, 2017-2021

When doing analysis, it is important to differentiate crash statistics and occupant statistics as many crashes can affect more than one person. Figure 5 shows the number of people involved in crashes in Hilliard over the 5-year period.

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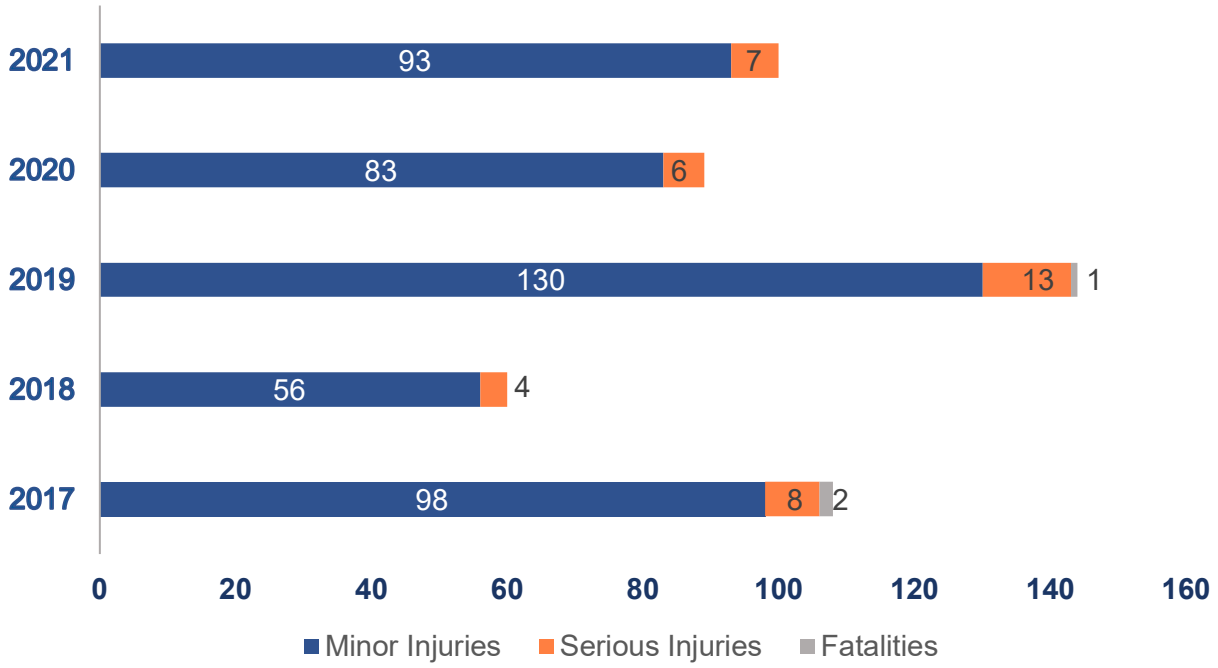


Figure 5: Occupant Statistics, 2017-2021

Equivalent Property Damage Only (EPDO) is a Federal Highway Administration (FHWA) methodology of normalizing the crash severity types to show the relative impact the crash types. To obtain the EPDO, the weighting factors related to the societal costs of fatal, injury, and property damage only crashes are assed to crashes by severity. The data for Hilliard shows outsized EPDO for vulnerable road users such as pedestrians and cyclists (Figure 6).

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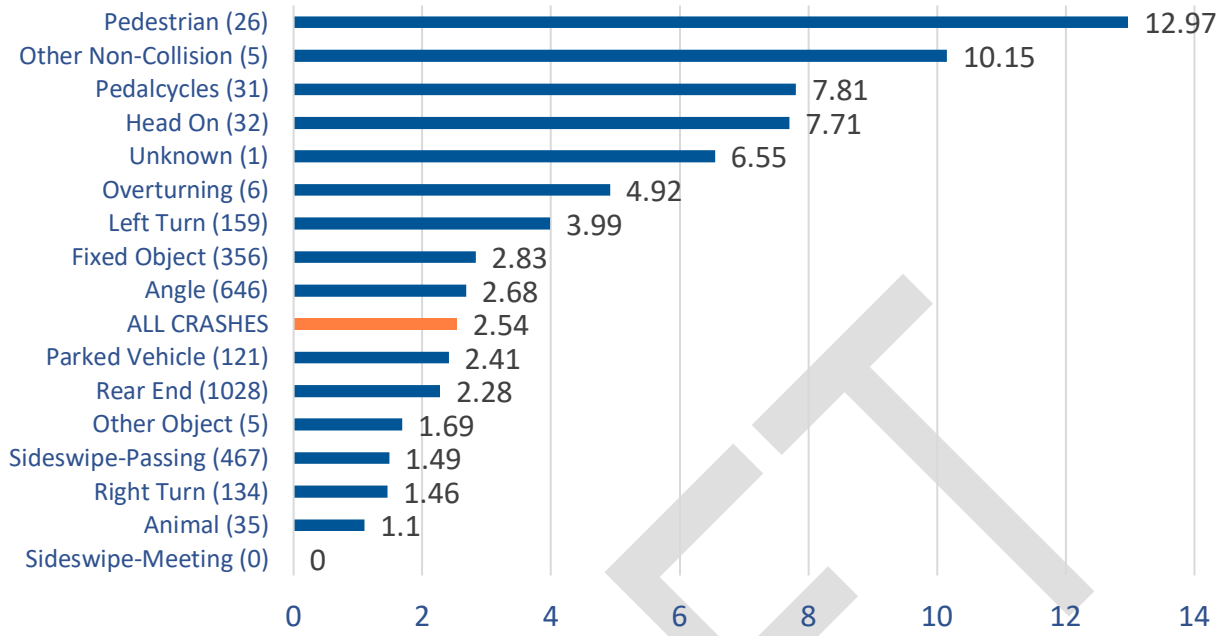


Figure 6: Equivalent Property Damage Only for Crash Types, 2017-2021

Figure 7 shows the fatal and serious crashes by emphasis areas. Compared to the rest of the state of Ohio, Hilliard sees a larger portion of crashes involving intersections, young drivers, speed, alcohol, pedestrians, bicycles, and distracted drivers. Hilliard sees a lower percentage of crashes related to roadway departure, restraints not used, older drivers, motorcycles, and drugs (Table 2).

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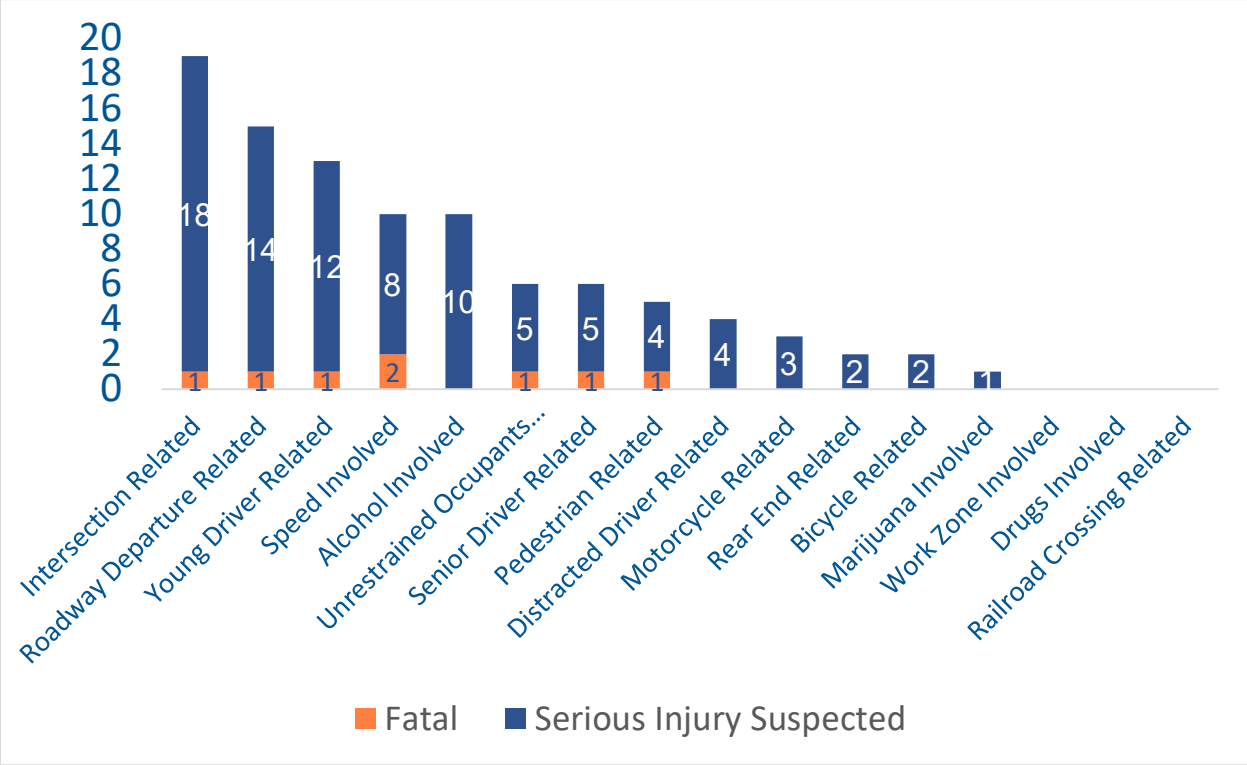


Figure 7: Fatal and Serious Crashes by Emphasis Area, 2017-2021

Table 2: Contributing Factors, 2017-2021

EMPHASIS AREA	STATEWIDE	HILLIARD ROADS
ROADWAY DEPARTURE	43.0%	41.7%
YOUNG DRIVER INVOLVEMENT (15-25)	35.0%	36.1%
INTERSECTION	39.0%	52.8%
SPEED RELATED INVOLVEMENT	24.3%	27.8%
RESTRAINTS NOT USED DRIVER/ OCCUPANTS	19.0%	16.7%
OLDER DRIVER INVOLVEMENT (65+)	19.1%	16.7%
ALCOHOL RELATED INVOLVEMENT	16.4%	27.8%
MOTORCYCLE DRIVER/PASSENGER	11.5%	8.3%
DRUG RELATED INVOLVEMENT	9.3%	0.0%
PEDESTRIAN INVOLVEMENT	7.0%	13.9%
DISTRACTED DRIVERS	7.9%	11.1%
BICYCLE INVOLVEMENT	1.8%	5.6%
ABOVE STATEWIDE AVERAGE	BELOW STATEWIDE AVERAGE	

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All crashes, injury crashes, serious injury crashes, and pedestrian and bicycle crashes are largely concentrated along the main roads in Hilliard, including Cemetery Road, Main Street, Leap Road, Davidson Road, Scioto Darby Road, Hayden Run Road and Britton Parkway (Exhibits 3-6). It should be noted each of these exhibits visualizes total crashes which are not normalized by average annual daily traffic. The High Injury Network shows the rankings for the top 20 injury locations. This ranking is based on the number and percentage of injury crashes and was performed as part of the Hilliard Comprehensive Plan. Half of the top 20 injury locations are located along the Cemetery Road, Main Street/Hilliard Rome Road, and Scioto Darby Road corridors (Exhibit 7).

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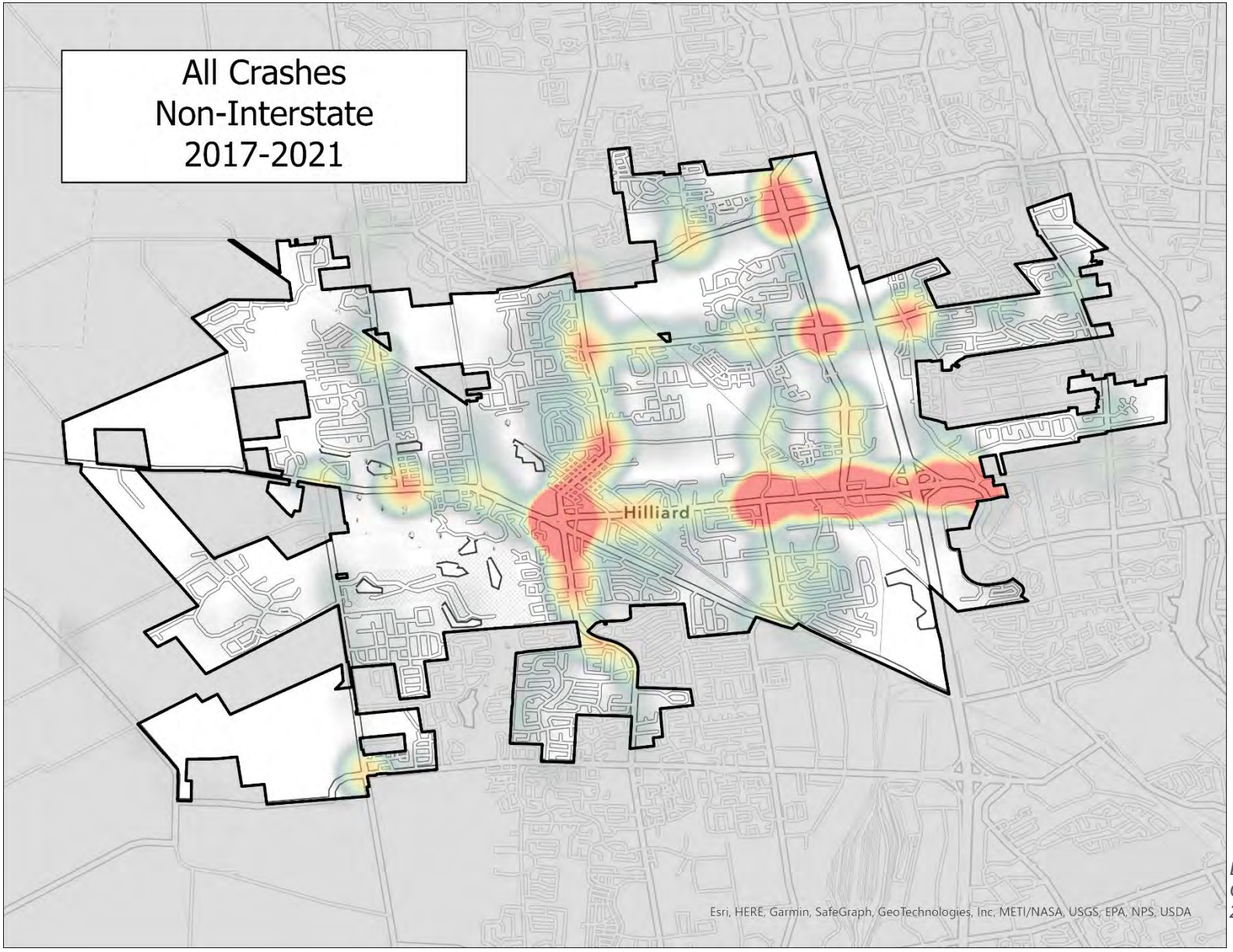


Exhibit 3: All Crashes, 2017-2021

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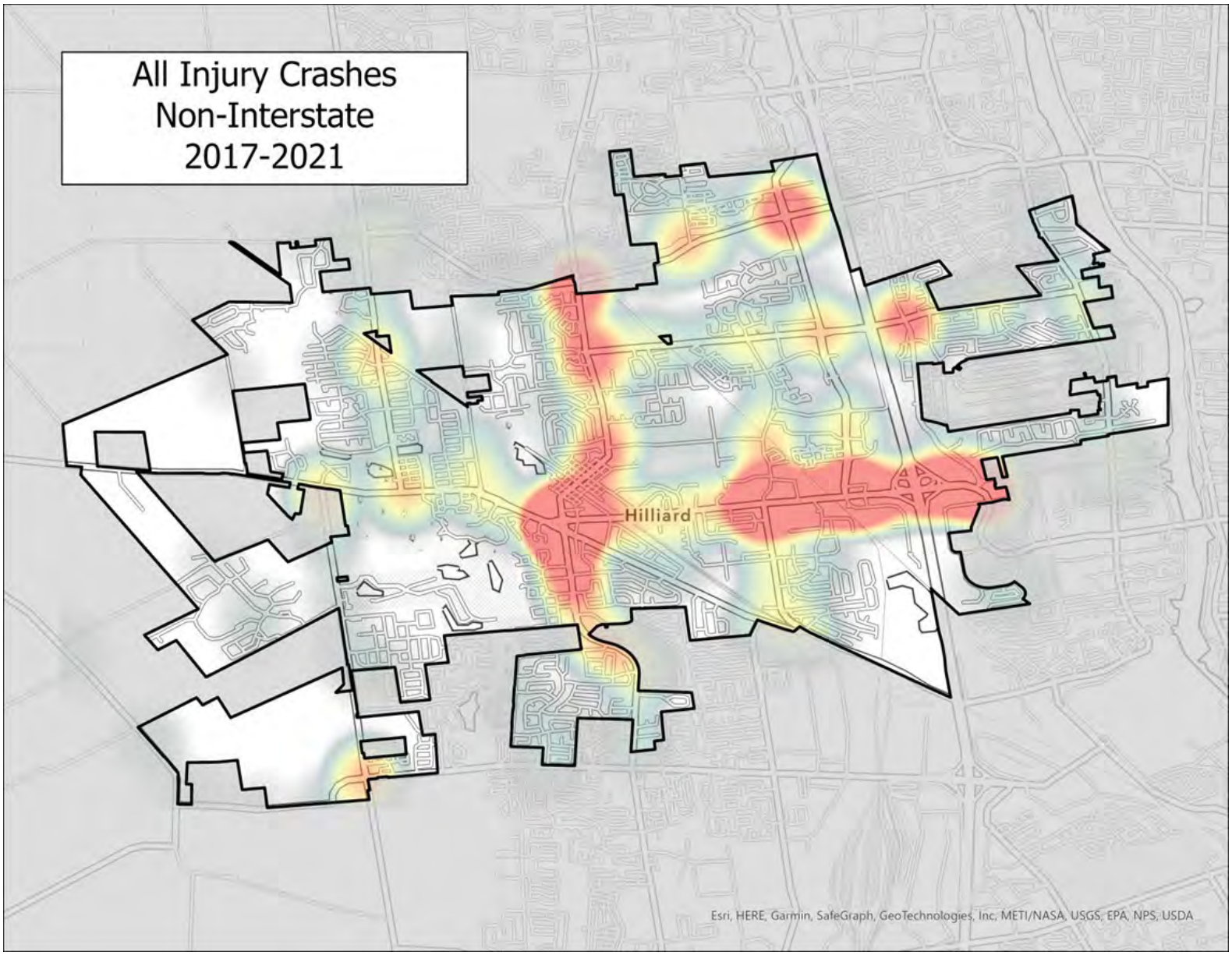


Exhibit 4: All Inju Crashes, 2017-2

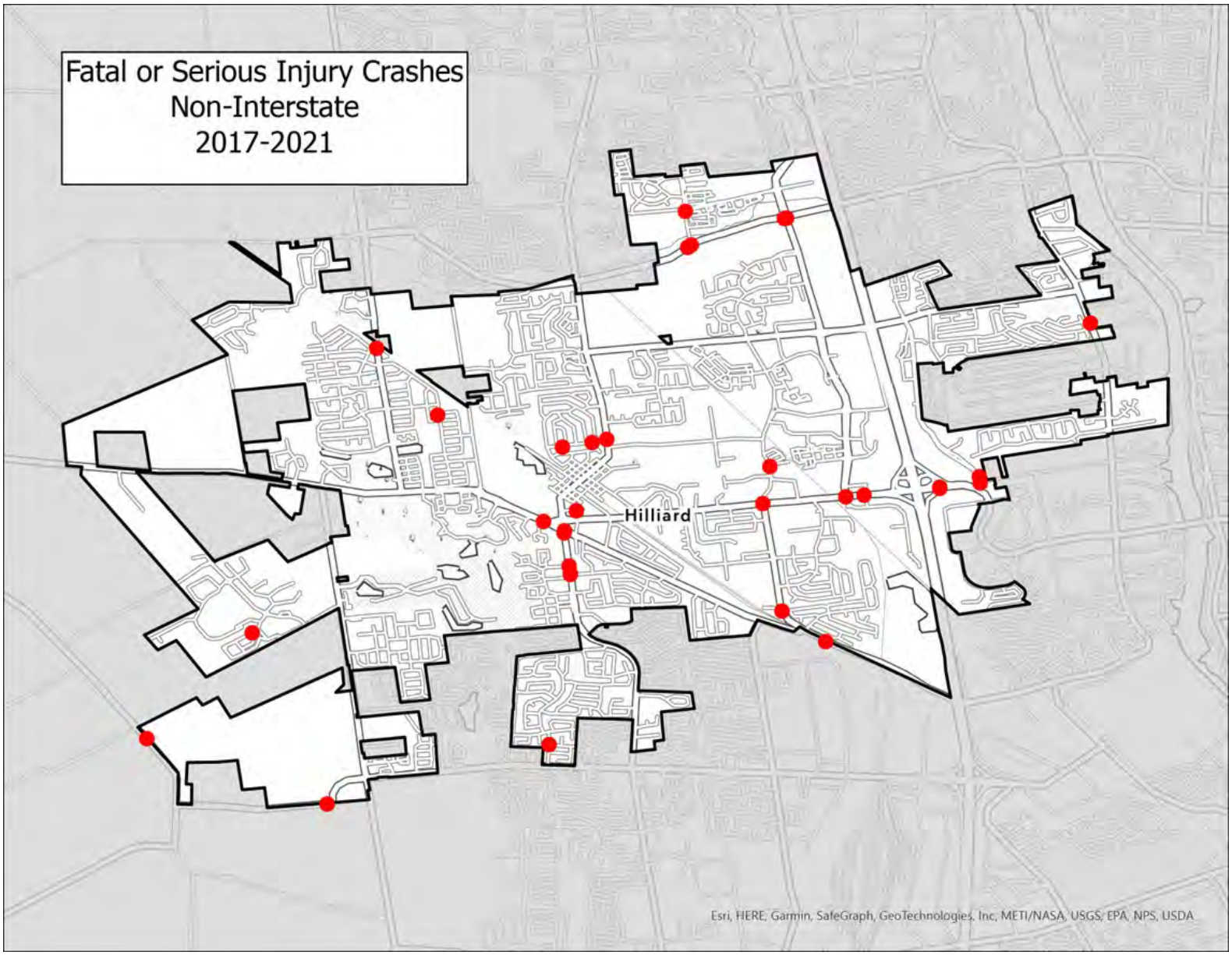


Exhibit 5: Fatal c Serious Injury Crashes, 2017-2021

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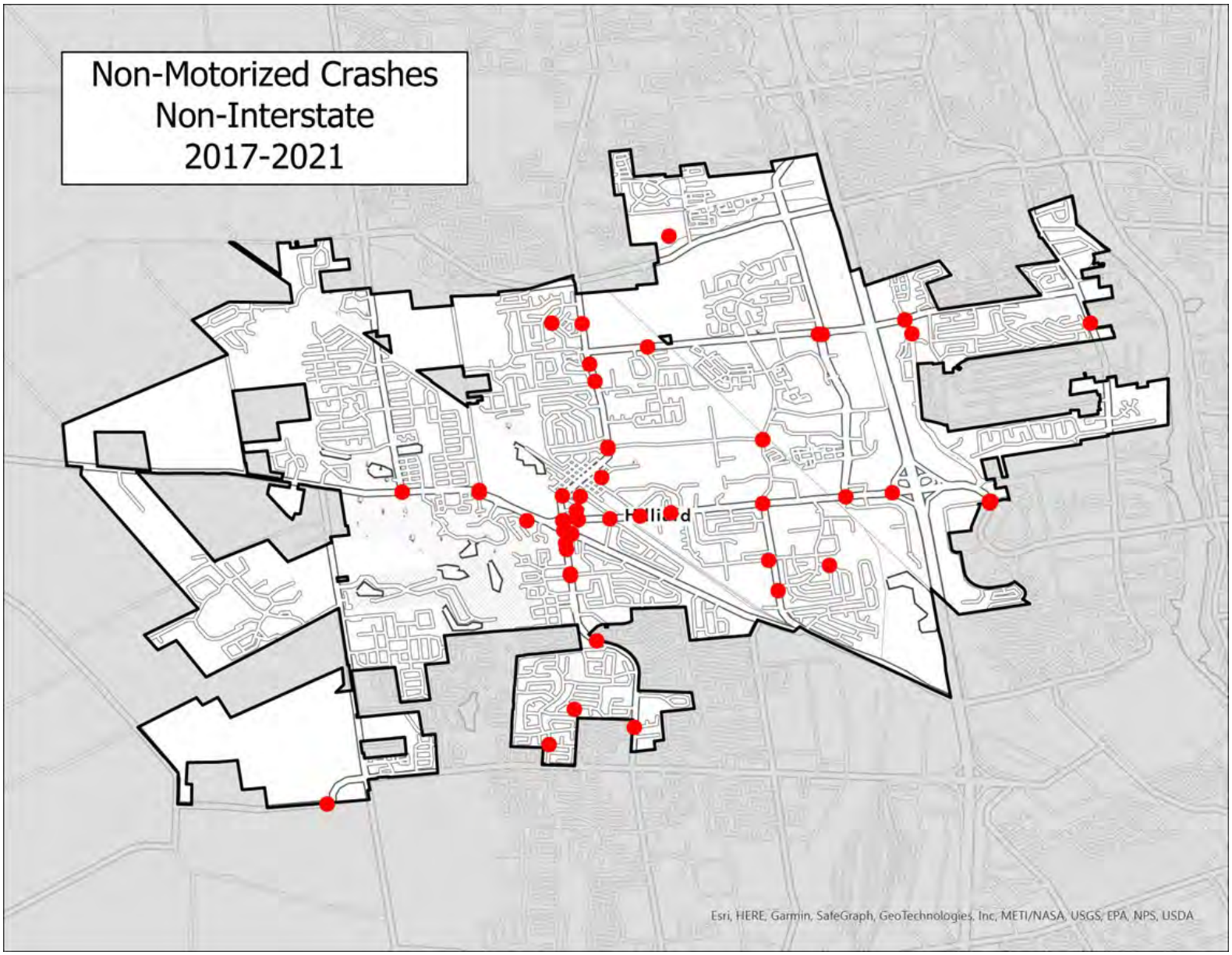


Exhibit 6: Non-Motorized Crash 2017-2021

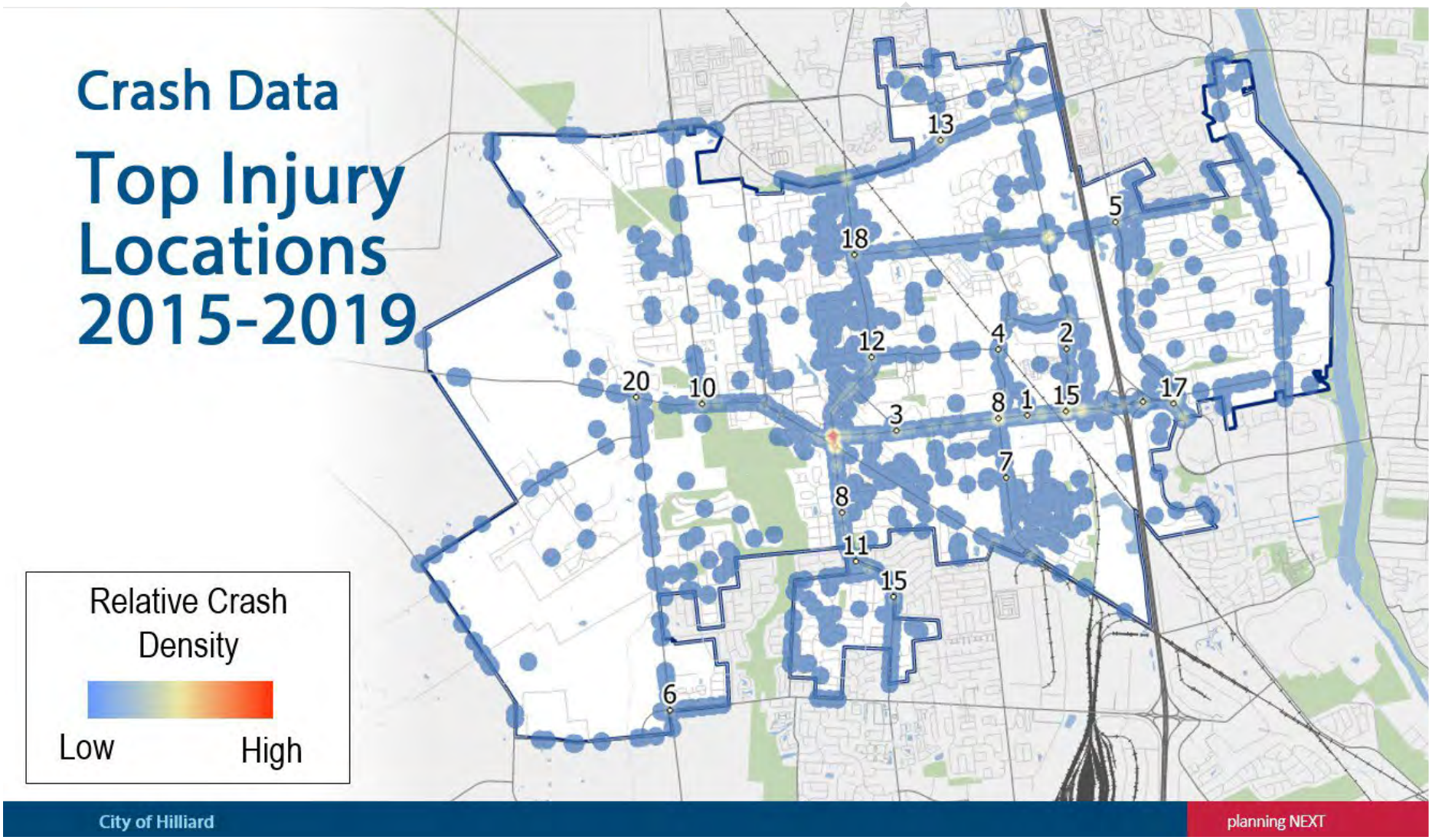


Exhibit 7: Top Injury Locations (From Hilliard Comprehensive Plan)

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Demographic and Equity Considerations

As part of this planning process, the City of Hilliard and the project team considered the demographic makeup of different parts of the City, particularly focusing on populations that are more likely to be mobility-limited, such as those individuals with an income below the poverty line, individuals aged 65 and older, and households with access to only one car or no cars. All data was attained from the 2021 5-Year American Community Survey using census tracts.

Some census tracts do not fit within the City boundaries completely therefore the information for these tracts cannot be reliably be fitted to the portions of Hilliard they cover, but they can provide limited insight to what the demographic data generally could be. Additionally, it is likely that many of the populations that live in the selected census tracts but outside the City of Hilliard still use the transportation network in Hilliard on a regular basis and, therefore, are susceptible to injuries and fatalities as a result of crashes within the City.

Exhibit 8 shows that census tracts that interacted with the City of Hilliard had older population tracts ranging from 5% of the population to 24% of the population, with most of the older population census tracts existing east of the interstate and in the southwestern portion of the City.

Exhibit 9 shows the percentage of the population in census tracts with a disability. The highest percentage of individuals with a disability is shown to be 14% in a census tract that wholly overlaps with the City of Hilliard's boundaries in the southeast corner of the City and the census tracts with the lowest percentage of individuals with a disability that intersects with the City are at 4%, sitting in the northeastern and southwestern corners portions of the City respectively.

Exhibit 10 portrays the households with access to only one vehicle. It is important to note that this data is referring to households and no information is provided on how many individuals are in each household with the ability or necessity to drive on a regular basis. This means that while a household may have access to one vehicle, there are potentially several individuals within that household that regularly require access to a vehicle but do not have it. The map shows a wide variation in the proportion of one-car households with some census tracts showing as few as 12% of households as having only one vehicle and on the other end, a census tract where 57% of households

Exhibit 11 similarly shows the households in the census tracts that intersect the City of Hilliard with no access to a vehicle. Based on the map, most of the households in and around Hilliard have access to eat least one vehicle, with several census tracts showing no households without access to a vehicle.

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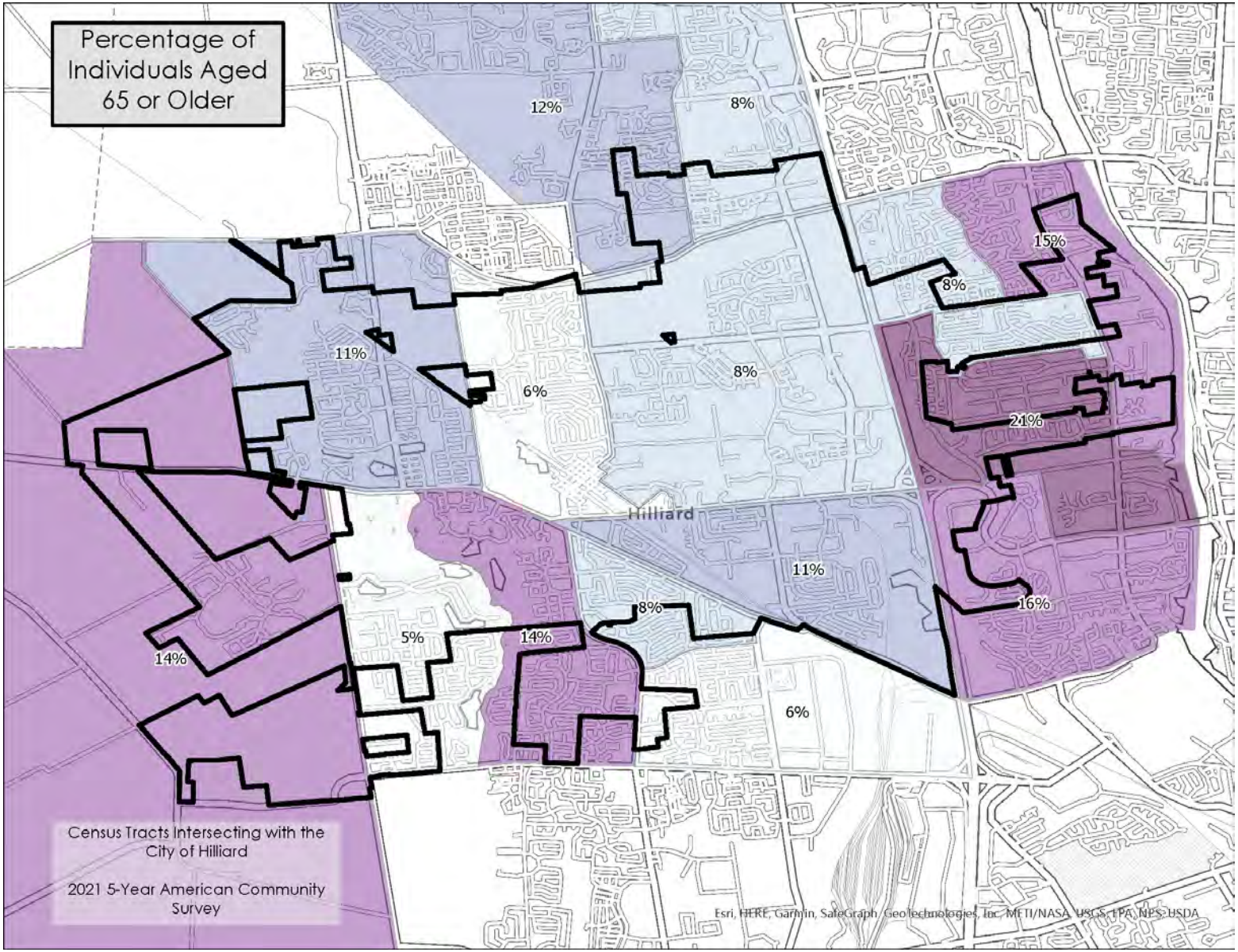


Exhibit 8: Percentage of Individuals Aged 65 or Older

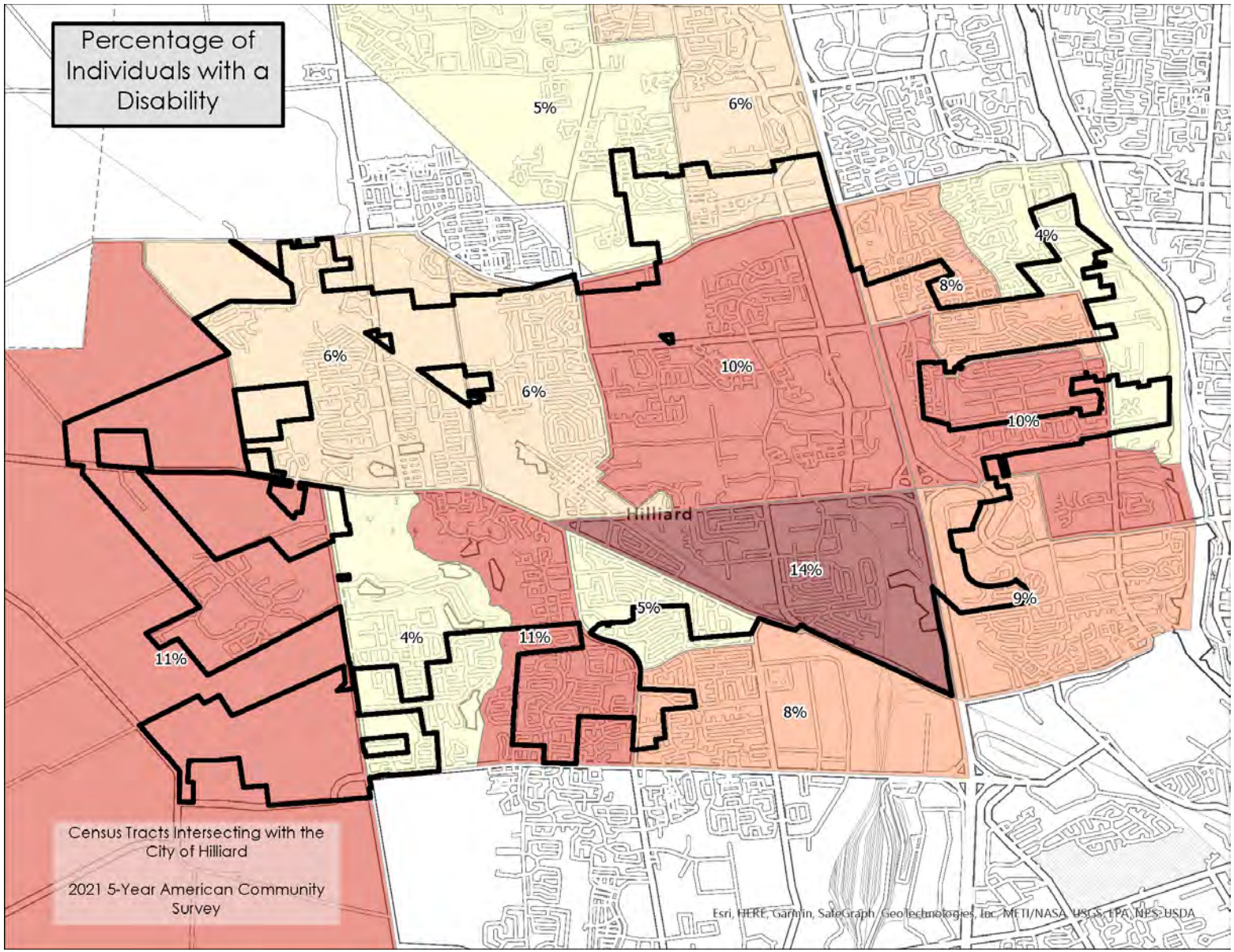


Exhibit 9: Percentage of Individuals with a Disability

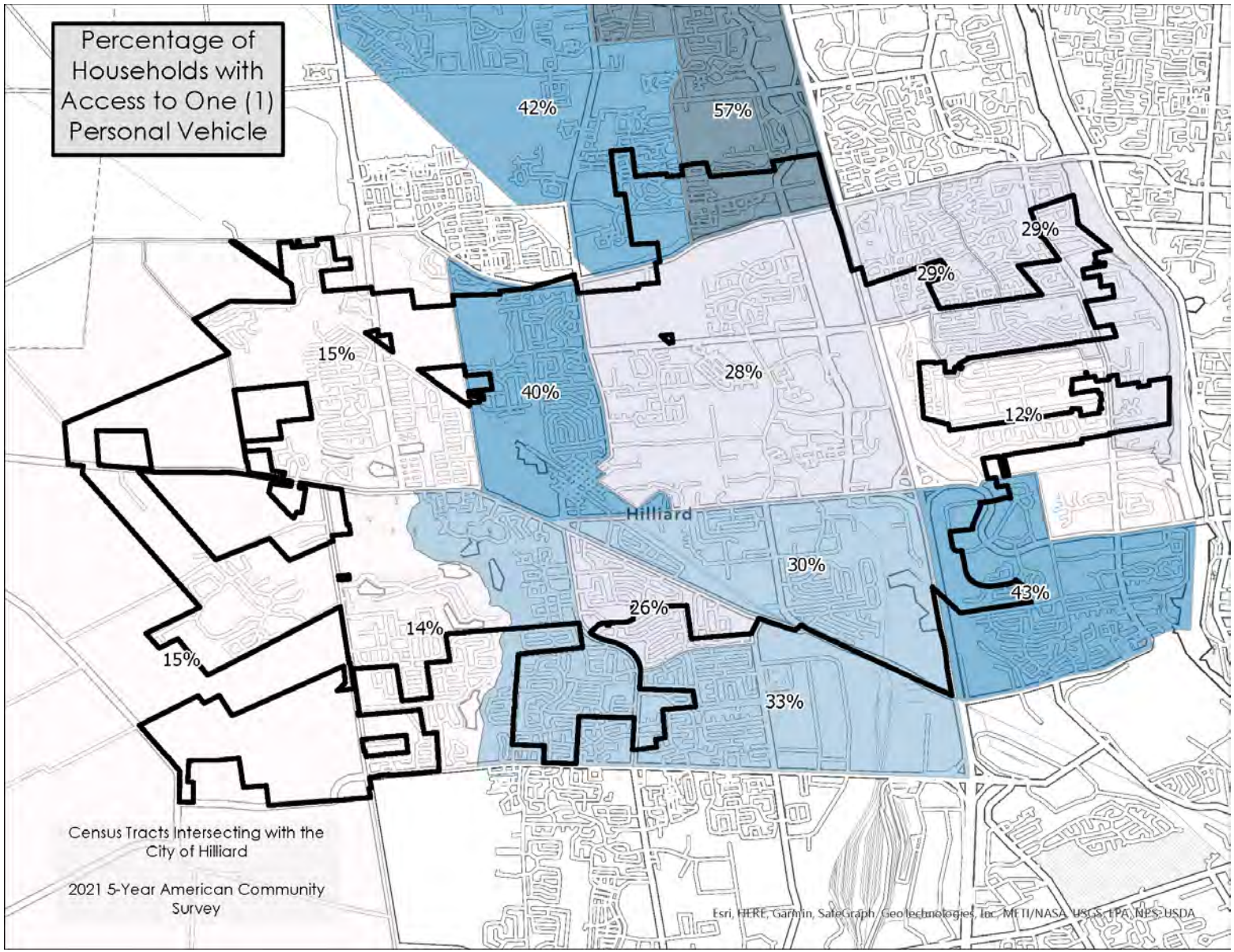


Exhibit 10: Percentage of Households with Access to One Personal Vehicle

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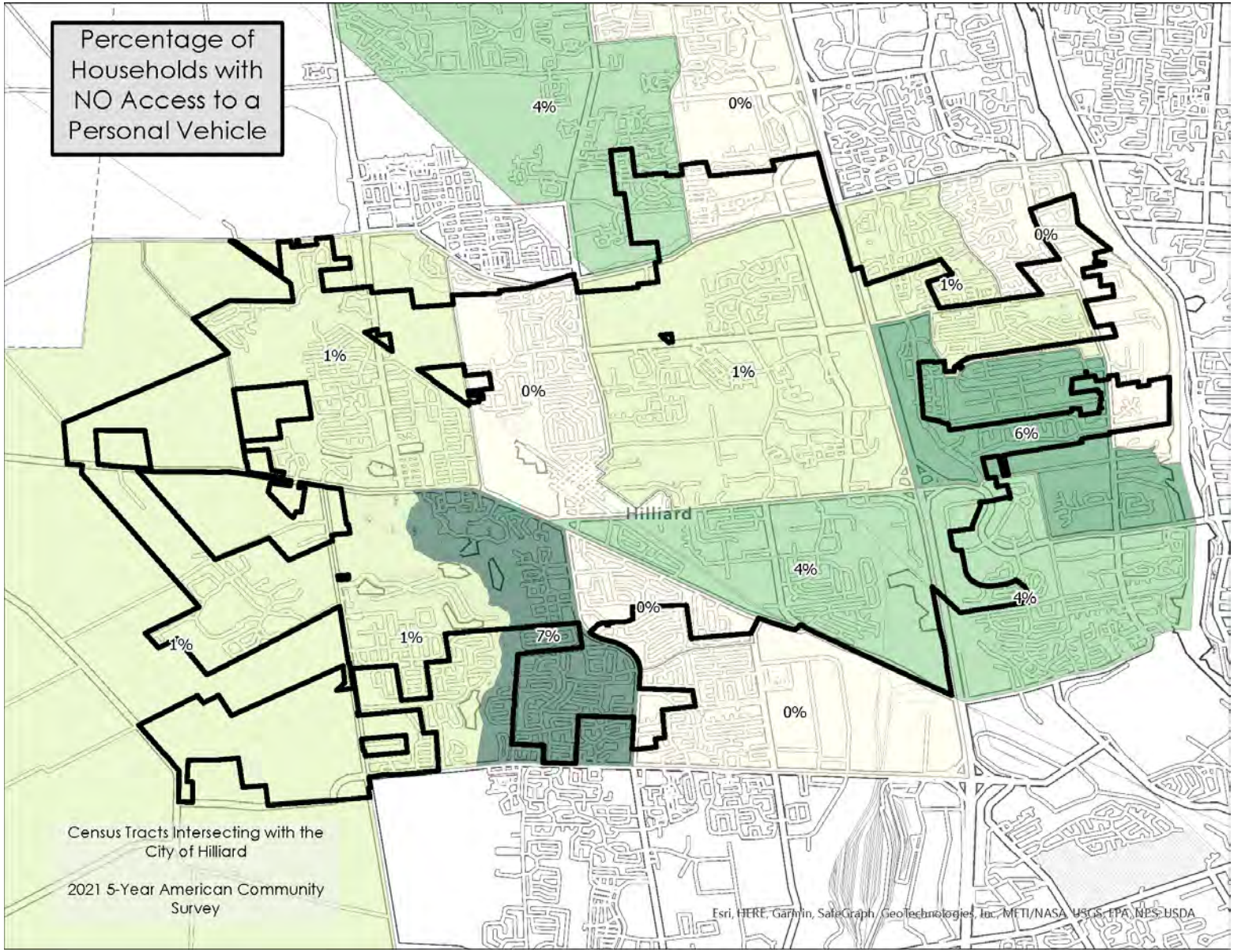


Exhibit 11: Percentage of Households with No Access to a Personal Vehicle

Alignment with Regional Goals

As mentioned in the introduction, the regional transportation safety program managed by MORPC has been active for years. The City of Hilliard was an active stakeholder in the creation of MORPC's **2019 Central Ohio Transportation Safety Plan**, participating in the regional transportation safety plan working group. The MORPC plan includes a regional-level high injury network (using 2013-2017 data) and Action Plan. Both the map and Action Plan strategies are reflected in this plan.

High Injury Network

The MORPC plan includes two maps – one showing high injury locations and the other showing high injury segments. Two of the high crash locations and two of the high crash segments are located within the City of Hilliard.

High crash locations:

- Intersection of Cemetery Road and Main Street
- Intersection of Scioto Darby Road and Main Street

High crash segments:

- Hilliard Rome Road/Main Street (5-lane section)
- Cemetery Road

These segments also appear on the City of Hilliard High Injury Network that was completed as part of the 2022 Hilliard Comprehensive Plan update. The two intersections are multi-lane roundabouts. While there has been a high crash frequency at these two locations in the past, very few injury crashes have occurred. Additionally, engineering, education, and enforcement improvements have been made at these intersections between 2019-2021 and crash frequencies have trended downward in recent years. Therefore, these intersections are not on the Hilliard High Injury Network. Hilliard is committed to advance projects and polices to lower the amount and severity of the high-crash locations and to make the high-injury network segments safer.

Strategies

The MORPC Action plan includes several strategies to address Serious Crash Types, Vulnerable Road Users, Driver Safety, and Emerging Technologies. These were presented to stakeholders during the Safe Streets for Hilliard plan development process to help identify those applicable to the city. The following MORPC strategies were adopted or customized for this plan.

1. Conduct walk and bicycle safety audits on high-priority corridors
2. Implement roundabouts where appropriate
3. Install low-cost safety treatments that reduce pedestrian, bicycle, and scooter crashes
4. Construct infrastructure that prioritizes pedestrian safety and accessibility, including ADA infrastructure, pedestrian curb bump-outs, high-visibility crosswalks, etc.
5. Prioritize construction projects that bridge gaps in the sidewalk networks.
6. Prioritize construction projects that bridge gaps in existing bicycle networks

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7. Develop new educational literature to inform the public of new infrastructure, new legislation, and emerging trends
8. Schedule social media posts to share safe driving habits, increasing frequency during holiday seasons and during major events.
9. Study impacts of existing speed limits and explore options for reducing speed limits in priority locations
10. Integrate speed mitigating design concepts such as roundabouts, lane striping, and road diets into current and future infrastructure projects while retaining access for emergency and commercial vehicles.
11. Promote grants awarded to law enforcement agencies to conduct highly visible enforcement activities related to aggressive and speeding drivers.
12. Provide free or discounted transit access for high school and college students and older adults

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Public and Stakeholder Engagement

This planning process solicited input from several sources to better get an idea of the biggest safety needs and concerns in Hilliard. Input was solicited through two methods:

- Public engagement through online surveys and comment maps
- Stakeholder engagement through an in-person workshop

Public Engagement

The public survey was held online from June 22nd, 2022 and the last response was received on July 29th, 2022. The survey was promoted via social media and on Hilliard's website in coordination with the City's Community Relations Departmentt. In total, 670 respondents answered the survey, with the vast majority of those responses submitted prior to the stakeholder meeting held on July 18th, 2022. The survey was comprised of two basic parts- a traditional online survey with one multiple choice and 15 Likert scale questions gauging the attitudes, perceptions, and priorities pertaining to safety in Hilliard. The second part of the survey was a comment map, where respondents were asked to identify locations with issue types and then further comment on the specifics of that issue. The categories for the comment map were bicycle and pedestrian barriers; I feel safe here; I feel unsafe here; speeding issue; and other.

Respondents felt that motorists had a generally unsafe attitude towards safety, whereas cyclists and pedestrians had a somewhat safe attitude toward safety (Figure 8).

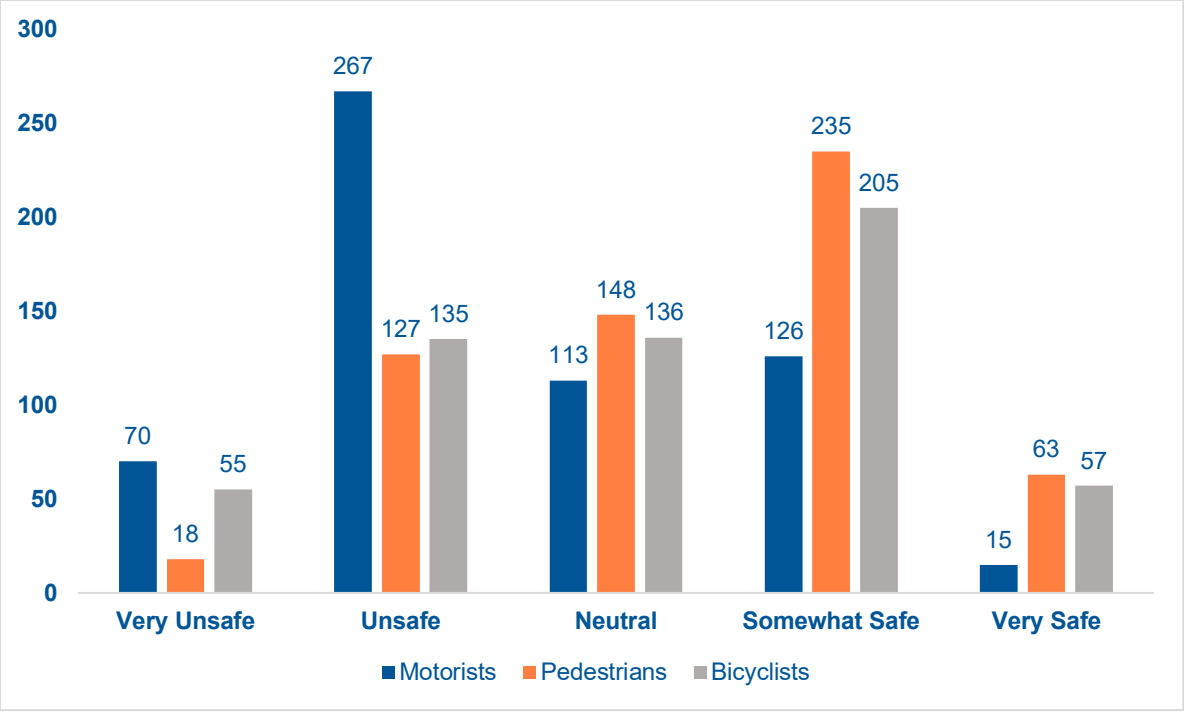


Figure 8: Survey Results - Current Attitudes Toward Transportation Safety

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Respondents believed that the top priorities for transportation safety investments in Hilliard should be adding both on- and off-street bicycle and pedestrian infrastructure as well as improving intersections by adding roundabouts and via other improvements (Figure 9).

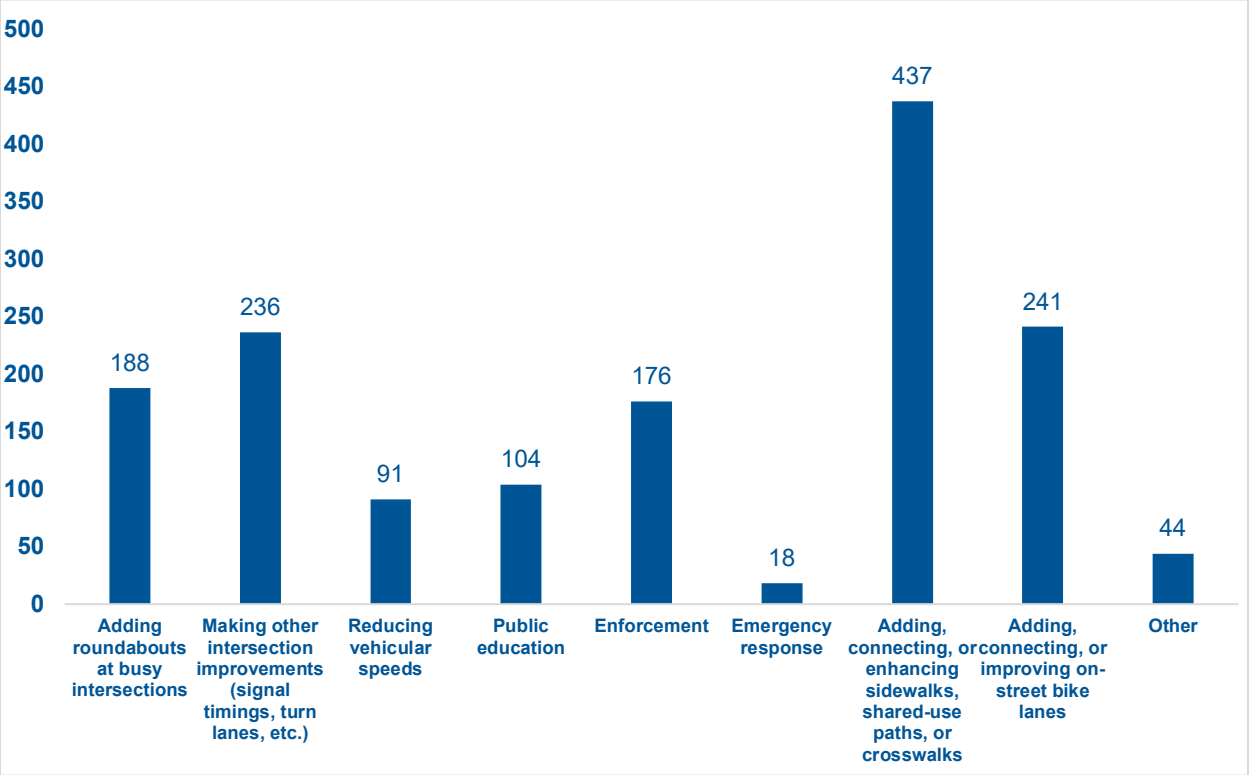


Figure 9: Survey Results - Transportation Safety Investments (3 responses per person):

Motorist respondents believed that Hilliard's streets and intersections mostly feel safe but believed other motorists in Hilliard do not always drive safe and courteously (Figures 10-11).

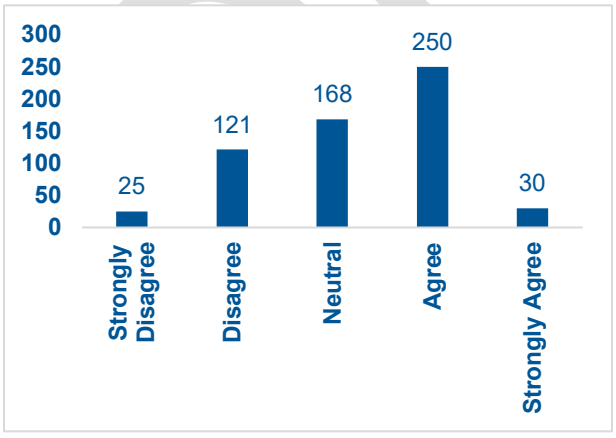


Figure 11: Survey Results - Hilliard's Streets and intersections Feel Safe

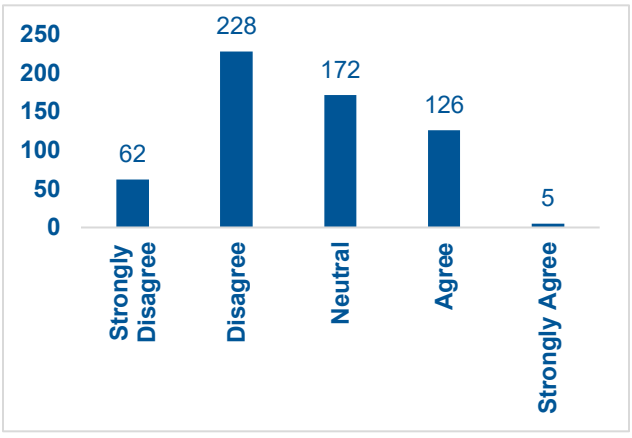


Figure 10: Survey Results - Motorists in Hilliard Drive Safely and Courteously

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Respondents reported feeling safe walking around Hilliard (Figure 12) whereas respondents replying overwhelmingly “disagree” or “neutral” to the same prompt when applied to biking (Figure 13).

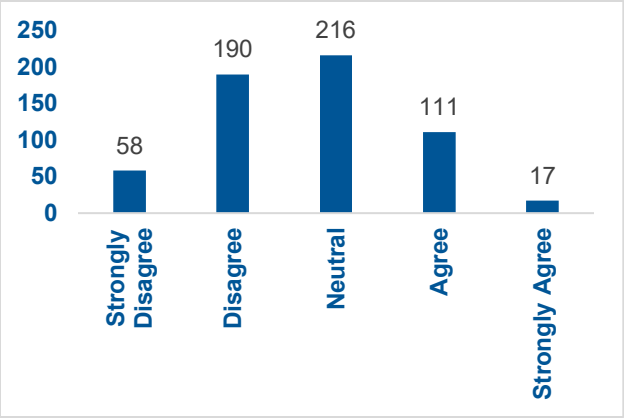


Figure 12: Survey Results -I feel Safe Walking Around Hilliard

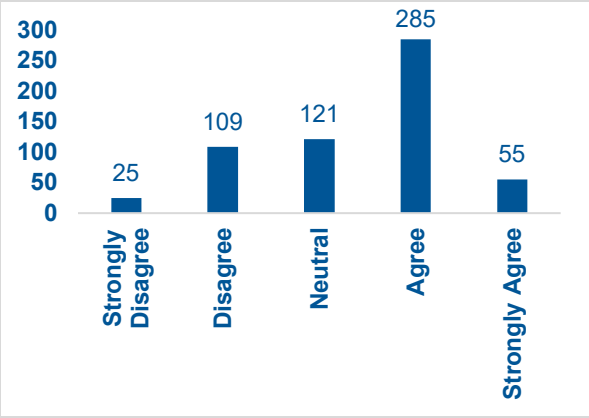


Figure 13: Survey Results -I feel Safe Biking around Hilliard

Respondents marked locations of concern and where they felt safe, with most of the comments having to do with locations where people felt unsafe. Some of the locations that saw a large cluster of comments were Riggins Road, the intersection of Main Street and Norwich Steet, and the intersections of Main Street, Cemetery Road, and Scioto Darby Roads (Exhibit 12).

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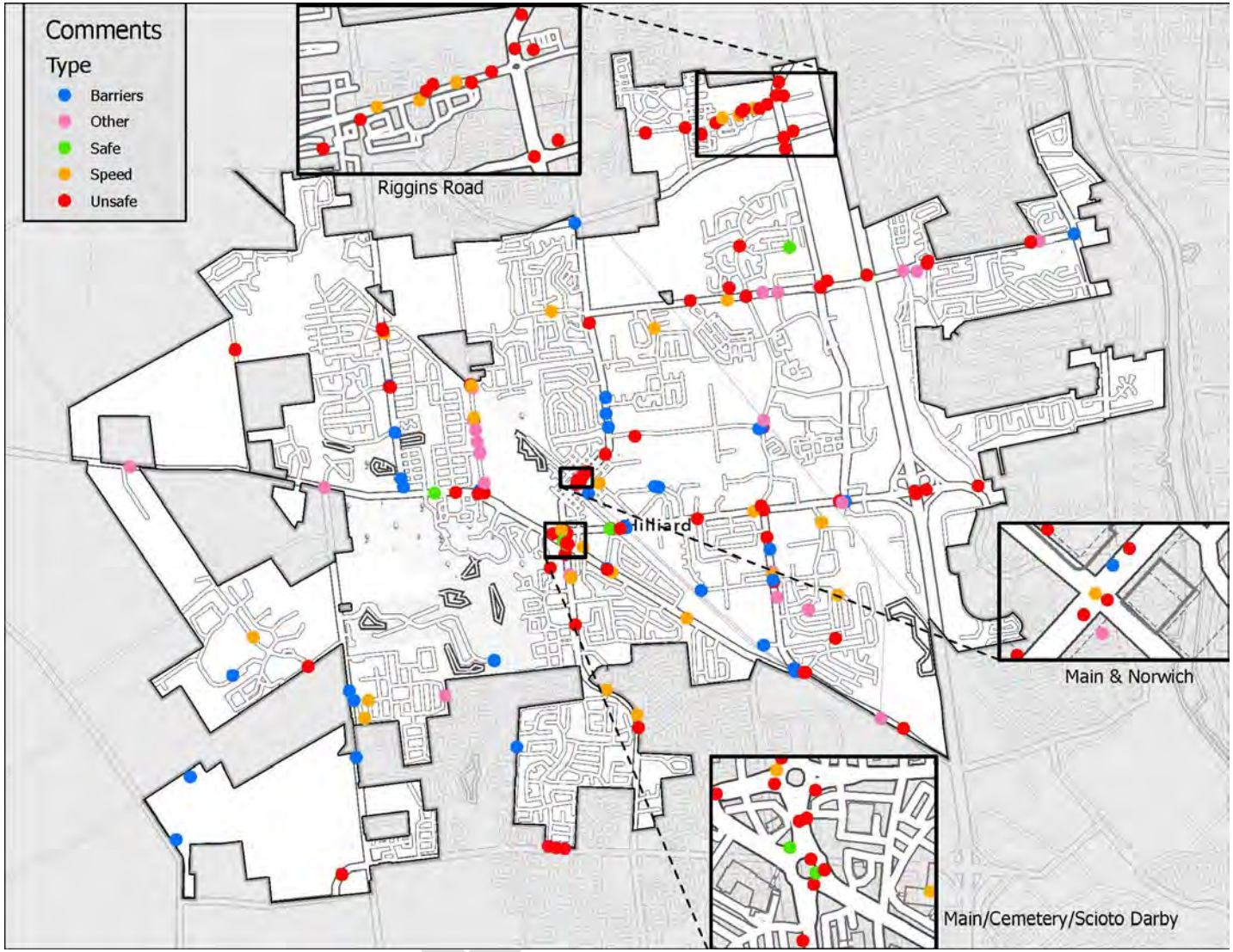


Exhibit 12: Survey Comment Map

Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail

Stakeholder Meeting

A group of relevant stakeholders from the Hilliard area was assembled by the project team for an interactive in-person meeting that was held on July 18th, 2022. Participants in this stakeholder group included ten individuals from the following organizations:

- The City of Hilliard
  - Division of Transportation and Mobility
  - Division of Planning
  - Division of Police
  - Department of Recreation and Parks
  - Department of Community Relations
- Franklin County Department of Public Health
- Columbus Public Health, Franklin County Safe Communities
- Hilliard City Schools
- MORPC
- Local non-profit FESTA (Feed, Educate, Serve, Train, Advocate)
- Norwich Township Fire Department

The meeting began with a presentation on the background of the project as well as data analysis and public outreach results to familiarize the stakeholders with the ultimate goal of the plan. Following this was a group discussion on what the vision and goals for the plan should be and breakout discussions on the most pressing safety issues facing Hilliard and what potential solutions might look like.

The breakout discussions were structured around the three safety emphasis areas proposed by the project team and agreed to by the stakeholders- intersections, young drivers, and speed. Each emphasis area included a crash data story to get the conversation started and then focused on what is already working, other known challenges, and what possible safety countermeasures could be deployed to ameliorate the stated issues.

To further support discussion, a map of the City of Hilliard of was presented to stakeholders for them to make location-specific notes. Exhibit 13 is a digitized rendition of the comments drawn on the physical map during the stakeholder meeting.

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Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

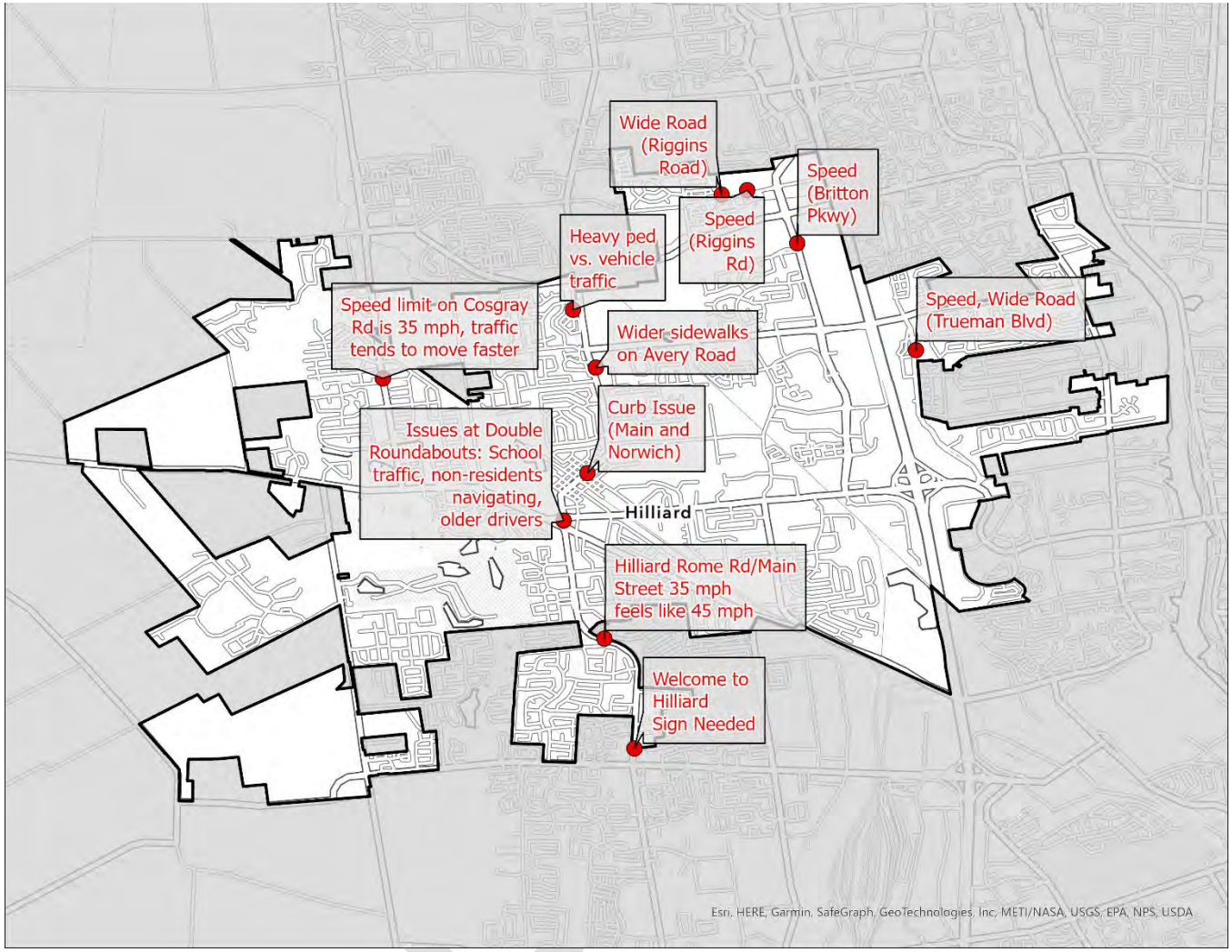


Exhibit 13: Stakeholder Meeting Comment Map

Emphasis Areas

Based on the data analysis and stakeholder engagement processes, three emphasis areas for this plan became clear- speed, young drivers, and intersections. Solutions and countermeasures addressing each of the emphasis areas will often overlap and be complimentary. Additionally, just because these three emphasis areas have been chosen to be the focus of the plan, that does not mean other potential emphasis areas will not be addressed. For example, since crashes involving vulnerable road users are relatively low but so highly represented in the EPDO, the project team decided to dedicate extra attention to pedestrians and cyclists in the context of each emphasis area as opposed to making bicycle and pedestrian crashes a separate emphasis area.

Speed

Universally, speed is considered the most major factor in crash frequency and severity- the situation in Hilliard is no different. Speed is a factor in more crashes in Hilliard than the Ohio statewide average and was a contributing factor in eight of the serious injury crashes and two of the fatal crashes in Hilliard from 2017-2021 (Figure 14).

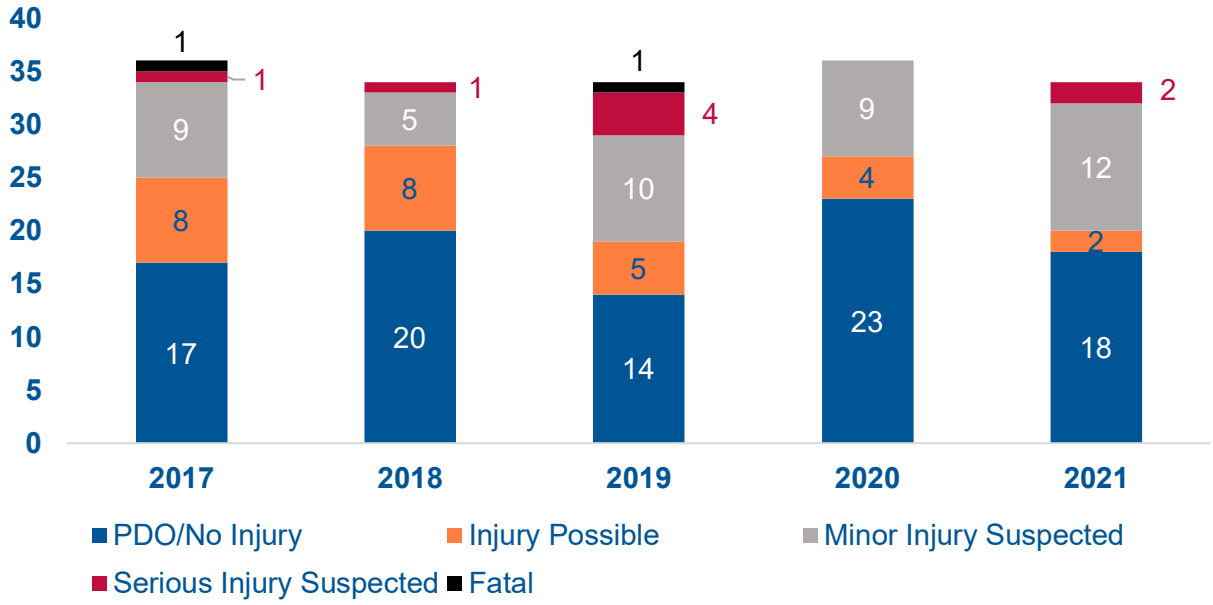


Figure 14: Speed-Related Crashes by Severity, 2017-2021

Speed-related serious injury and fatal crashes also show a significant overlap with the other emphasis areas selected for this plan, young drivers, and intersections, as well as being a factor in 50% of the pedestrian fatalities (Figure 15).

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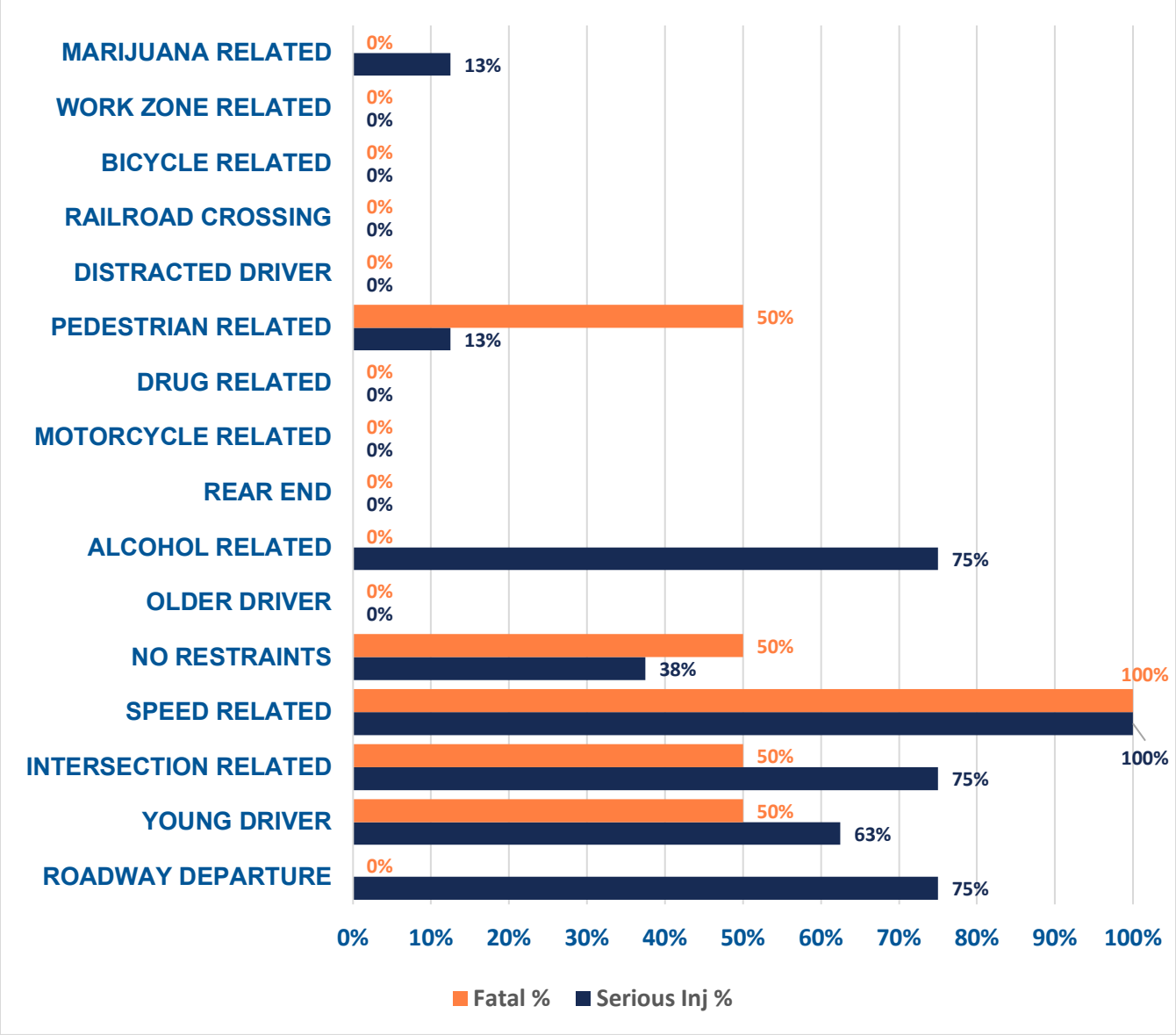


Figure 15: Speed-Related Fatal and Serious Injury Crashes Overlaps, 2017-2021

Speed-related fatal and injury crashes take the form of a variety of types of crashes, with fixed objects collisions happening three times in the 2017-2021 span, and pedestrian and angle crashes happening twice each in that same period (Figure 16).

Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

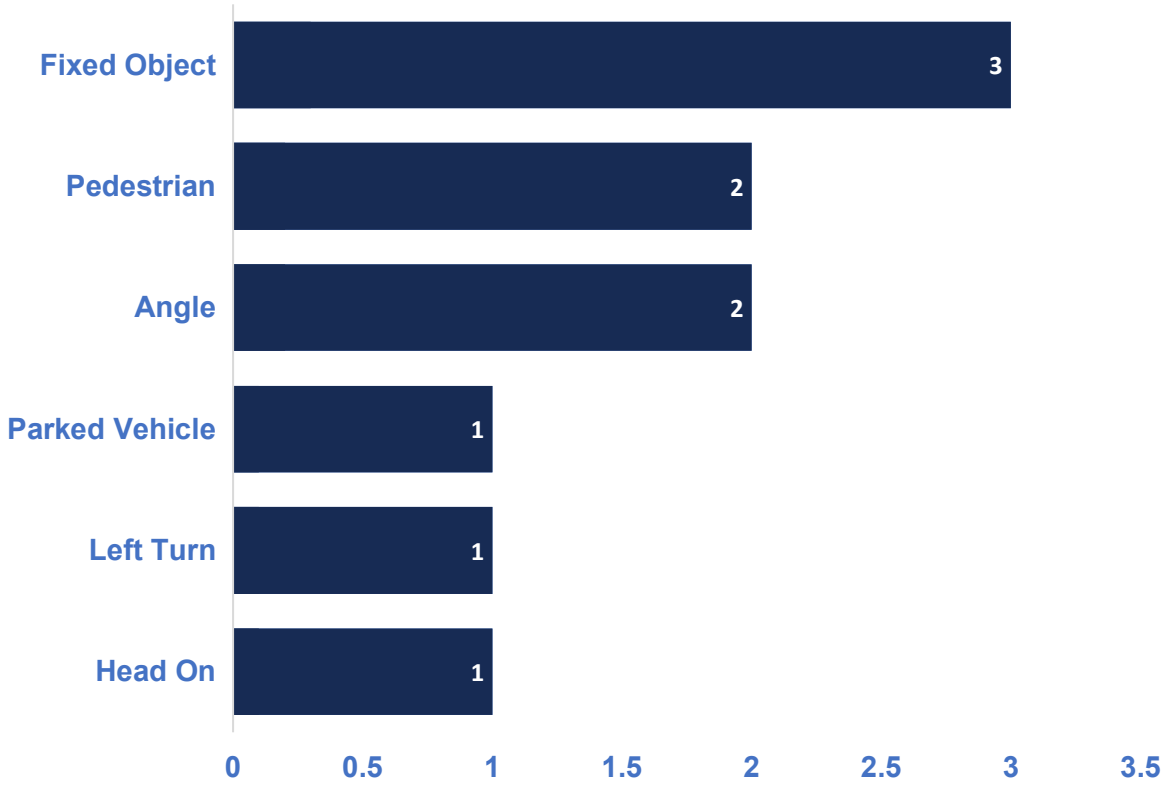


Figure 16: Speed-Related Fatal and Injury Crashes by Type, 2017-2021

Streetlight Data is mobility analytics company that collects large data sets from mobile devices to fuel all manner of transportation analysis. One such piece of information is known as the 85th percentile speed, a standard measure of travel speed on a given roadway. 85th percentile speed is defined as "the speed at or below which 85 percent of all vehicles are observed to travel under free-flowing conditions past a monitored point". Streetlight Data is largely reliable but due to the collection methods and size of the data sets, there can be some anomalies- Streetlight Data should be used in combination with knowledge of local conditions. Exhibit 14 shows the output of Streetlight Data's 85th percentile speed data set for available non-interstate roads in the City of Hilliard.

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Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

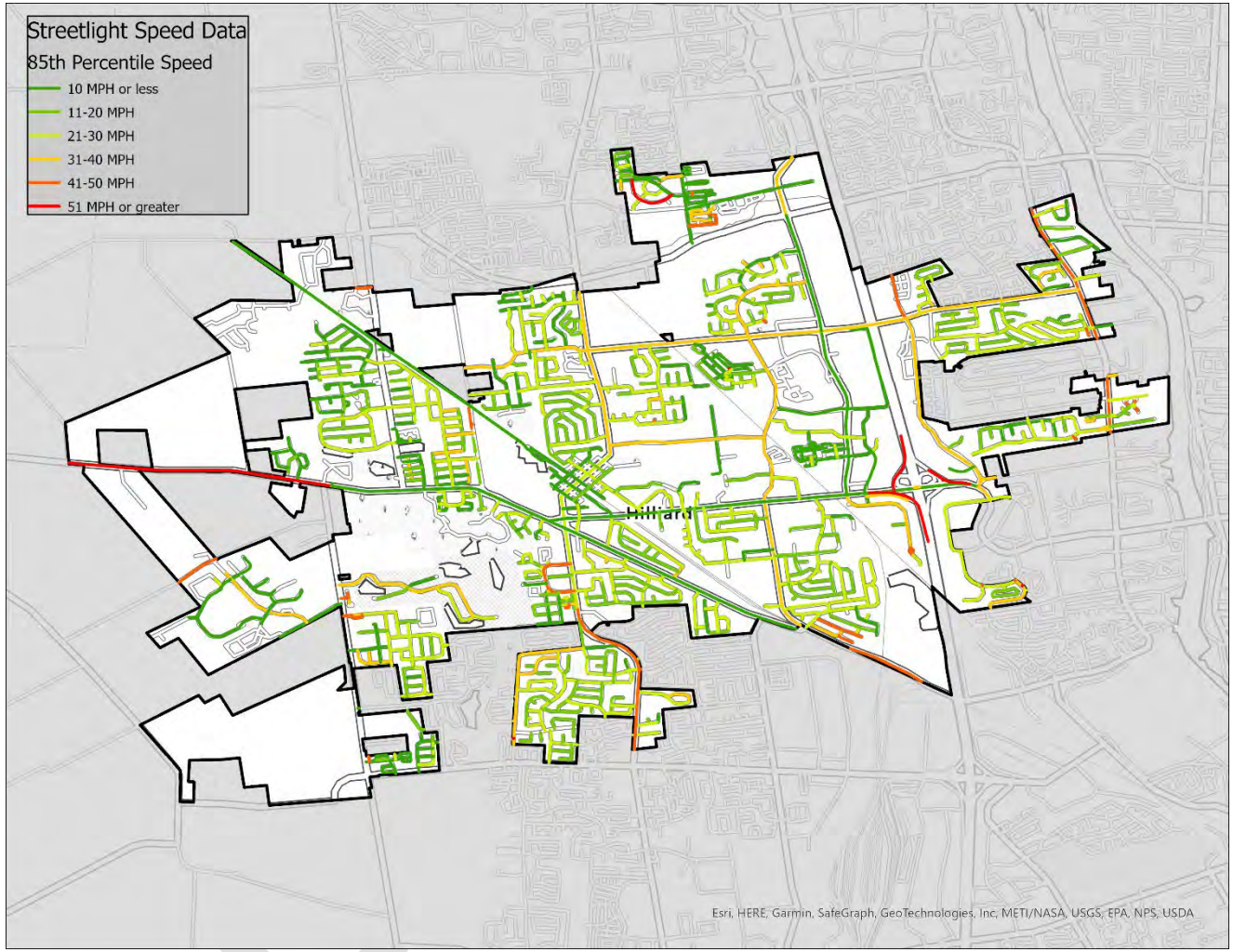


Exhibit 14: Streetlight Data

Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail

During the stakeholder meeting, the breakout groups reported out their ideas for potential solutions to speeding in Hilliard:

- Create “gateway” into Hilliard at locations where speed limits change as drivers enter Hilliard, specifically along Hillard-Rome Road
- Change footprint/feel of roadway to reduce speeds
- Educate drivers on the dangers of speeding (similar to the roundabout information that was disseminated at traffic stops)
- Evaluate roadways for appropriate speed limits
- Investigate permanent speed feedback signs at key locations

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Young Drivers

Young drivers are less experienced than other drivers and are more prone to poor decision making compared to other cohorts. Young drivers also may not always fully understand the risks and gravity of traffic crashes. Young drivers are defined in this plan as being between the ages of 16-25. Young drivers were selected as an emphasis area for this plan largely due to the high amount of fatal and serious injury crashes associated with the topic compared to other potential emphasis areas, as severe crashes involving young drivers accounted for one fatal crash and 12 serious injury crashes (Figure 17).

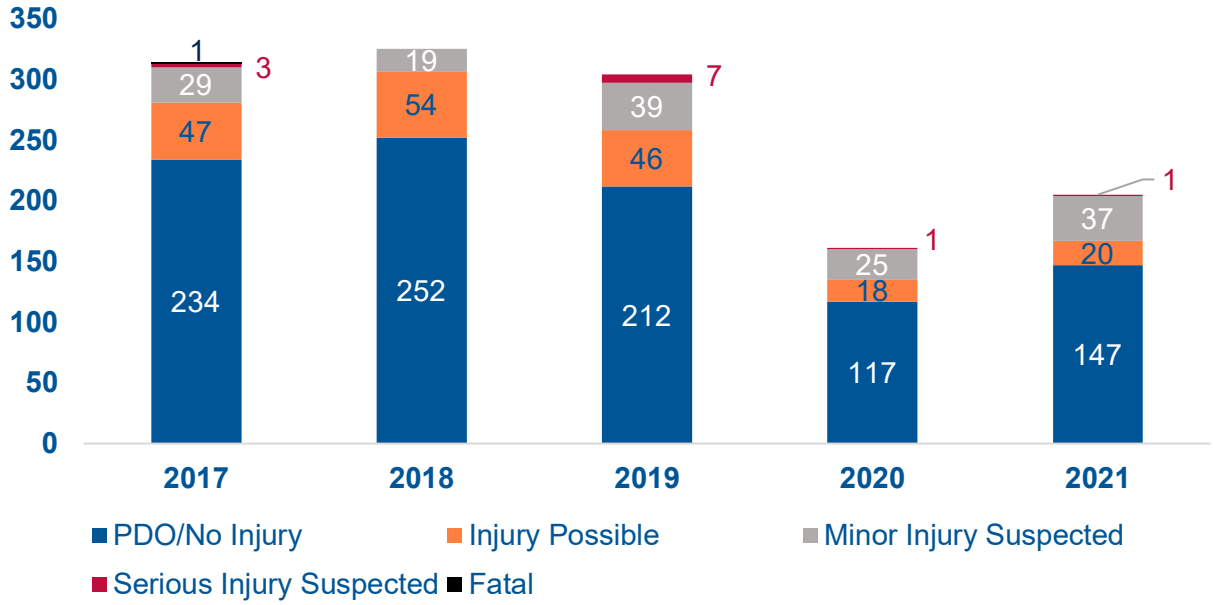


Figure 17: Young Driver-Related Crashes by Severity, 2017-2021

Young driver crashes share an overlap with the other two selected emphasis areas, intersections, and speed, as well as accounting for all the pedestrian-related fatal crashes in Hilliard between 2017 and 2021 (Figure 18).

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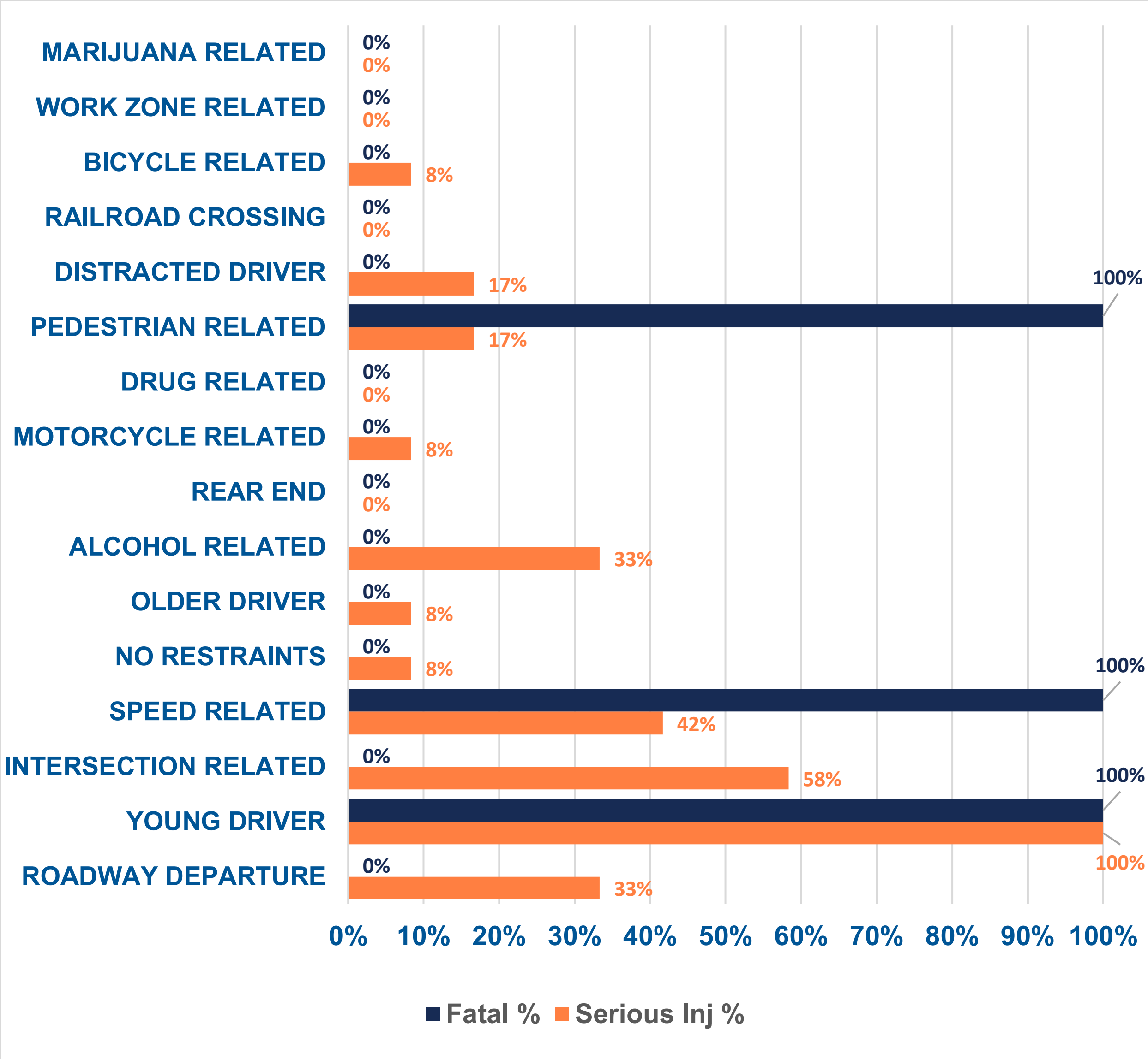


Figure 18: Young Driver-Related Fatal and Serious Injury Crashes Overlaps, 2017-2021

In the young driver cohort, most severe crashes involved drivers that were high-school aged, so even amongst young drivers, the younger drivers within the group are at a higher risk to be involved in a crash that results in a serious injury or a fatality (Figure 19).

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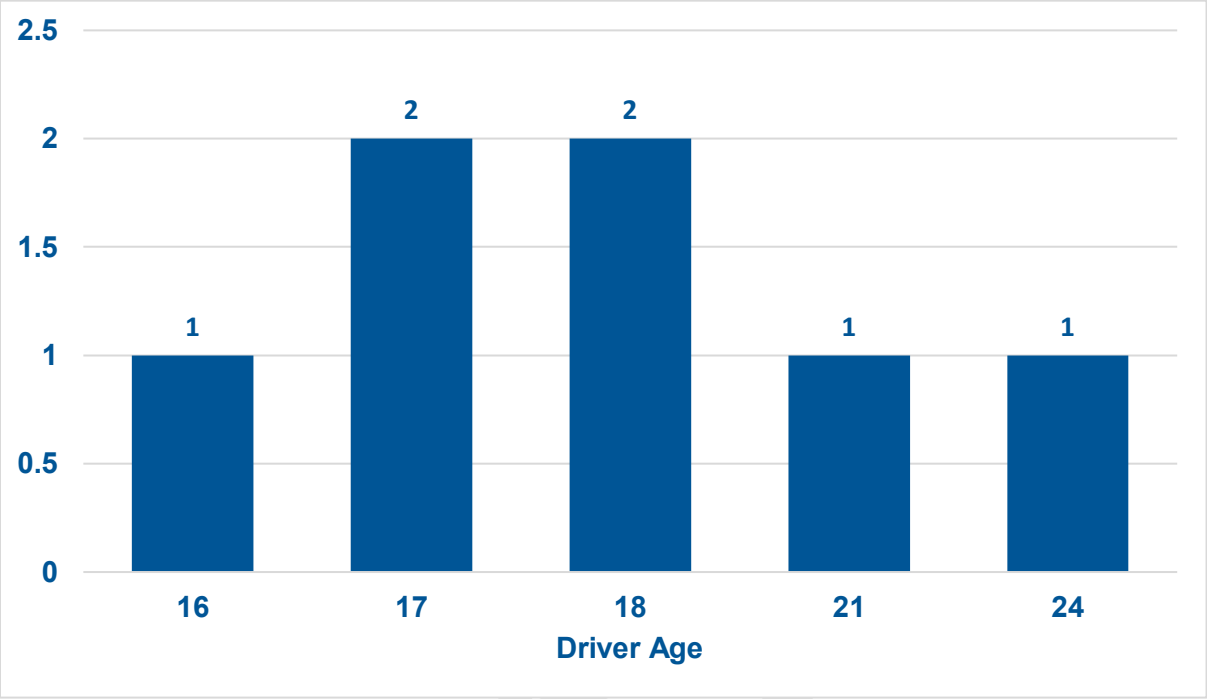


Figure 19: Young Driver-Related Fatal and Serious Injury Crashes by Age, 2017-2021

Young driver-related severe crashes are most often typified as pedestrian and angle crashes with three of each of those categories, and two crashes per fixed object, left turn, and head on (Figure 20).

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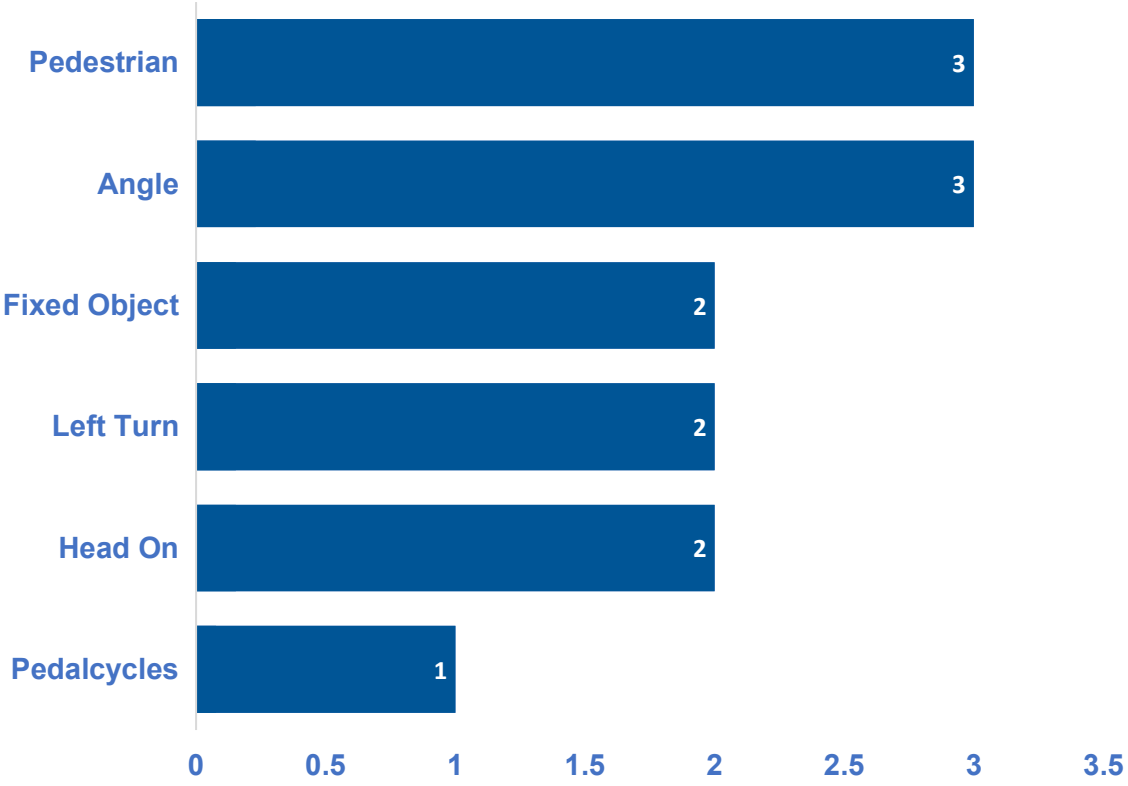


Figure 20: Young Driver-Related Fatal and Injury Crashes by Type, 2017-2022

During the stakeholder meeting, the breakout groups reported out their ideas for potential solutions to young driver crashes in Hilliard:

- Have banners/announcements at sporting or school-sponsored events
- Capitalize on FESTA camps to teach children about traffic safety as pedestrians and drivers
- Insurance-sponsored trainings at high schools
- Partner with adjacent agencies to sponsor motivational speakers for teen driver education
- Create online video with incentive/reward, possibly on a platform like TikTok

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Intersections

At intersections, interactions between motorists are all but guaranteed. Intersections are also places where different modes are most likely to interact as non-motorized travelers will often have to traverse across vehicle travel lanes. Because of the increased interactions that come with intersections, they can be a focal point for crashes. Intersections were selected to be an emphasis area in part because of the frequency of crashes that occurred at intersections, including one fatal crash and 18 severe injury crashes (Figure 21).

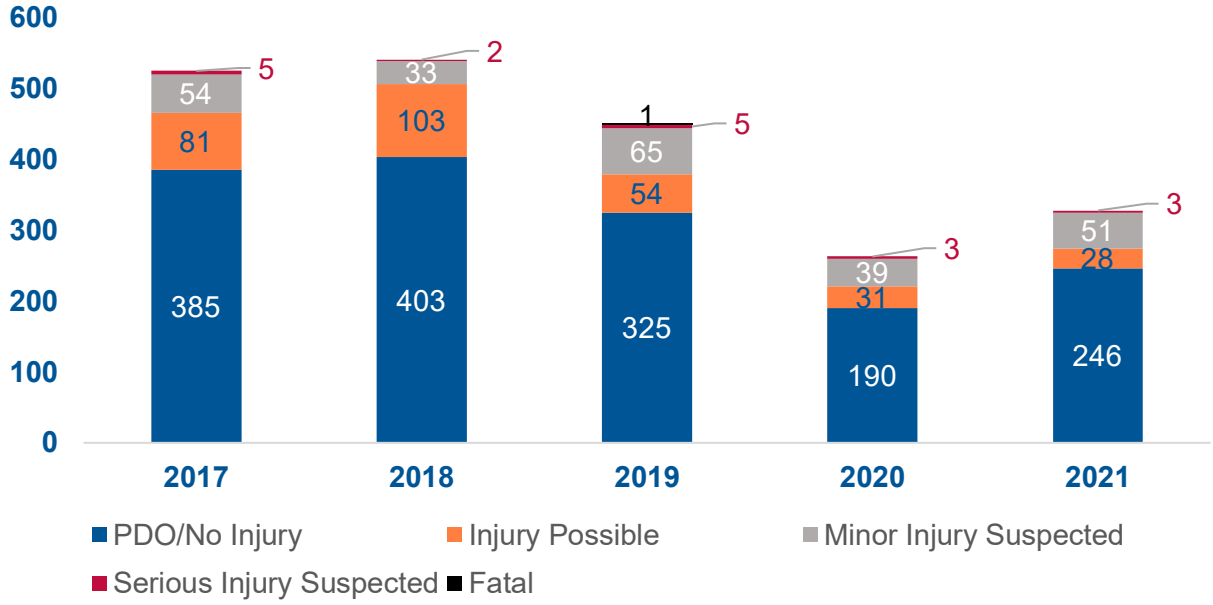


Figure 21: Intersection-Related Crashes by Severity

Similar to the previous two emphasis areas, intersection-related crashes show significant overlap with the other emphasis areas in the plan, along with other areas such as no restraints worn and alcohol-related crashes (Figure 22).

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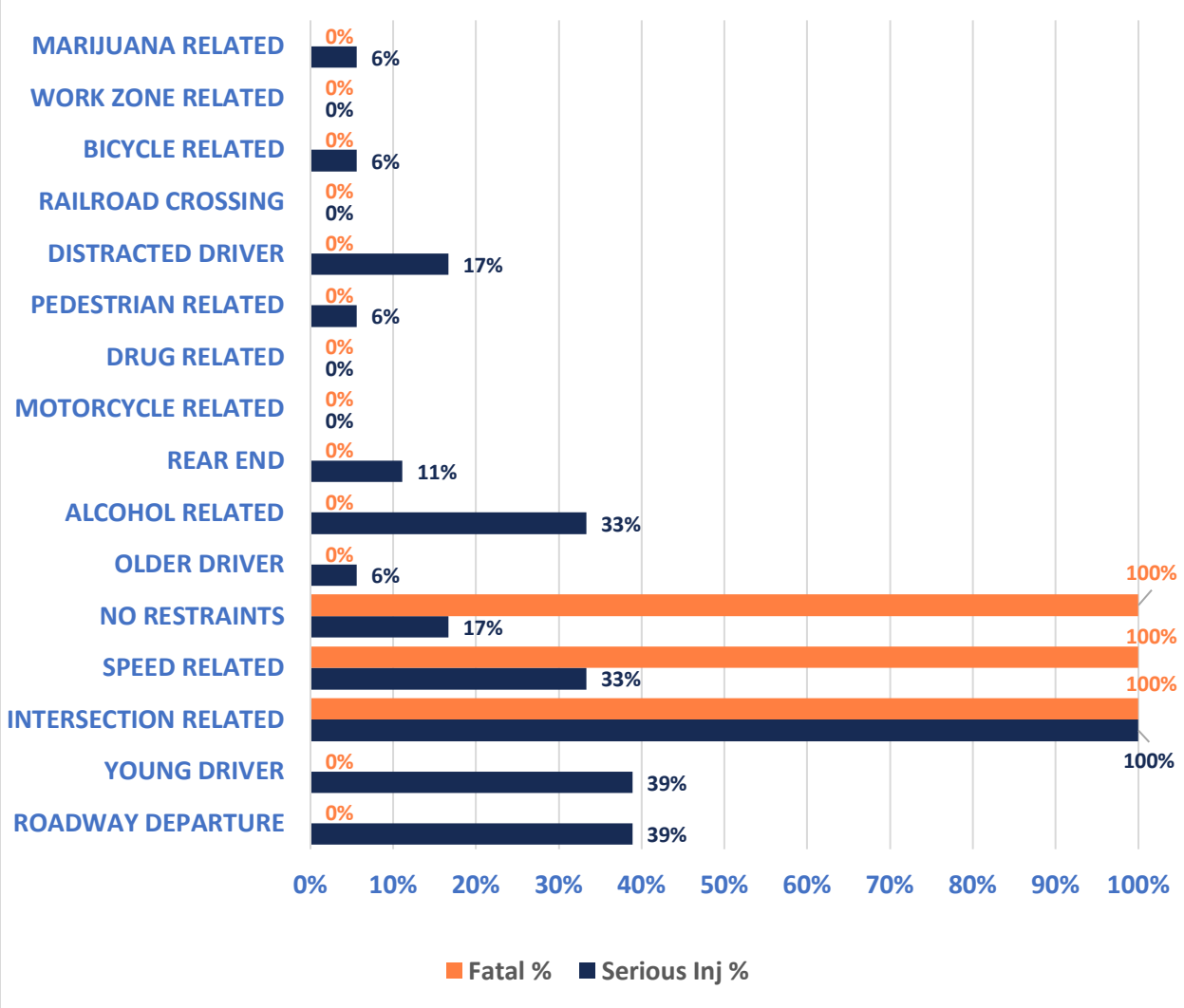


Figure 22: Intersection-Related Fatal and Serious Injury Crashes Overlaps, 2017-2021

Many of the severe crashes at intersections were typified as angle, fixed object, left turn, or rear end crashes (Figure 23). Head-on, pedestrian, sideswipe (passing), and pedal cycles also represented severe crashes at intersections.

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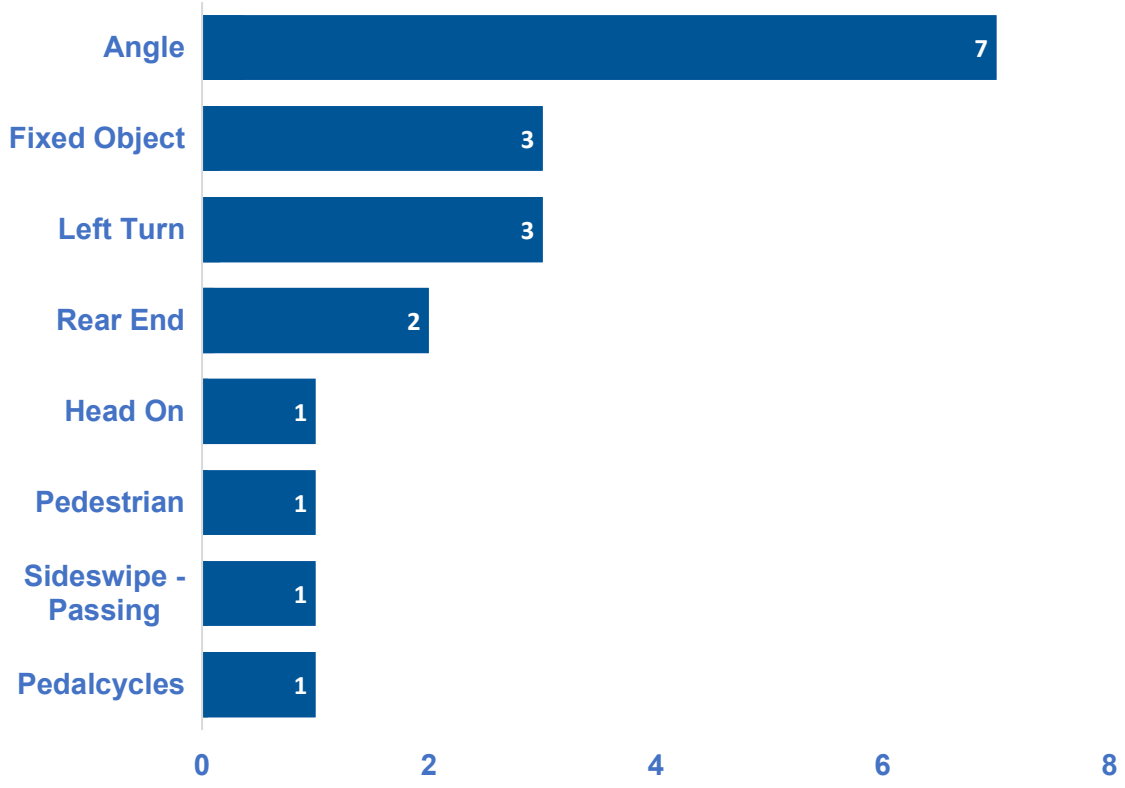


Figure 23: Intersection-Related Fatal and Serious Injury Crashes by Type, 2017-2021

During the stakeholder meeting, the breakout groups reported out their ideas for potential solutions to intersection crashes in Hilliard:

- Sign No Right Turn on Red and/or install “Yield to Pedestrian” signage
- Re-evaluate COTA bus stop locations in proximity to intersections, especially layover stops
- Review left-turn phasing
- Increase signal visibility (backplates, etc.)
- Re-evaluate clearance intervals
- Educate non-English speaking community on intersection safety through Festa
- Create “adult drivers’ education” which could include mailers in the trash bill
- Install high-visibility crosswalks and pedestrian beacons or signals
- Review buffers between sidewalks and roadways

Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

Action Plan

The Action Plan was developed by stakeholders, using information from other planning efforts, local knowledge, and data analysis. These inputs were the deciding factors to identify the following effective solutions for the City of Hilliard. Implementation of every action will be initiated over the next five years, with some occurring immediately and others later. Outcomes and lead agencies have been identified for every action to ensure someone is responsible for implementation and understands how to measure and evaluate progress or completion. The number of strategies and actions are limited in number and only include priority safety efforts, or the activities, that have the support, resources, and ability to be addressed over the next five years.

The actions are framed around three over-arching strategies:

Strategy 1: Safe Roads: Consider how the safety engineering treatments can increase alertness, address speed, and keep drivers on the road.

Strategy 2: Safer Road Users: Educate all road users and support enforcement to reduce distracted driving, young driver risk taking, and speeding to keep vehicle on the road.

Strategy 3: Safe Speeds: Review average speeds, in coordination with crashes, to identify roadway improvements, educational needs, and/or policies to reduce the severity of this crash type.

For each safety challenges identified - intersections, young drivers, vulnerable road users, and speed – the solutions are cross cutting to address the roads, road users, and speeds.

The goal is to complete or initiate progress on all these, but the highest priorities are to:

- Review current trail and sidewalk network to identify gaps and prioritize future connections, particularly along the High Injury Network within the City
- Apply speed management strategies along multi-lane arterials, particularly in areas where pedestrians and cyclists are present
- Develop a “Roundabouts First” policy

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Table 3: Action Plan Strategy 1

Strategy 1: Retrofit existing streets and intersections to accommodate human mistakes and injury tolerances to reduce the severity of crashes that do occur and prevent future crashes						
			Emphasis Areas Addressed			
Action	**Outcome**	**Lead Agency**	**INT**	**YD**	**VRU**	**Spee**
1. In school zones and in high pedestrian areas, install no right turn on red and/or yield to pedestrian signage	Identify locations for signage	City of Hilliard – Division of Transportation & Mobility	X		X	
2. Implement proven safety countermeasures at traffic signals and crosswalks to reduce vehicle, bicycle, and pedestrian crashes, especially backplates, countdown pedestrian signal heads, leading pedestrian intervals, rapid flashing beacons, and high visibility crosswalks	Continue systemic and systematic application of countermeasures	City of Hilliard – Division of Transportation & Mobility	X	X	X	
3. Coordinate with COTA to re-evaluate bus layover locations related to mobility and safety concerns close to intersections	Coordination with COTA	City of Hilliard – Division of Transportation & Mobility	X			
4. Review left turn phasing at intersections, prioritizing high crash intersections	Identify locations where existing permissive/protected left turns should be converted to protected only	City of Hilliard – Division of Transportation & Mobility	X			
5. Re-evaluate clearance intervals	Ensure yellow and red clearance intervals meet current OMUTCD guidelines	City of Hilliard – Division of Transportation & Mobility	X			X
6. Prioritize locations for new shared-use paths or wide sidewalks along Thoroughfare Plan streets (versus on-road bicycle lanes) and complete gaps in existing trail network	Review current trail and sidewalk networks to identify gaps and prioritize future connections	City of Hilliard – Division of Transportation & Mobility			X	

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Strategy 1: Retrofit existing streets and intersections to accommodate human mistakes and injury tolerances to reduce the severity of crashes that do occur and prevent future crashes

			Emphasis Areas Addressed			
Action	**Outcome**	**Lead Agency**	**INT**	**YD**	**VRU**	**Spee**
7. Conduct walking and bicycle safety audits on high-priority corridors to assess safety and comfort of non-motorized users	Identify locations for audits	City of Hilliard – Division of Transportation & Mobility	X	X	X	X
8. Consider roundabouts any time an intersection is being modified or a new major intersection is being constructed	Develop a "Roundabouts First" Policy that will include specific language on safe pedestrian and bicycle movement through current and future roundabouts	City of Hilliard – Division of Transportation & Mobility	X			X
9. Secure funding for large scale infrastructure that prioritizes pedestrian, bicycle, and other vulnerable road users	Apply for regional (MORPC), federal, or state funds for large scale safety projects (SS4A, HSIP, etc.)	City of Hilliard – Division of Transportation & Mobility			X	X
10. Prioritize locations for safety improvements in the city that align with MORPCs High Injury Network	Identify improvements on these corridors	City of Hilliard – Division of Transportation & Mobility	X		X	X
11. Review buffers between sidewalks and roadways	Conduct an analysis to identify narrow buffers	City of Hilliard – Division of Transportation & Mobility			X	

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Table 4: Action Plan Strategy 2

Strategy 2: Address the safety of all road users by providing education and enforcement on the personal responsibility of safe driving						
			Emphasis Areas Addressed			
Action	**Outcome**	**Lead Agency**	**INT**	**YD**	**VRU**	**Spee**
1. Continue daily enforcement and high visibility enforcement of traffic safety laws	Enforcement of traffic laws	City of Hilliard – Division of Police	X		X	
2. A. Identify existing groups that convene non-English speakers. B. Collate all available traffic safety educational resources into a central clearinghouse and identify existing or potential partners C. Teach ESL traffic safety classes, from either existing (online) classes or newly created curriculum	Work with regional department to establish framework for ESL traffic safety curriculum and program in coordination with partner agencies in Central Ohio	Initiating Agency: City of Hilliard – Division of Police Implementing Agency: Franklin County Public Health Columbus Public Health MORPC	X	X	X	X
3. Coordinate with existing groups (Superintendents Student Advisory Committee, Student Councils, High School Service Clubs, AARP, Festa) to understand traffic safety education/communication needs and provide materials/information	Set up meetings with applicable groups to identify collaboration opportunities	City of Hilliard – Community Relations Department; Hilliard City School District - Communications	X	X	X	X
4. Create a safety communications calendar and execute activities on safety messaging up to two times a year	Create a calendar	City of Hilliard – Community Relations Department	X	X	X	X
5. Partner with agencies to sponsor trainings at high schools, youth education programs, or motivational speakers for teen driver education	Conduct trainings	Hilliard City School District – Communications Franklin County Safe Communities		X		

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Strategy 2: Address the safety of all road users by providing education and enforcement on the personal responsibility of safe driving

Action	Outcome	Lead Agency	Emphasis Areas Addressed			
			INT	YD	VRU	Spee
		Ohio Department of Public Safety AAA AARP Possible Corporate Sponsors				
6. Educate parents about the Graduated Drivers Licensing laws and continue the Sheriffs Telling our Parents (STOP) program	Disseminate educational materials from the State regarding Graduated Drivers Licensing Laws and from the STOP program	Hilliard City School District – Communications Department City of Hilliard – Division of Police		X		
7. Create high impact, short, entertaining safety messages using social media	Identify key messages, create videos, and plan for periodic release on social media	City of Hilliard – Community Relations Department	X	X	X	X
8. Partner with agencies to identify training needs for young adults (18 to 22-year-olds) that did not participate in traditional driver's education training targeted at 15 to 17- year-olds due to cost or lack of interest	Identify partnering agencies, needs and resources	Initiating Agency: City of Hilliard – Division of Police Implementing Agency: Franklin County Public Health Columbus Public Health MORPC		X		
9. Educate drivers on the dangers of speeding	Identify partner agencies to plan and create a regional safety campaign to educate drivers on the dangers of speeding using	Initiating Agency: City of Hilliard – Community Relations Department				X

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Strategy 2: Address the safety of all road users by providing education and enforcement on the personal responsibility of safe driving						
			Emphasis Areas Addressed			
Action	**Outcome**	**Lead Agency**	**INT**	**YD**	**VRU**	**Spee**
	high impact communication strategies.	Implementing Agency: Franklin County Public Health Columbus Public Health MORPC				
10. Coordinate community events to provide education materials and outreach	Materials distributed and events held	Franklin County Safe Communities City of Hilliard – Community Relations Department City of Hilliard – Division of Police				

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Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail

Table 5: Action Plan Strategy 3

Strategy 3: Assess speeds and lower speed limits where needed and consider changes to the roadway or abutting land uses to accommodate human injury tolerance, reduce impact forces, and provide additional time for drivers to stop						
			Emphasis Areas Addressed			
Action	**Outcome**	**Lead Agency**	**INT**	**YD**	**VRU**	**Spee**
1. Implement self-enforcing speed management techniques, like narrowing lanes, roundabouts, curb bump outs, medians, planting street trees, and others	Apply speed management strategies along multi-lane arterials	City of Hilliard – Division of Transportation & Mobility	X		X	X
2. Re-evaluate speed limits considering ODOTs new guidance on using 50th percentile speeds in locations where there is a significant presence of vulnerable road users or significant land use characteristics supporting the presence of vulnerable road users	Consider this policy during project development, as applicable	City of Hilliard – Division of Transportation & Mobility			X	X
3. Conduct a citywide review of speeds to understand where average speeds are higher than posted speeds to prioritize locations for review	Prioritize locations	City of Hilliard – Division of Transportation & Mobility				X
4. Create a “gateway” (median or other physical roadway change) into Hilliard as a self-enforcing management technique along corridors where the speed limit is higher in neighboring jurisdictions	Identify locations along multi-jurisdictional corridors where speed limits differ and identify opportunities to incorporate gateway elements	City of Hilliard – Division of Transportation & Mobility				X
5. Conduct a before and after analysis of permanent speed feedback signs to determine their application at other locations	Deploy speed signs on a wider basis and/or at priority locations	City of Hilliard – Division of Transportation & Mobility				X

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Strategy 3: Assess speeds and lower speed limits where needed and consider changes to the roadway or abutting land uses to accommodate human injury tolerance, reduce impact forces, and provide additional time for drivers to stop

			Emphasis Areas Addressed			
Action	**Outcome**	**Lead Agency**	**INT**	**YD**	**VRU**	**Spee**
6. Continue to utilize the mobile driver feedback signs	Continue to deploy signs at priority locations	City of Hilliard – Division of Transportation & Mobility				X
7. Reduce building setbacks and move parking areas to the back side of commercial buildings along HIN corridors	Zoning changes in commercial or mixed-use areas along Cemetery Road & Main Street/Hilliard Rome Road to change the roadside character and promote slower vehicle speeds	City of Hilliard – Division of Planning				X

DRAFT

Next Steps: Progress and Transparency

The Safe Streets for Hilliard Plan is a dynamic document, intended to be used by stakeholders and partners to continually advance safety via the strategies and actions listed herein.

Plan Leadership: The City of Hilliard Division of Transportation and Mobility assumes leadership of this plan and will support implementation. In this role, they are responsible for identifying engineering improvements on City roads to address safety needs, but also convening stakeholders involved in this plan on a regular basis to discuss all implementation activities.

Implementation Meetings: The City of Hilliard will convene stakeholders, either in person or virtually at a minimum of one time a year to discuss progress and associated challenges with implementing the Action Plan. The meeting will focus on the "outcomes" for each action. Upon conclusion of the meeting(s), progress will be documented, and the Action Plan updated, as needed.



Stakeholders/Champions: The key stakeholders for this plan reviewed the data, discussed other known challenges, and collectively agreed to the strategies found within. And while they each take responsibility for traffic safety in different ways, crashes occur for a multitude of reasons. So, they committed to implementing the policies, programs, and projects that pertain to them as well as supporting the efforts of others. They will do this by:

- Being champions for safety in job responsibilities and personal lives
- Participating in events and campaigns relevant to this plan
- Sharing information about transportation safety within our agencies and to our peers
- Coming together at least annually to share progress on safety activities

Annual Evaluation: When the previous year's crash data are available, the City of Hilliard will evaluate progress toward the goal of toward zero deaths by assessing city-wide fatalities, serious injuries, and crashes as well as for each of the three emphasis areas.

Other Planning Efforts: The City of Hilliard will remain informed of current and new MORPC and ODOT safety programs, policies, plans, guidelines, and/or standards. Based on this information, the City can continue to identify opportunities to build upon the current Action Plan.

Refreshing the Plan: From the date of adoption, the **Safe Streets for Hilliard Plan** will be refreshed or fully updated every five years. This will ensure the crash and other data are up to date and solutions are revised to meet evolving implementation of policies, programs, and projects.

DRAFT

Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

Summary/Conclusion

Like many communities in Central Ohio and around the country, Hilliard experiences severe injuries and fatalities as the result of traffic crashes. This plan provides a framework to address those tragedies and contribute to the overall safety of the region by fixing the potential hazards on Hilliard's transportation network. Through collaboration with stakeholders, vigilance, and prioritizing safety on the transportation network, Hilliard will continue to "*Create safe spaces and streets for all road users in our community to prevent severe crashes.*"









Attachment: Safe Streets for Hilliard_DRAFT_0811 (22-R-64 : SS4A Application for Cemetery Rd Trail Overpass & SUP)

Resolution: 22-R-64 **Adopted:**

Page 1 of **Effective:**

AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT A SAFE STREETS AND ROADS FOR ALL (SS4A) GRANT APPLICATION TO ASSIST IN FUNDING THE CEMETERY ROAD OVER I-270 TRAIL OVERPASS AND SAFETY IMPROVEMENTS (CIP T-162) AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

WHEREAS, the Bipartisan Infrastructure Law (BIL) established the new Safe Streets and Roads for All (SS4A) discretionary program in 2022 with $5 billion in appropriated funds available over the next 5 years; and

WHEREAS, the SS4A program funds local initiatives through grants to prevent roadway deaths and serious injuries; and

WHEREAS, in 2019, the City of Hilliard worked cooperatively with the Mid-Ohio Regional Planning Commission (MORPC) to develop the Central Ohio Transportation Safety Plan, which identified strategies to reduce fatalities and serious injuries on the local street system; and

WHEREAS, Cemetery Road and the 5-lane section of Main Street/Hilliard Rome Road are listed on the region's High Injury Network (HIN); and

WHEREAS, in 2021, as part of the City's update to its Comprehensive Plan, and in 2022, as part of the development of a local street safety plan, further analysis of Hilliard safety data and public engagement efforts were conducted to develop specific action items to reduce fatal and serious injury crashes citywide with an emphasis on the Hilliard streets that are located on the HIN; and

WHEREAS, by passage of Resolution No. 21-R-83, Hilliard City Council authorized a professional services agreement and the expenditure of funds to prepare a feasibility study for a trail crossing of I-270 along Cemetery Road to provide a safe crossing of I-270 along Cemetery Road between Britton Parkway and Trueman Boulevard for non-motorized users (hereinafter the "Project"); and

WHEREAS, four feasible alternatives were developed, and a public comment period occurred between July 5 – August 5, 2022; and

WHEREAS, Alternative 2, which consists of a shared-use path on the south side of Cemetery Road with a tunnel beneath the free-flow eastbound to southbound ramp to I-270 and a pedestrian bridge over I-270 and has an estimated construction cost of $5.84M, has been selected as the Recommended Alternative; and

WHEREAS, due to the size, scope, and estimated cost of the Project, the City cannot fund the Project through local sources of revenue alone; and

WHEREAS, the City has determined that it is necessary and in the City's best interest to submit an SS4A grant application to assist in funding the Project.

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

SECTION 1. The City Manager is hereby authorized to submit an SS4A grant application to assist in funding the Project.

SECTION 2. The City Manager is further authorized to enter into agreements as may be necessary and appropriate to apply for and receive federal financial assistance for the above-named project. Such agreements shall be approved as to form by the City Law Director and in accordance with all authority granted to the Director of Finance, as evidenced by his signature therein, and any limitations imposed thereby.

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-64

☐ 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-64** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

_____
Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-65)

Subject: CESO PSA T-133
From: Michelle Crandall, City Manager
Initiated by: Letty Schamp, Transportation & Mobility Director
Date: August 22, 2022

Executive Summary

This resolution authorizes a professional service agreement (PSA) for a General Engineering Services (GES) contract with CESO, Inc. to provide technical expertise and support for the Division of Transportation & Mobility on an "on-call" basis for the City's Pedestrian/Bicycle Mobility & Safety Program (CIP T-133).

Staff Recommendation

Staff recommends approval of this resolution.

Background

The City of Hilliard Division of Transportation & Mobility utilizes the services of consultants to provide technical expertise, planning, engineering, and surveying services for the City's annual Pedestrian/Bicycle Mobility & Safety Program (CIP T-133). Since 2013, this annual program has funded many small to medium-sized sidewalk connections, shared-use paths/trails, and crosswalk improvements citywide to improve the safety and mobility for non-motorized users throughout the City.

The Division of Transportation & Mobility issued a Request for Proposal (RFP) to four firms on June 6, 2022. Proposals were received on June 28, 2022. Staff reviewed and scored the four proposals based on technical approach & innovation; experience & training; and past performance. CESO, Inc. was selected by staff to provide the services.

Staff desires to enter into an annual contract with CESO, Inc. This contract is eligible for up to four annual extensions for a total of five years, provided that CESO continues to provide satisfactory and responsive service.

Three projects have been identified for planning, engineering, and/or surveying services in 2022:

1. Task 1: Leap Road (south of Cemetery Road) sidewalk and drainage improvements - feasibility study
2. Task 2: Wayne Street Sidewalk Connection (Madison Street to Franklin Street) – design & plan preparation
3. Task 3: Schirtzinger Road Sidewalk Extension (south of Davidson Road) – property research, alignment study, and "if authorized" legal description & exhibits for easement or ROW acquisition, design, and plan preparation

The estimated cost for the above services is $136,264. Funds were budgeted for CIP T-133 in the 2022 Capital Improvement Budget to cover these services plus approximately ten percent contingency. Therefore, this legislation authorizes an expenditure up to $150,000 for this contract in 2022 to cover additional scope items or minor tasks as directed and approved by staff during project development.

Financial Impacts

In 2022, the financial impact for the PSA is $150,000. Funds for this purpose were budgeted in the 2022 Capital Improvement Budget for the CIP T-133 Pedestrian/Bicycle Mobility & Safety Program (Account 202.627.55850).

Expected Benefits

The benefit of this professional service agreement is to provide planning, engineering, and surveying services to enable the City to construct new sidewalk connections, crosswalk improvements, and trail connections throughout the City.

Attachments

- Professional Service Agreement

Resolution: 22-R-65 **Adopted:**

Page 1 of **Effective:**

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT (PSA) WITH CESO, INC. TO PROVIDE GENERAL ENGINEERING SERVICES FOR THE CITY'S PEDESTRIAN/BICYCLE MOBILITY AND SAFETY PROGRAM (CIP T-133) AND AUTHORIZING AN EXPENDITURE.

WHEREAS, the City of Hilliard Division of Transportation & Mobility utilizes the services of consultants to provide on-call services and technical expertise to support the needs of the Division; and

WHEREAS, CESO, Inc. was selected to provide professional services for the City's annual Pedestrian & Bicycle Mobility & Safety Program (hereinafter the "Program") based on their project understanding, technical experience, training, and past performance; and

WHEREAS, the City of Hilliard desires to enter into a professional services agreement (PSA) with CESO, Inc. for planning, engineering, and surveying services for the Program; and

WHEREAS, the PSA for General Engineering Services (GES) is an annual contract and tasks are performed on an "as-directed" basis, whereby CESO will provide services only as requested and directed by the City based on specific work to be performed; and

WHEREAS, three tasks have been identified by staff for 2022 for an estimated cost of $136,264; and

WHEREAS, by passage of Ordinance No. 21-41 on December 13, 2021, funds in the amount of $150,000 were appropriated in the 2022 Capital Budget for CIP T-133 Pedestrian/Bicycle Mobility & Safety Improvements to cover the estimated cost for the three tasks plus ten percent continency to cover minor scope changes; and

WHEREAS, 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 in 2022 in the amount of $150,000 from Fund 202, Object 55.

SECTION 2. The City Manager is hereby authorized to enter into a professional service agreement ("Agreement") with CESO, Inc. in substantially the same form as the one **attached** hereto as Exhibit "A" and incorporated herein, for General Engineering Services for CIP T-133 Pedestrian/Bicycle Mobility & Safety Program. 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 City Manager is authorized to extend this Agreement for up to four additional years, subject to satisfactory performance and the appropriation of sufficient funds by City Council.

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 expenditure of the funds provided herein.

SECTION 5. 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-65						
☐ 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-65** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

Diane C. Werbrich, MMC

CITY OF HILLIARD, OHIO

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement") is by and between the City of Hilliard, Ohio, 3800 Municipal Way, Hilliard, Ohio 43026, (hereinafter referred to as "**City**"), and CESO, Inc., 3601 Rigby Road, Suite 300, Miamisburg, Ohio 45342 (hereinafter referred to as "**Service Provider**").

Witnesseth, that for the mutual considerations herein specified, **City** and **Service Provider** have agreed and do hereby agree as follows:

SECTION I – OBLIGATIONS OF SERVICE PROVIDER

A. Perform the Services as set forth in Exhibit A.

B. Give prompt notice to **City** should the **Service Provider** observe or otherwise become aware of any fault or deficit in the project or any nonconformance with the Agreement.

C. Remit to **City** after the termination of this Agreement, all files and documents pertaining to the project that have been obtained or produced including, but not limited to, permits, licenses, applications, codes, drawings, site plans, photographs and similar materials. **Service Provider** shall be entitled to retain copies for the **Service Provider's** files.

SECTION II – OBLIGATIONS OF HILLIARD

A. Assist the **Service Provider** by placing at its disposal all available information pertinent to the Services for the project.

B. Use its best efforts to secure release of other data applicable to the project held by others.

C. Make all necessary provisions to enter upon public and private property as required to perform the Services.

D. Give prompt notice to the **Service Provider** should **City** observe or otherwise become aware of any fault or deficit in the project or any nonconformance with the Agreement.

SECTION III – TERM AND TERMINATION

A. This Agreement begins on the date signed by the City Manager and the **Service Provider** shall promptly provide the **City** with the Services as set forth in Exhibit A.

B. The **City** may terminate this Agreement at any time by giving **Service Provider** thirty (30) days advance written notice. In the event this Agreement is terminated by **City** prior to its

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

natural expiration, **Service Provider** shall be paid the amounts for work actually performed in accordance with this Agreement to the date of this early termination.

C. This Agreement will terminate upon completion of the Services outlined in Exhibit A. This Agreement may be extended for an additional year(s) if agreed to in writing, executed by the **City** and the **Service Provider**, subject to the appropriation of sufficient funds and the approval of Hilliard City Council, if required.

.

SECTION IV - PAYMENT

A. **Service Provider** shall be compensated for the Services outlined in Exhibit A for a total not to exceed $150,000 in 2022, which includes a ten percent contingency for minor modifications of scope. For any assigned additional tasks/projects, **Service Provider** shall be compensated as agreed upon by the **Service Provider** and **City**, contingent upon the appropriation of sufficient funds and the approval of Hilliard City Council, if required. Notwithstanding the above, Service Provider is not obligated to start any assigned additional tasks/projects until the **City** and the **Service Provider** have agreed in writing, and the City has provided confirmation that the funds have been appropriated, and the approval of Hilliard City Council has been obtained, if required.

B. The **Service Provider** shall submit invoices to the attention of the **City's** Director of Transportation & Mobility, or designee, properly identified with the appropriate **City** purchase order number. Payment to **Service Provider** shall be made within thirty (30) days of receiving an invoice if additional information is not required by the **City** in order to pay the invoice. Upon receipt of any additional information requested by the City, the invoice shall be paid within 30 days.

SECTION V – RELATIONSHIP OF PARTIES

The parties acknowledge and agree that **Service Provider** is an independent contractor and is not an agent or employee of **City**. Nothing in this Agreement shall be construed to create a relationship between **Service Provider** and the **City** of a partnership, association, or joint venture. Further, the parties acknowledge that **Service Provider** is paid a fee, retainer, or other payment as per Section IV of this Agreement; is not eligible for workers' compensation or unemployment compensation; is not eligible for employee fringe benefits such as vacation or sick leave; does not appear on **City's** payroll; is required to provide his or her own supplies and equipment; and is not controlled or supervised by **City** personnel as to the manner of work.

SECTION VI – INDEMNIFICATION

A. Professional Liability. Relative to any and all claims, losses, damages, liability and cost, the **Service Provider** agrees to indemnify and save **City**, its officers, officials, and employees harmless from and against any and all suits, actions or claims for property losses, damages or personal injury arising from the negligent acts, errors or omissions by the **Service Provider** or its employees.

B. Non-Professional Liability (General Liability). To the fullest extent permitted by law, the **Service Provider** shall indemnify, defend and hold harmless **City**, its officers, officials, employees or any combination thereof, from and against claims, damages, losses and

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

expenses, including but not limited to attorneys' fees, arising out of the acts or omissions of the **Service Provider**, provided that such claim, damage, loss or expenses is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property (other than the work itself) including loss of use resulting therefrom, but only to the extent caused by the negligent acts or omissions of the **Service Provider**, any subconsultant(s) of the **Service Provider**, its agents, or anyone directly or indirectly employed by them or anyone for whose acts they may be liable. Such obligations shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this paragraph.

C. Neither **City** nor **Service Provider** will be liable to the other party for any special, incidental, indirect, exemplary, punitive, penal, liquidate, or consequential damages, however, arising, incurred by either **City** or **Service Provider** or for which either may be liable to a third party.

SECTION VII - INSURANCE

A. The **Service Provider** shall secure and maintain, at his/her/its own expense, errors and omissions insurance in an amount not less than One Million Dollars ($1,000,000.00) per claim/annual aggregate to protect himself from any claim arising out of the performance of professional services and caused by negligent acts, omissions or negligent acts for which the **Service Provider** may be legally negligent. The **Service Provider** shall maintain said coverage for the entire contract period and for a minimum of one year after completion of the work under the contract.

B. In addition to errors and omissions insurance, the **Service Provider** shall also secure and maintain, at his/her own expense, insurance for protection from claims under Worker's Compensation acts, claims for damages because of bodily injury including personal injury, sickness or disease or death of any and all employees or of any person other than such employees, and from claims or damages because of injury to or destruction of property including loss of use resulting therefrom, and any other insurance prescribed by laws, rules, regulations, ordinances, codes or orders.

C. The **Service Provider** shall secure and maintain, at his/her own expense, General Liability insurance in an amount not less than One Million Dollars ($1,000,000.00) per occurrence.

D. The **Service Provider** shall secure and maintain, at his/her/its own expense, Property insurance for protection from claims or damages because of damage to or destruction of property including loss of use resulting therefrom in an amount not less than Five Hundred Thousand Dollars ($500,000.00).

E. The **City** shall be held harmless for any damage to the **Service Provider's** property and/or equipment during the course of performance under the Contract except as is required under Chapter 2744 Ohio Revised Code which governs claims against political subdivisions.

F. The above referenced insurance shall be maintained in full force and effect during the life of this Contract and for one year beyond, where specified. Certificates showing that the **Service Provider** is carrying the above referenced insurance in at least the above specified minimum amounts shall be furnished to, and approved by, the **City** prior to

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

the start of work on the project and before the **City** is obligated to make any payments to the **Service Provider** for the work performed under the provision of this contract. All such Certificates, with the exception of those for Worker's Compensation and Errors & Omissions coverage, shall clearly reflect that the City of Hilliard is an "Additional Insured".

G. The **City and Service Provider** agree that **Service Provider's** total liability to City for any and all claims, costs, losses, expenses, or damages of any kind whatsoever shall not exceed Service Provider's total respective insurance limits set forth in Section VII of this Agreement.

SECTION VIII – EMPLOYEE DOCUMENTATION

A. **Service Provider** guarantees that the individuals employed by the Service working on this project are authorized to work in the United States. The **Service Provider** will upon demand provide **City** with appropriate documentation (Form I-9) for any **Service Provider** employee performing services for **City**.

B. The **Service Provider** agrees to indemnify **City** in accordance with Section VI of the Agreement for any issue arising out of the **Service Provider's** hiring or retention of any individual who is not authorized to work in the United States.

SECTION IX – TAXES

A. **Service Provider** has the following identification number for income tax purposes: 3 1 - 1 2 2 9 9 0 7 .

B. **Service Provider** is subject to and responsible for all applicable federal, state, and local taxes.

C. The **City** represents that it is a tax-exempt entity and evidence of this tax-exempt status shall be provided to **Service Provider** upon written request. **Service Provider** hereby further agrees to withhold all municipal income taxes due or payable under the provisions of Chapter 183 of the Codified Ordinances of City, Ohio, for wages, salaries and commissions paid to its employees and further agrees that any of its subcontractors shall be required to agree to withhold any such municipal income taxes due under such chapter for Services performed under this Agreement.

D. The **Service Provider** shall receive Internal Revenue Service form 1099 from the City for income tax reporting purposes.

SECTION X – ASSIGNMENT

Neither party may assign this Agreement without obtaining express, written consent from the other party prior to assignment.

SECTION XI – ENTIRE AGREEMENT/AMENDMENT

This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof and supersedes all prior negotiations, discussions, undertakings and

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

agreements between the parties. This Agreement may be amended or modified only by a writing executed by the duly authorized officers of the parties hereto. It is understood and agreed that this Agreement may not be changed, modified, or altered except by an instrument, in writing, signed by both parties in accordance with the laws of the State of Ohio.

SECTION XII - DISCRIMINATION

A. No discrimination for reason of race, color, national origin, religion, sex, genetic information, pregnancy, age, ancestry, military status, sexual orientation, gender identity, marital status, veteran's status, or disability shall be permitted or authorized by **City** and/or **Service Provider** in connection with the Services.

B. Nothing in this Agreement shall require the commission of any act contrary to any law or any rules or regulations of any union, guild, or similar body having jurisdiction over the Services of **Service Provider**.

SECTION XIII. GOVERNING LAW/VENUE.

Any controversy or claim, whether based upon contract, statute, tort, fraud, misrepresentation or other legal theory, related directly or indirectly to this Agreement, whether between the parties, or of any of the parties' employees, agents or affiliated businesses, will be resolved under the laws of the State of Ohio, in any court of competent jurisdiction in Franklin County, Ohio.

SECTION XIV. SEVERABILITY.

If any provision of this Agreement is held invalid or unenforceable, such provision shall be deemed deleted from this Agreement and shall be replaced by a valid, mutually agreeable and enforceable provision which so far as possible achieves the same objectives as the severed provision was intended to achieve, and the remaining provisions of this Agreement shall continue in full force and effect.

SECTION XV. PARAGRAPH HEADINGS.

Paragraph headings are inserted in this Agreement for convenience only and are not to be used in interpreting this Agreement.

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

IN WITNESS WHEREOF, the parties, each by a duly authorized representative, have entered into this Agreement and this Agreement is effective on the date signed by the City Manager as identified below.

CESO, Inc.	**City of Hilliard, Ohio**
_____	_____
By: _Aaron Matson_____	Michelle L. Crandall City Manager
Its: __Principal_____	Date: _____
Date: _____	

Approved as to Form

_____
Philip K. Hartmann, Law Director

CERTIFICATE OF FUNDS

I, David D. Delande, Director of Finance of the City of Hilliard, Ohio, do hereby certify that the funds for this Agreement with Carpenter Marty Transportation, Inc., in the amount of $150,000, have been appropriated and are in the City Treasury or are in the process of collection, and that said funds are not and cannot be appropriated for any other purpose.

_____	_____
Date	David D. Delande Director of Finance

Authorizing Appropriation Legislation (Capital): ORD 21-41
Passed: December 13, 2021
Effective: January 13, 2022

Purchase Order No.: CT22____

Authorizing Contract Legislation: 22-R-__
Adopted: August 22, 2022

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

CESO
cesoinc.com

August 10, 2022

City of Hilliard
Letty Schamp
3800 Municipal Way
Hilliard, Ohio 43026

Email: lschamp@hilliardohio.gov
Phone: (614) 334-2456

RE: CIP T-133 Pedestrian & Bicycle Mobility & Safety Program
Professional Survey & Engineering Services
CESO Proposal #P05608

Dear Ms. Schamp:

CESO, Inc. is pleased to submit our proposal to provide Surveying and Civil Engineering services for the above referenced project. Please refer to the Scope of Services for a detailed description and fees.

Upon receipt of your approval, CESO will commence work on this project as indicated in the Scope of Services. Authorization by the City of Hilliard to proceed, whether oral or written, constitutes acceptance of the terms and conditions of this Agreement, without modification, addition or deletion.

CESO values you as a client. We appreciate the opportunity to provide this proposal, and we look forward to working with you on your project. Should you have any further questions, please do not hesitate to call us.

Sincerely,

Neil Schwartz, PE
Director of Transportation

Jeff Miller, PS
Senior Director of Surveying Services

Enclosures: 5 (Attachment A, Exhibit 1, Exhibit 2, Exhibit 3, Exhibit 4)

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

Attachment A

Scope of Services

City of Hilliard I CIP T-133 Ped & Bicycle Mobility & Safety Program

August 10, 2022

Project Understanding

The following Scope of Services has been generated based on the Request for Proposal received from the City of June 6, 2022 and the project scoping meeting between the City and CESO on July 25, 2022.

The City has identified three pedestrian facility improvements to either study or design as part of this projects scope. Each improvement target pedestrian facility connectivity at strategic locations to close gaps within the existing sidewalk network system. As part of this contract, CESO will provide professional survey and engineering services to either study the feasibility of improvements and/or provide detailed engineering design to develop an improvement plan for contractor bidding and construction.

The list of projects that are included with this project are:

- Project A: Leap Road (south of Cemetery Road)
- Project B: Wayne Street Sidewalk Connection (from Madison Street to Franklin Street)
- Project C: Schirtzinger Road Sidewalk Extension (south of Davidson Road)

The general project limits for each location are enclosed within **Exhibit 1, 2, and 3**.

The following scope of services provides additional details on the services that are intended to be included within this proposal. Services and fees noted in the scope of services are based on the proposal being approved as a whole. Any reduction, or changes, in the scope of services may require a change to the scope of services or associated fees. Fees as shown are considered current for up to 30 days after the date of this proposal. CESO reserves the right to revisit fees if the proposal is not approved within 30 days after it is written.

If significant variations from the above project understanding occur which affect the current scope of the proposal, an amendment to this scope of services can be provided for the change.

Base Fee Services

Leap Road Feasibility Study

The primary goals of the study are to identify the required improvements to complete the sidewalk network, improve the sidewalk condition, and correct drainage deficiencies on the east side of the street to ensure the sidewalk is usable during and after rain events. The secondary goals are to evaluate and develop a plan to address aging infrastructure, including utilities, and to improve the streetside character to support the current and future needs of the surrounding neighborhoods. CESO will investigate up to three alternatives (short term and long term) and develop cost estimates to improve the active transportation network and achieve the project goals. City staff will prepare a presentation for Council to review the alternative studied and the recommended alternative. CESO will assist City staff, as needed, with the preparation of a Council presentation and staff will attend a Council meeting as a resource to answer any technical questions. The following scope of work is anticipated for this task.

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

1. **Topographic Survey and Basemapping**
   CESO will perform a topographic survey according to National Topographic Standards developed by the National Society for Professional Surveyors (NSPS) to provide adequate base survey information. CESO will check and locate existing utilities, drives, roadways, ground elevations, waterways and other natural features and improvements in the project site area. A topographic survey will be performed for the project area. Boundary and property lines will be developed using GIS data available from the Franklin County Auditor's office. CESO will prepare a base map of the project site in AutoCAD format. This will include the following services:
   a. Request plans and markings of underground utilities through the Ohio Utilities Protection Service
   b. Prepare and send Owner Notification Letters prior to beginning field work
   c. Perform topographic survey of the anticipated project boundary
   d. Prepare topographic and GIS boundary basemaps in AutoCAD for use in design and plan production

2. **Alternative Analysis Development**
   CESO will develop alternative improvements for the roadway corridor and document the findings within a feasibility study. A total of three alternative will be studies which will generally include alternatives for low, medium, and high costs/impacts. The scope of this task will include:
   a. Preliminary Typical Sections (up to three alternatives)
   b. Preliminary Roadway Geometrics & Engineering (up to three alternatives)
   c. Preliminary Opinion of Construction Cost (up to three alternatives)
   d. Exhibit/Rendering Preparation (up to three alternatives)
   e. Feasibility Study Report

3. **Project Coordination & Management**
   CESO will coordinate with the City throughout the alternative analysis phase to ensure the project is progressing as needed. Management of this project includes the following services:
   a. Attend general project coordination and review meeting with the City (assume 3 meetings)
   b. Assist City staff as needed with the preparation of a Council presentation
   c. Attendance at City Council Meeting for question/answer assistance (one person)
   d. General Management & Oversight

Wayne Street Sidewalk Extension

The primary goal of the project is to construct a sidewalk within the public right-of-way on the west side of Wayne Street to connect the existing public parking lot located at the corner of Wayne Street & Madison Street to the existing sidewalk that terminates at Franklin Street. The following scope of work is anticipated for this task.

4. **Topographic Survey and Basemapping**
   CESO will perform a topographic survey according to National Topographic Standards developed by the National Society for Professional Surveyors (NSPS) to provide adequate base survey information. CESO will check and locate existing utilities, drives, roadways, ground elevations, waterways and other natural features and improvements in the project site area. A topographic survey will be performed for the project area. Boundary and property lines will be developed using GIS data available from the Franklin County Auditor's office. CESO will prepare a base map of the project site in AutoCAD format. This will include the following services:
   a. Request plans and markings of underground utilities through the Ohio Utilities Protection Service
   b. Prepare and send Owner Notification Letters prior to beginning field work
   c. Perform topographic survey of the anticipated project boundary
   d. Prepare topographic and GIS boundary basemaps in AutoCAD for use in design and plan production

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

5. **Detailed Design Plans**
   Construction plans will be developed in accordance with City standards including the components listed below. Plans will be submitted at Stage 1, Stage 3, and Final to the City for review and approvals. We anticipate the construction plans to include:
   a. Title Sheet
   b. Typical Sections
   c. General Notes
   d. Maintenance of Traffic Notes
   e. General Summary & Quantities
   f. Plan Sheet
   g. Cross-Sections
   h. Drive Details (assume 2 drives)
   i. Curb Ramp Details
   j. Storm Sewer Profiles
   k. Dispositions of comments will be prepared following each review
   l. Opinions of Construction Cost (included with each submittal)

6. **Storm Water Design & Calculations**
   Stormwater calculations and design will be based upon the City design requirements. Calculations will be completed for the existing ditch modifications and/or enclosure and will be submitted to the City for review. Based on the scope of the project, it is anticipated that stormwater management (quality/quantity) and an Ohio EPA NOI permit are not required.

7. **Utility Coordination**
   CESO will coordinate with private utility companies on behalf of the City throughout the design phase of the project. We will request that private utility companies verify their existing facilities, and their proposed facility needs. Our team will submit preliminary plans to each utility for their review, and we will coordinate with the utility companies to ensure facilities in conflict will be resolved and/or relocated. If utility relocation is required the relocations plans will be reviewed for compliance with the proposed project improvements prior to the City's issuance of a right-of-way permit.

8. **Project Coordination & Management**
   CESO will coordinate with the City throughout the alternative analysis phase to ensure the project is progressing as needed. Management of this project includes the following services:
   a. Attend general project coordination and review meeting with the City (assume 1 meetings)
   b. General Management & Oversight

Schirtzinger Road Sidewalk Extension (Part 1)

The primary goals of the project are to connect the sidewalk on the west side of Schirtzinger Road to the existing sidewalk along Davidson Road and to improve pedestrian crossings of both Davidson Road and Schirtzinger Road to connect Hilliard neighborhoods to the CBS Pool. Part 1 of this project involves performing topographic survey and property boundary research to determine the feasibility of a sidewalk connection within City right-of-way. The following scope of work is anticipated for Part 1 of this task.

9. **Topographic Survey and Basemapping**
   CESO will perform a topographic survey according to National Topographic Standards developed by the National Society for Professional Surveyors (NSPS) to provide adequate base survey information. CESO will check and locate existing utilities, drives, roadways, ground elevations, waterways and other natural features and improvements in the project site area. A topographic survey will be performed for the project area. Boundary and property lines will be developed using GIS data available from the Franklin County Auditor's office. CESO will prepare a base map of the project site in AutoCAD format. This will include the following services:

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

a. Request plans and markings of underground utilities through the Ohio Utilities Protection Service
b. Prepare and send Owner Notification Letters prior to beginning field work
c. Perform topographic survey of the anticipated project boundary
d. Prepare topographic and GIS boundary basemaps in AutoCAD for use in design and plan production

10. **Preliminary Sidewalk Alignment**
CESO will develop preliminary geometrics for the sidewalk alignment to determine potential right-of-way and private utility impacts. A preliminary exhibit will be created and provided to the City for review. A coordination meeting between the City and CESO is anticipated to discuss the preliminary findings.



If-Authorized Services

Schirtzinger Road Sidewalk Extension (Part 2)

If authorized by the City, detailed design and construction plans will be developed for the Schirtzinger Road Sidewalk Extension studied within Part 1. This project will build about the effort performed within Part 1 with the following scope of work is anticipated.

11. **Detailed Design Plans**
Construction plans will be developed in accordance with City standards including the components listed below. Plans will be submitted at Stage 1, Stage 3, and Final to the City for review and approvals. We anticipate the construction plans to include:
a. Title Sheet
b. Typical Sections
c. General Notes
d. Maintenance of Traffic Notes
e. General Summary & Quantities
f. Plan Sheets
g. Cross-Sections
h. Drive Details (assume 2 drives)
i. Storm Sewer Profiles
j. Dispositions of comments will be prepared following each review
k. Opinions of Construction Cost (included with each submittal)

12. **Pedestrian Mid-Block Crossing (Davidson Road)**
If authorized by the City, a mid-block pedestrian crossing with a center lane raised paver median at Davidson Road will be designed. The use of a pedestal mounted RRFB at the crossing will be determined by the City prior to design work beginning. A mast-arm mounted RRFP or a pedestrian hybrid beacon is excluded from the scope of this task. We anticipate the plan sheets for this task to include:
a. Curb ramp details
b. Median details
c. MOT Notes/Details

13. **Pedestrian Mid-Block Crossing (Schirtzinger Road)**
If authorized by the City, a mid-block pedestrian crossing at a location to be determined along Schirtzinger Road will be designed. The use of a pedestal mounted RRFB at the crossing will be determined by the City. A mast-arm mounted RRFP or a pedestrian hybrid beacon is excluded from the scope of this task. We anticipate the plan sheets for this task to include:
a. Curb ramp details
b. MOT Notes/Details

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

14. **Legal Descriptions & Exhibits**
    The proposed improvements may encroach onto two private properties. If authorized by the City, our team will provide legal descriptions and exhibits for up to two easements along Schirtzinger Road.

15. **Utility Coordination**
    CESO will coordinate with private utility companies on behalf of the City throughout the design phase of the project. We will request that private utility companies verify their existing facilities, and their proposed facility needs. Our team will submit preliminary plans to each utility for their review, and we will coordinate with the utility companies to ensure facilities in conflict will be resolved and/or relocated. If utility relocation is required the relocations plans will be reviewed for compliance with the proposed project improvements prior to the City's issuance of a right-of-way permit.

16. **Project Coordination & Management**
    CESO will coordinate with the City throughout the alternative analysis phase to ensure the project is progressing as needed. Management of this project includes the following services:
    e. Attend general project coordination and review meeting with the City (assume 1 meetings)
    f. General Management & Oversight

CONTRACT FEE STRUCTURE

CESO proposes to complete the above outlined scope of services on a Time and Material basis for the estimated fees below. Additional professional services required beyond those specifically listed in the scope of services will be invoiced in accordance with a future agreed upon lump sum fee or the Hourly Billing Rate Table in force at the time of the request for additional services. Reimbursable expenses will be invoiced as shown in the reimbursable table below.

Base Fee Services	Fee	Type of Fee
LEAP ROAD FEASIBILITY STUDY		
1. Topographic Survey and Basemapping	$24,482	TMNTE
2. Alternative Analysis Development	$40,176	TMNTE
3. Project Coordination & Management	$3,844	TMNTE
LEAP ROAD FEASIBILITY STUDY TOTAL	$68,502	TMNTE
WAYNE STREET SIDEWALK EXTENSION		
4. Topographic Survey and Basemapping	$5,792	TMNTE
5. Detailed Design Plans	$14,534	TMNTE
6. Storm Water Design & Calculations	$2,400	TMNTE
7. Utility Coordination	$656	TMNTE
8. Project Coordination & Management	$3,000	TMNTE
WAYNE STREET SIDEWALK EXTENSION TOTAL	$26,382	TMNTE

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

SCHIRTZINGER RD. SIDEWALK EXTENSION (PART 1)		
9. Topographic Survey and Basemapping	$6,768	TMNTE
10. Preliminary Sidewalk Alignment	$3,910	TMNTE
SCHIRTZINGER RD. SIDEWALK EXTENSION (PART 1) TOTAL	$10,678	TMNTE
GRAND TOTAL (BASE SERVICES)	$105,562	TMNTE

IF-Authorized Services	Fee	Type of Fee
SCHIRTZINGER ROAD SIDEWALK EXTENSION (PART 2)		
11. Detailed Design Plans (sidewalk extension)	$15,462	TMNTE
12. Pedestrian Mid-Block Crossing (Davidson Road)	$6,536	TMNTE
13. Pedestrian Mid-Block Crossing (Schirtzinger Road)	$2,288	TMNTE
14. Legal Descriptions & Exhibits	$2,104	TMNTE
15. Utility Coordination	$1312	TMNTE
16. Project Coordination & Management	$3,000	TMNTE
SCHIRTZINGER ROAD SIDEWALK EXTENSION (PART 2) TOTAL	$30,702	TMNTE

Detailed fee development spreadsheet is enclosed within **Exhibit 4**.

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

CLARIFICATIONS AND EXCLUSIONS

The scope of work listed within this document are based on our knowledge and understanding of the project and serves as the basis for the proposed contract fee. If any significant scope changes are needed that require a modification of this agreement CESO will notify the City. The following services are specifically excluded from this proposal:

- Traffic studies
- Geotechnical Investigations
- Environmental Investigations/Permitting
- Subsurface utility investigations
- Boundary survey (GIS information only included)
- Sanitary Sewer Design
- Waterline Design
- Irrigation Design
- Storm Sewer Design (minor adjustment included)
- Stormwater BMP Design
- NOI/NPDES Permitting
- Street Lighting Design
- Private Utility Relocation Design
- Permitting fees
- Right-of-way Design
- Layout staking
- Bidding services
- Shop drawing review
- Construction phase services
- Record drawing preparation

Reimbursables

Reimbursable expenses will also be charged on an as used basis per the below fee schedule:

• Large Scale B/W Plan Sheets (22”x34”, 24”x36”, 30”x42”)	$3.00 / Each
• Large Scale Color Plan Sheets (22”x34”, 24”x36”, 30”x42”)	$7.50 / Each
• Outside Printing	1.1 x cost
• Mileage	Current IRS Mileage Rate
• Certified mailings or Shipping Fees	1.1 x cost
• Any AHJ Application Fees, Permit or Review Fees	1.1 x cost*
• Flights, Hotels, Travel-related meals and expenses	1.1 x cost

*Client is responsible for any application, permit, or review fees. If CESO agrees to pay an application, permit, or review fee on behalf of the Client, it will be billed at 1.1 x cost.

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

CESO, Inc.

2022 Hourly Billing Rates

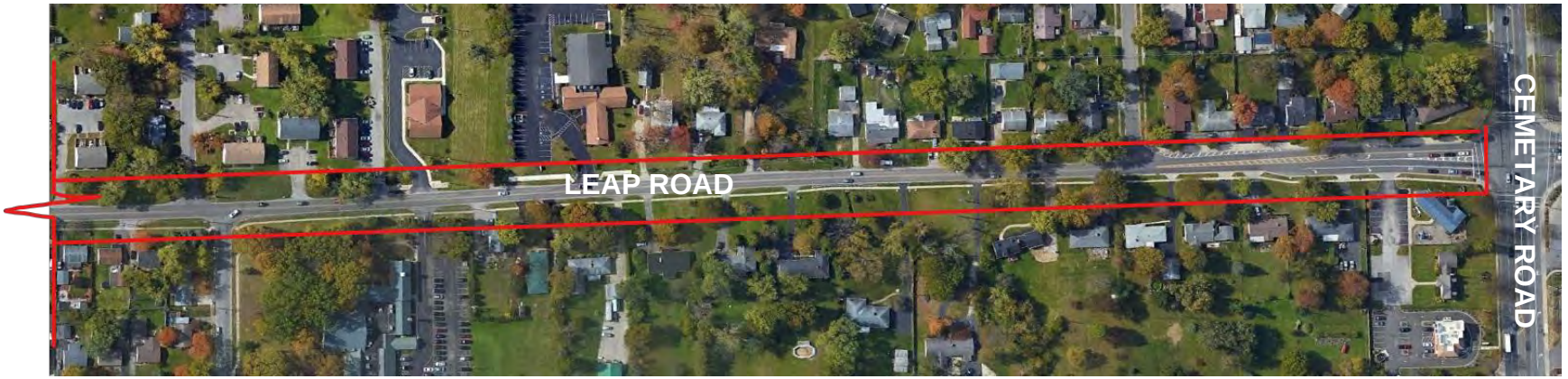
Title	Rate
CAD Technician	$86
Sr. CAD Technician	$99
Designer	$118
Lead Designer	$126
Senior Designer	$147
Field Engineering Technician	$118
Lead Field Engineering Technician	$125
Staff Engineer	$122
Project Engineer	$136
Sr. Field Engineering Technician	$147
Lead Project Engineer	$153
Civil Team Lead	$155
Sr. Engineer	$171
Engineering Manager	$192
Sr. Engineering Manager	$202
Environmental Field Tech	$90
Staff Biologist/Scientist	$99
Project Biologist/Scientist	$142
Sr. Biologist/Scientist	$148
Environmental Manager	$192
Sr. Environmental Manager	$202
Landscape Architect	$147
Sr. Landscape Architect	$164
Project Manager	$164
Sr. Project Manager	$183
Program Director	$201
Sr. Program Director	$210

Title	Rate
Staff Surveyor	$107
Project Surveyor	$121
Lead Project Surveyor	$153
Survey Team Lead	$164
Sr. Surveyor	$175
One-Man Survey Crew	$145
Two-Man Survey Crew	$183
Survey Manager	$192
Sr. Survey Manager	$202
Architect	$158
Sr. Architect	$164
Job Captain	$155
Interior Designer	$155
Sr. Interior Designer	$164
Construction Project Superintendent	$141
Construction Services Manager	$164
Administrative Assistant	$83
Project Coordinator	$89
Sr. Project Coordinator	$98
Director	$211
Sr. Director	$220
Principal	$243

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

EXHIBIT 1
LEAP ROAD STUDY AREA





Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

EXHIBIT 2
WAYNE STREET PROJECT AREA



Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

EXHIBIT 3
SCHIRTZINGER ROAD PROJECT AREA



Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

EXHIBIT 4
DETAILED FEE SPREADSHEET

Project	**Pedestrain & Bicycle Mobility & Safety Program**													
Consultant:	CESO, Inc.													
Agreement No.														
CIP No.	CIP T-133													
Proposal Date	8/9/2022													
Revision Date														
		Director	**Project Manager**	**Project Engineer**	**Designer**	**Sr. Survey Manager**	**2-Man Survey Crew**	**Survey Team Lead**	**Lead Project Surveyor**	**1-Man Survey Crew**	**Sr. Cad Technician**		**Total**	
Task Description		$211.00	$164.00	$136.00	$118.00	$202.00	$183.00	$164.00	$153.00	$145.00	$99.00		**Hours**	**Cost**
BASE FEE SERVICES:														
Leap Road Feasibility Study														
1. Topographic Survey and Basemapping						4	18	8	16	60	80		186	$24,482
2. Alternative Analysis Development		16	48	178	40								282	$40,176
3. Project Coordination & Management		12	8										20	$3,844
													0	$0
TOTAL - Leap Road Feasibility Study		28	56	178	40	4	18	8	16	60	80	0	488	$68,502
Wayne Street Sidewalk Extension														
4. Topographic Survey and Basemapping						2		4	8	16	12		42	$5,792
5. Detailed Design Plans		2	28	70									100	$14,534
6. Storm Water Design & Calculations			8	8									16	$2,400
7. Utility Coordination			4										4	$656
8. Project Coordination & Management		8	8										16	$3,000
													0	$0
TOTAL - Wayne Street Sidewalk Extension		10	48	78	0	2	0	4	8	16	12	0	178	$26,382
Schirtzinger Road Sidewalk Extension (Part 1)														
9. Topographic Survey and Basemapping						2		4	8	20	16		50	$6,768
10. Preliminary Sidewalk Alignment		2	8	16									26	$3,910
													0	$0
TOTAL - Schirtzinger Road Sidewalk Extension (Part 1)		2	8	16	0	2	0	4	8	20	16	0	76	$10,678
TOTAL - Base Fee Sevices		40	112	272	40	8	18	16	32	96	108	0	742	$105,562.00
IF-AUTHORIZED TASKS:														
Schirtzinger Road Sidewalk Extension (Part 2)														
11. Detailed Design Plans		2	32	72									106	$15,462
12. Pedestrian Mid-Block Crossing (Davidson Road)			10	36									46	$6,536
13. Pedestrian Mid-Block Crossing (Schirtzinger Road)			4	12									16	$2,288
14. Legal Descriptions & Exhibits								8			8		16	$2,104
15. Utility Coordination			8										8	$1,312
16. Project Coordination & Management		8	8										16	$3,000
TOTAL - Schirtzinger Road Sidewalk Extension (Part 2)		10	62	120	0	0	0	8	0	0	8	0	208	$30,702
TOTAL - If-Authorized Services		10	62	120	0	0	0	8	0	0	8	0	208	$30,702
GRAND TOTAL		**50**	**174**	**392**	**40**	**8**	**18**	**24**	**32**	**96**	**116**	**0**	**950**	**$136,264**

Attachment: Exhibit A_CESO PSA_T-133 (22-R-65 : CESO PSA T-133)

Council Memo: Legislation (22-R-66)

Subject: Kimley Horn GES PSA
From: Michelle Crandall, City Manager
Initiated by: Letty Schamp, Transportation & Mobility Director
Date: August 22, 2022

Executive Summary

This resolution authorizes a professional service agreement (PSA) for a General Engineering Services (GES) contract with Kimley-Horn & Associates to provide technical expertise and support for the Division of Transportation & Mobility on an "on-call" basis roundabout peer review and technical support on roundabout projects.

Staff Recommendation

Staff recommends approval of this resolution to provide technical expertise and engineering support to the City for the roundabouts being designed for the Cosgray Road Extension project.

Background

The City of Hilliard Division of Transportation & Mobility utilizes the services of consultants to provide technical expertise and general support for staff. Kimley-Horn has staff members that are national leaders in roundabout design and best practices. Due to the complexity of multi-lane roundabouts, the City desires to retain the services of Kimley-Horn to assist with review of several multi-lane roundabout projects in the City.

The City entered into a GES contract with Kimley-Horn on October 21, 2021. Three tasks have been authorized to date as follows:

- Task 1: Roberts Road/Alton Darby Creek Road roundabout - $20,000
- Task 2: Cosgray Road/Scioto Darby Road Feasibility Study - $4,920
- Task 3: Cosgray Road/Scioto Darby Road Preliminary & Stage 1 design - $15,963

The total authorized to date in 2021 and 2022 is $40,883.

The City desires to extend Kimley-Horn's contract for Task 4, which requires Hilliard City Council approval since the contract amount will exceed $50,000. Task 4 will provide a higher level of service in the review required for the Cosgray Road Extension project, especially the first multi-lane spiral roundabout with unique geometric features. The estimated cost for Task 4 is $49,500.

This contract is eligible for up to four annual extensions for a total of five years subject to the appropriation of funds by Hilliard City Council and provided that Kimley-Horn continues to provide satisfactory and responsive service to the City.

Financial Impacts

The financial impact in 2022 is $49,500.

Expected Benefits

The benefit of this professional service agreement is to ensure that City has sufficient technical expertise and engineering assistance to support the needs of the City for the Cosgray Road Extension project.

Attachments

- Professional Service Agreement, including scope & fee for Tasks 1 - 4

Resolution: 22-R-66 **Adopted:**

Page 1 of **Effective:**

AUTHORIZING THE CITY MANAGER TO MODIFY AN EXISTING PROFESSIONAL SERVICES AGREEMENT (PSA) WITH KIMLEY HORN & ASSOCIATES, INC. TO PROVIDE GENERAL ENGINEERING SERVICES AND AUTHORIZING AN EXPENDITURE.

WHEREAS, the City of Hilliard Division of Transportation & Mobility utilizes the services of consultants to provide on-call services and technical expertise to support the needs of the Division; and

WHEREAS, on October 19, 2021 the City of Hilliard entered into a General Engineering Services (GES) contract with Kimley-Horn & Associates Inc. to provide peer review and technical support for staff for roundabout projects in the City of Hilliard; and

WHEREAS, the PSA for General Engineering Services (GES) is an annual contract and tasks are performed on an "as-directed" basis, whereby Kimley-Horn will provide services only as requested and directed by the City based on specific work to be performed; and

WHEREAS, the City of Hilliard desires to modify the PSA with Kimley-Horn to include a task that will increase the contract amount above $50,000, which requires authorization by Hilliard City Council; and

WHEREAS, by passage of Ordinance No. 22-07 on February 28,2022, funds in the amount of $49,500 were appropriated in the Capital Budget for the Cosgray Road Extension, which includes three roundabouts; and

WHEREAS, 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 in the amount of $49,500 from the unencumbered balance of Fund 103, Object 55 for professional services.

SECTION 2. The City Manager is hereby authorized to modify the existing professional services agreement ("Agreement") with Kimley-Horn & Associates dated October 19, 2021, as shown in "Exhibit A", for General Engineering Services. 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 City Manager is authorized to extend this Agreement for up to four additional years, subject to satisfactory performance and the appropriation of sufficient funds by City Council.

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 expenditure of the funds provided herein.

SECTION 5. This Resolution is effective upon its adoption.

ATTEST:

Diane C. Werbrich, MMC
Clerk of Council

SIGNED:

President of Council

APPROVED AS TO FORM:

Philip K. Hartmann
Director of Law

✓ Vote Record - Resolution 22-R-66						
☐ 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-66** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

Diane C. Werbrich, MMC

CITY OF HILLIARD, OHIO

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement"), is by and between the City of Hilliard, Ohio, 3800 Municipal Way, Hilliard, Ohio 43026, (hereinafter referred to as "**City**"), and Kimley-Horn and Associates, Inc., 7965 North High Street, Suite 200, Columbus, Ohio 43235 (hereinafter referred to as "**Service Provider**").

Witnesseth, that for the mutual considerations herein specified, **City** and **Service Provider** have agreed and do hereby agree as follows:

SECTION I – PERFORMANCE OF SERVICES

A. Perform the Services as set forth in Exhibit A, Task Order 1A.

B. If the **Service Provider** is an individual, complete, sign and return the Ohio Public Employees Retirement System ("OPERS") Independent Contractor Acknowledgement form.

C. Give prompt notice to **City** should the **Service Provider** observe or otherwise become aware of any fault or deficit in the project or any nonconformance with the Agreement.

D. Remit to **City** after the termination of this Agreement, all files and documents pertaining to the project that have been obtained or produced including, but not limited to, permits, licenses, applications, codes, drawings, site plans, photographs and similar materials. **Service Provider** shall be entitled to retain copies for the **Service Provider's** files.

SECTION II – OBLIGATIONS OF HILLIARD

A. Assist the **Service Provider** by placing at its disposal all available information pertinent to the Services for the project.

B. Use its best efforts to secure release of other data applicable to the project held by others.

C. Make all necessary provisions to enter upon public and private property as required to perform the Services.

D. Give prompt notice to the **Service Provider** should **City** observe or otherwise become

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

aware of any fault or deficit in the project or any nonconformance with the Agreement.

SECTION III – TERM AND TERMINATION

A. This Agreement begins on the date signed by the City Manager and the **Service Provider** shall promptly provide the **City** with the Services as set forth in Exhibit A, Task Order 1A.

B. The **City** may terminate this Agreement at any time by giving **Service Provider** thirty (30) days advance written notice. In the event this Agreement is terminated by **City** prior to its natural expiration, **Service Provider** shall be paid the amounts for work actually performed in accordance with this Agreement to the date of this early termination.

C. This Agreement is effective from the date signed by the City Manager and will terminate upon completion of the Services outlined in Exhibit A, Task Order 1A. This Agreement may be extended for additional tasks if agreed to in writing, executed by the **City** and the **Service Provider**, subject to the appropriation of sufficient funds.

SECTION IV - PAYMENT

A. **Service Provider** shall be compensated for the Services outlined in Exhibit A, Task Order 1A for a total not to exceed $20,000. For any assigned additional tasks/projects, **Service Provider** shall be compensated as agreed upon by the **Service Provider** and **City**, contingent upon the appropriation of sufficient funds and the approval of Hilliard City Council, if required.

B. The **Service Provider** shall submit invoices to the attention of the **City's** Director of Transportation & Mobility, or designee, properly identified with the appropriate **City** purchase order number. Payment to **Service Provider** shall be made within thirty (30) days of receiving an invoice, if additional information is not required by the **City** in order to pay the invoice.

SECTION V – RELATIONSHIP OF PARTIES

The parties acknowledge and agree that **Service Provider** is an independent contractor and is not an agent or employee of **City**. Nothing in this Agreement shall be construed to create a relationship between **Service Provider** and the **City** of a partnership, association, or joint venture.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Further, the parties acknowledge that **Service Provider** is paid a fee, retainer or other payment as per Section IV of this Agreement; is not eligible for workers' compensation or unemployment compensation; is not eligible for employee fringe benefits such as vacation or sick leave; does not appear on **City's** payroll; is required to provide his or her own supplies and equipment; and is not controlled or supervised by **City** personnel as to the manner of work.

SECTION VI – INDEMNIFICATION

A. Professional Liability. Relative to any and all claims, losses, damages, liability and cost, the **Service Provider** agrees to indemnify and save **City**, its officers, officials, and employees harmless from and against any liability for property losses, damages or personal injury to the extent cause by the negligent acts, errors or omissions by the **Service Provider** or its employees.

B. Non-Professional Liability (General Liability). To the fullest extent permitted by law, the **Service Provider** shall indemnify, defend and hold harmless **City**, its officers, officials, employees or any combination thereof, from and against claims, damages, losses and expenses, including but not limited to reasonable attorneys' fees, to the extent caused by acts or omissions of the **Service Provider**, provided that such claim, damage, loss or expenses is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property (other than the work itself) including loss of use resulting therefrom, but only to the extent caused by the negligent acts or omissions of the **Service Provider**, any subconsultant(s) of the **Service Provider**, its agents, or anyone directly employed by them or anyone for whose acts they may be liable. Such obligations shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this paragraph.

SECTION VII - INSURANCE

A. The **Service Provider** shall secure and maintain, at his/her/its own expense, errors and omissions insurance in an amount not less than One Million Dollars ($1,000,000.00) per claim/annual aggregate to protect himself from any claim arising out of the performance of professional services and caused by negligent acts, omissions or negligent acts for which the **Service Provider** may be legally negligent. The **Service Provider** shall maintain said coverage for the entire contract period and for a minimum of one year after completion of the work under the contract.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

B. In addition to errors and omissions insurance, the **Service Provider** shall also secure and maintain, at his/her own expense, insurance for protection from claims under Worker's Compensation acts, claims for damages because of bodily injury including personal injury, sickness or disease or death of any and all employees or of any person other than such employees, and from claims or damages because of injury to or destruction of property including loss of use resulting therefrom, and any other insurance prescribed by laws, rules, regulations, ordinances, codes or orders.

C. The **Service Provider** shall secure and maintain, at his/her own expense, General Liability insurance in an amount not less than One Million Dollars ($1,000,000.00) per occurrence.

D. The **Service Provider** shall secure and maintain, at his/her/its own expense, Property insurance for protection from claims or damages because of damage to or destruction of property including loss of use resulting therefrom in an amount not less than Five Hundred Thousand Dollars ($500,000.00).

E. The **City** shall be held harmless for any damage to the **Service Provider's** property and/or equipment during the course of performance under the Contract.

F. The above referenced insurance shall be maintained in full force and effect during the life of this Contract and for one year beyond, where specified. Certificates showing that the **Service Provider** is carrying the above referenced insurance in at least the above specified minimum amounts shall be furnished to, and approved by, the **City** prior to the start of work on the project and before the **City** is obligated to make any payments to the **Service Provider** for the work performed under the provision of this contract. All such Certificates, with the exception of those for Worker's Compensation and Errors & Omissions coverage, shall clearly reflect that the City of Hilliard is an “Additional Insured”.

SECTION VIII – EMPLOYEE DOCUMENTATION

A. **Service Provider** guarantees that the individuals employed by the Service working on this project are authorized to work in the United States. The **Service Provider** will upon demand provide **City** with appropriate documentation (Form I-9) for any **Service Provider** employee performing services for **City**.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

B. The **Service Provider** agrees to indemnify **City** in accordance with Section VI of the Agreement for any issue arising out of the **Service Provider's** hiring or retention of any individual who is not authorized to work in the United States.

SECTION IX – TAXES

A. **Service Provider** has the following identification number for income tax purposes: 56-0885615.

B. **Service Provider** is subject to and responsible for all applicable federal, state, and local taxes.

C. The **City** represents that it is a tax-exempt entity and evidence of this tax-exempt status shall be provided to **Service Provider** upon written request. **Service Provider** hereby further agrees to withhold all municipal income taxes due or payable under the provisions of Chapter 183 of the Codified Ordinances of City, Ohio, for wages, salaries and commissions paid to its employees and further agrees that any of its subcontractors shall be required to agree to withhold any such municipal income taxes due under such chapter for Services performed under this Agreement.

D. The **Service Provider** shall receive Internal Revenue Service form 1099 from the **City** for income tax reporting purposes.

SECTION X – ASSIGNMENT

Neither party may assign this Agreement without obtaining express, written consent from the other party prior to assignment.

SECTION XI – ENTIRE AGREEMENT/AMENDMENT

This Agreement constitutes the entire understanding of the parties hereto with respect to the subject matter hereof and supersedes all prior negotiations, discussions, undertakings and agreements between the parties. This Agreement may be amended or modified only by a writing executed by the duly authorized officers of the parties hereto. It is understood and agreed that this Agreement may not be changed, modified, or altered except by an instrument, in writing, signed by both parties in accordance with the laws of the State of Ohio.

SECTION XII - DISCRIMINATION

A. No discrimination for reason of race, color, national origin, religion, sex, genetic

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

information, pregnancy, age, ancestry, military status, sexual orientation, gender identity, marital status, veteran's status, or disability shall be permitted or authorized by **City** and/or **Service Provider** in connection with the Services.

B. Nothing in this Agreement shall require the commission of any act contrary to any law or any rules or regulations of any union, guild, or similar body having jurisdiction over the Services of **Service Provider**.

XIII. GOVERNING LAW/VENUE.

Any controversy or claim, whether based upon contract, statute, tort, fraud, misrepresentation or other legal theory, related directly or indirectly to this Agreement, whether between the parties, or of any of the parties' employees, agents or affiliated businesses, will be resolved under the laws of the State of Ohio, in any court of competent jurisdiction in Franklin County, Ohio.

XIV. SEVERABILITY.

If any provision of this Agreement is held invalid or unenforceable, such provision shall be deemed deleted from this Agreement and shall be replaced by a valid, mutually agreeable and enforceable provision which so far as possible achieves the same objectives as the severed provision was intended to achieve, and the remaining provisions of this Agreement shall continue in full force and effect.

XV. PARAGRAPH HEADINGS.

Paragraph headings are inserted in this Agreement for convenience only and are not to be used in interpreting this Agreement.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

IN WITNESS WHEREOF, the parties, each by a duly authorized representative, have entered into this Agreement on the dates below. This Agreement is effective on the date signed by the City Manager as identified below.

Kimley-Horn and Associates, Inc.

By: JUSTIN MULLER

Its: VICE PRESIDENT

Date: 10/18/2021

City of Hilliard, Ohio

Michelle L. Crandall
City Manager

Date: 10/19/21

Approved as to Form

Philip K. Hartmann, Law Director

CERTIFICATE OF FUNDS

I, David D. Delande, Director of Finance of the City of Hilliard, Ohio, do hereby certify that the funds for this Agreement with Kimley-Horn in the amount of $20,000, have been appropriated and are in the City Treasury or are in the process of collection, and that said funds are not and cannot be appropriated for any other purpose.

10/18/21
Date

David D. Delande
Director of Finance

Authorizing Appropriation Legislation: Ordinance No. 20-27 and Ordinance No. 20-28
Passed: November 23, 2020
Effective: January 1, 2021

Purchase Order No.: CT210128

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Main

Purchase Order No : **CT210128** **Bal : 20,000.00**

[Log] [Enc] [Dtl] [Rcv]

	41000 1099 Unknown	**Ship**	001
Name	KIMLEY-HORN AND ASSOCIATES	**Name**	HILLIARD CITY HALL
Address	421 FAYETTEVILLE STREET	**Address**	CITY OF HILLIARD
	SUITE 600		3800 MUNICIPAL WAY
City, St	RALEIGH, NC	**City, St**	HILLIARD, OH
Zip	27601	**Zip**	43026
Date	10-14-2021	**Confirm**	
Status	O	**Terms**	N0 NET ZERO
Total amt	20000.00	**Ship via**	
Req By	LS	**FOB**	
Req #	014279	**Amend #**	
Due date		**Amend dt**	
Expire dt			
		Type	
		Cont/Ord#	

Purpose	Roundabout Peer Review (GES)			
Keywords	ORD 20-27	ADC-Roberts	CIP T-156	General
	Engineering	Services	Roundabout	Review

Balance

Purchase Order No : **CT210128** **Close** **Net**

Vend # 41000 - KIMLEY-HORN AND ASSOCIATES **PO Amt** 20,000.00

Account	Project	Amount	Paid	Balance	Status	Date
202.627.55403		20,000.00	0.00	20,000.00	E	10/14/21
Total		**20,000.00**	**0.00**	**20,000.00**		

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Exhibit A

Kimley»Horn

October 1, 2021

Letty Schamp, PE
Director of Transportation and Mobility
City of Hilliard
3800 Municipal Way
Hilliard, Ohio 43026
(614) 334-2456

Re: ***2021 General Engineering Services***

Dear Ms. Schamp:

Thank you for the invitation to submit a unique proposal to assist you in ongoing development of your staff and roundabout program. Kimley-Horn and Associates, Inc. ("Kimley-Horn" or "Consultant") is pleased to submit this letter proposal to the City of Hilliard ("Client") to provide general engineering services for a variety of engineering tasks. We understand that under this contract there may be several different task orders that cover a variety of engineering services. This proposal includes hours and fees for task 1A and 1B under this contract with the understanding that additional tasks may come up on an if authorized basis.

SCOPE OF SERVICES

It is anticipated that Kimley-Horn will complete several individual task orders under this overall contract, some of which have been identified, and several others have been discussed but not determined yet. Potential tasks to be completed under this contract include:

- Peer Review of the Alton and Darby Roundabout
- Compact roundabout Peer Review and design exploration
- Development of a one-page design checklist for key roundabout design milestones
- Develop roundabout review training materials for City staff
- Assistance in writing a roundabout-first City policy and brief guidelines
- Video Analytics and in service reviews of existing roundabouts
- Peer Review of other roundabout designs
- Additional tasks as determined

For each additional task order to be completed under this contract, a specific task order will be written and approved to identify the scope, schedule, and fee for that task.

STAFF ASSIGNED, FEE, AND EXPENSES

Mark Lenters, PE of our Atlanta office will act as Project Manager for the overall GES contract and will be the main point of contact. Mark will be assisted by Greg Kufahl, PE of our local Columbus office who will act as the local liaison for the project team. Mark and Greg will be supported by Perry Morgan, PE and Ryan Hutson, PE for local QA/QC oversight. Internally, our team will be supported by 40+ Kimley-Horn professional engineers and technicians based in our Columbus office. See below for additional information about the project team.

Kimley-Horn will perform the services based on a cost not-to-exceed basis. Invoices will be sent out monthly and payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Mark Lenters, PE – Project Manager - For the past 19 years, Mark has focused his professional engineering practice on modern roundabouts, following 15 years of practice in intersection design and safety reviews. He is a leader in this era of the expanding use of roundabouts in North America and is recognized as one of the nation's leading roundabout experts. His work covers all aspects of policy, planning, design, public outreach, and research. Mark provides on-call design review and standards for numerous departments of transportation and local agencies. He served on the review panel for the 2010 FHWA Roundabout Guide. Mark has led multiple roundabout design projects in Ohio recently, including Morse Road/US-62 Roundabout, Scioto Darby Road and Walcutt Road Improvements, T-84 Cosgray Road Improvements, and Hilliard Triangle Roundabouts Safety Audits. He has worked continuously on-call with the Franklin County Engineer's Office on roundabout studies and design for the past 10 years

Greg Kufahl, PE – Task Manager - Greg has extensive experience focusing on providing roadway, roundabout, trail, and utility design services to municipal, county, and state clients. His knowledge includes preliminary and final geometric design of complete streets, roundabouts, and trails as well as utility design of storm sewer and lighting. He specializes in roundabout design through successfully completing concept designs of over 100 roundabouts and final design plans for over 10 roundabouts. Greg focuses his roadway design approach on the "outside-in" design to maximize the available space within a constrained right-of-way to provide for safe interactions between pedestrian, bicycle, and vehicle traffic.

Perry Morgan, PE – Traffic QA/QC - A resident of Norwich Township, with more than 30 years of experience planning, designing, and operating transportation systems that help connect communities, Perry is driven by a passion for developing improvements that serve the needs of communities. Through more than two decades of leading developer, municipal, and state DOT-led projects, he has emerged as a transportation leader in Central Ohio. He is adept in the realms of traffic and transportation engineering and stakeholder involvement. One of Perry's greatest strengths is his ability to understand the varying needs of his clients and develop solutions that bridge differences and provide for the needs of the traveling public. Perry was the project manager for the Hilliard Comprehensive Plan (2011)

Ryan Hutson, PE, PS – Roadway QA/QC - Ryan has 17 years of experience as a project manager and senior roadway engineer in the fields of complex roadway, highway, roundabout, and drainage design. His experience includes new and rehabilitation projects, rural and urban roadways, and both ODOT-let and local-let LPA projects. He has considerable roadway design experience including roundabout and geometric design, corridor widening, pavement and drainage design, complete-street design, trail design, ADA-compliance upgrades, cost estimating, and final plan preparation.

CLOSURE

Kimley-Horn appreciates the opportunity to assist the City of Hilliard with this task order contract. If you concur in all the foregoing and wish to direct us to proceed with the services, please provide your contract form for our review and execution.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Mark Lenters, PE
Associate
(404) 857-4670
mark.lenters@kimley-horn.com

Justin Muller, PE
Vice President
(614) 454-6696
justin.muller@kimley-horn.com

Cc: Greg Kufahl, Perry Morgan, Ryan Hutson

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Kimley»Horn

October 1, 2021

Letty Schamp, PE
Director of Transportation and Mobility
City of Hilliard
3800 Municipal Way
Hilliard, Ohio 43026
(614) 334-2456

Re: ***2021 General Engineering Services***

TASK ORDER 1A – PEER REVIEW OF ALTON & DARBY CREEK ROAD AND ROBERTS ROAD IMPROVEMENTS

Kimley-Horn understands that the City would like Kimley-Horn to perform a peer review of the designs of the Alton & Darby Creek Rd and Roberts Rd roundabout design. Kimley-Horn will work with City staff after each project milestone to review the roundabout design and provide comments.

SCOPE OF SERVICES

Kimley-Horn will perform the following scope of work under Task Order 1A:

1. Review the preliminary roundabout geometry submittal
    a. Verify the performance checks on the layout and recommending changes with red-line mark-ups and/or suggested geometric adjustments. Kimley-Horn had prior involvement in the development of the geometry at the proposal stage, so we're familiar with the constraints and opportunities of this intersection.
    b. Review the traffic forecasting and lane configuration.
    c. Provide a memorandum documenting our review, including mark-ups and a design performance checks package (including speeds, trucks, and sight distance).
    d. Host a teleconference or in-person meeting to discuss the draft review comments on the preliminary geometric submittal with the designer and City staff.
2. Review the preliminary layout submittal
    a. Host a teleconference to review and confirm how the recommendations are adopted into the preliminary layout.
    b. Back check the performance checks of the revised roundabout design.
    c. Finalize the review memorandum with any remaining comments or recommended changes to the layout.
3. Review of Stage 1 plans
    a. Review the preliminary design features that affect performance, constructability, and operation of the roundabout, including;
        i. Vertical design – driver comfort and drainage
        ii. Pedestrian and bicycle accommodation
        iii. Signing & marking plans – traffic information system of guidance and navigation.
        iv. Review typical cross-sections, preliminary grading (circle tipping) and drainage changes
        v. Review space for buses and trucks.
        vi. Assess driveway and access impacts and tradeoffs of proposed horizontal geometry on right-of-way and lot plans.
        vii. Illumination
        viii. Construction Staging
    b. Provide a memorandum documenting our review, including mark-ups.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

c. Host a teleconference or in-person meeting to discuss the mark-ups provided on the Stage 1 plan set with the designer and City staff.

SCHEDULE

Kimley-Horn understands that the schedule for this task will be linked to the design schedule for the overall project review. Kimley-Horn is prepared to provide the peer review services described above within 2 weeks of each project submittal. The tentative schedule for design reviews includes the following review timelines:

- Preliminary design and geometric review – 11/26/2021 to 12/2/2021
- Final geometric layout review – 1/14/2022 to 1/27/2022
- Stage 1 plan review – 4/8/2022 to 5/5/2022

INFORMATION REQUIRED

The following is a detailed list of information that is needed. We will rely on this information to undertake our review.

- Confirmation of the design vehicle (assumed to be a WB-62 unless otherwise stated).
- CAD files of existing topography, right-of-way, roundabout geometrics, and design checks.
- PDF files of the roundabout design and design checks for each submittal.
- Traffic volumes used for lane configuration.

HOURS AND FEE

Kimley-Horn will perform the above scope for Task Order 1A on a cost not-to-exceed basis. Below is a summary of our estimated fees for the individual work tasks.

Work Task	Estimated Fee
1. Preliminary Geometric Review	$ 6,033.00
2. Preliminary Layout Review	$ 4,483.00
3. Stage 1 Plan Review	$ 7,840.00
Expenses	$ 1,100.00
Total Estimated Cost	$ 19,455.00

A detailed fee estimate is attached to this proposal.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

TASK ORDER 1B – COMPACT ROUNDABOUT PEER REVIEW

Kimley-Horn understands that the City would like Kimley-Horn to perform a peer review of the designs of a compact roundabout at the new development entrance west of the Alton & Darby Creek Rd and Roberts Rd improvements project. Kimley-Horn will work with City staff to provide comments during preliminary design reviews.

SCOPE OF SERVICES

Kimley-Horn will perform the following scope of work under Task Order 1B:

1. Review the preliminary roundabout geometry submittal
    a. Verify the performance checks on the layout and recommending changes with red-line mark-ups and/or suggested geometric adjustments.
    b. Provide a memorandum documenting our review, with a deliverable of mark-ups and a design performance checks package (including speeds, trucks, and sight distance).
    c. Host a teleconference or in-person meeting to discuss the draft review comments on the preliminary geometric submittal with City staff.
2. Review the preliminary layout submittal
    a. Host a teleconference to review and confirm how the recommendations are adopted into the preliminary layout.
    b. Back check the performance checks of the revised roundabout design.
    c. Finalize the review memorandum with any remaining comments or recommended changes to the layout.

SCHEDULE

Kimley-Horn understands that the schedule for this task will be linked to the design schedule for the development parcel and the Alton & Darby Creek Rd and Roberts Rd improvements project. Kimley-Horn is prepared to provide the peer review services described above within 2 weeks of each project submittal.

INFORMATION REQUIRED

The following is a detailed list of information that is needed. We will rely on this information to undertake our review.

- Confirmation of the design vehicle (assumed to be a WB-62 unless otherwise stated).
- CAD files of existing topography, right-of-way, roundabout geometrics, and design checks.
- PDF files of the roundabout design and design checks for each submittal.
- Traffic volumes used for lane configuration.

HOURS AND FEE

Kimley-Horn will perform the above scope for Task Order 1B on a cost not-to-exceed basis. Below is a summary of our estimated fees for the individual work tasks.

Work Task	Estimated Fee
1. Preliminary Geometric Review	$ 4,443.00
2. Preliminary Layout Review	$ 3,108.00
Expenses	$ 500.00
Total Estimated Cost	$ 8,050.00

A detailed fee estimate is attached to this proposal.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

CLOSURE

We appreciate the opportunity to submit this proposal and look forward to working with you on this project. Please contact either of us if you have any questions or concerns.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Greg Kufahl, PE
Project Manager
(380) 215-1776
greg.kufahl@kimley-horn.com

Justin Muller, PE
Vice President
(614) 454-6696
justin.muller@kimley-horn.com

Cc: Mark Lenters, Perry Morgan, Ryan Hutson

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

DETAILED FEE ESTIMATE
2021 GES - Task Order 1A
City of Hilliard

PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.
PREPARED ON: October 1st, 2021

TASK	PRINCIPAL	SENIOR PROFESSIONAL	GRADUATE PROFESSIONAL	CAD TECHNICIAN	CLERICAL	TOTAL KHA COST	TOTAL KHA HOURS
	$225.00	$180.00	$125.00	$100.00	$100.00		
TASK 1.0: Preliminary Geometric Review							
1.1 Project Coordination	0.5	2			2	$673	4.5
1.2 Design Review	4	8	8			$3,340	20
1.3 Review Memorandum	1	2	4		1	$1,185	8
1.4 Meetings	1	2	2			$835	5
TASK 1.0 SUBTOTAL	6.5	14	14		3	$6,033	38
TASK 2.0: Preliminary Layout Review							
1.1 Project Coordination	0.5	2			2	$673	4.5
1.2 Design Review	2	8	4			$2,390	14
1.3 Review Memorandum	1	2	2			$835	5
1.4 Meetings	1	2				$585	3
TASK 2.0 SUBTOTAL	4.5	14	6		2	$4,483	27
TASK 3.0: Stage 1 Plan Review							
1.1 Project Coordination	1	3			3	$1,065	7
1.2 Design Review	4	16	8			$4,780	28
1.3 Review Memorandum	2	2	4		1	$1,410	9
1.4 Meetings	1	2				$585	3
TASK 3.0 SUBTOTAL	8	23	12		4	$ 7,840.00	47
TOTALS	19	51	32		9	$ 18,355.00	111
REIMBURSABLE EXPENSES						$1,100	
PROJECT TOTAL						$19,455	

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

DETAILED FEE ESTIMATE
2021 GES - Task Order 1B
City of Hilliard

PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.
PREPARED ON: October 1st, 2021

TASK	PRINCIPAL	SENIOR PROFESSIONAL	GRADUATE PROFESSIONAL	CAD TECHNICIAN	CLERICAL	TOTAL KHA COST	TOTAL KHA HOURS
	$225.00	$180.00	$125.00	$100.00	$100.00		
TASK 1.0: Preliminary Geometric Review							
1.1 Project Coordination	0.5	1			1	$393	2.5
1.2 Design Review	2	6	6			$2,280	14
1.3 Review Memorandum	1	2	4		1	$1,185	8
1.4 Meetings	1	2				$585	3
TASK 1.0 SUBTOTAL	4.5	11	10		2	$4,443	28
TASK 2.0: Preliminary Layout Review							
1.1 Project Coordination	0.5	1			1	$393	2.5
1.2 Design Review	1	4	2			$1,195	7
1.3 Review Memorandum	1	2	2		1	$935	6
1.4 Meetings	1	2				$585	3
TASK 2.0 SUBTOTAL	3.5	9	4		2	$3,108	19
TOTALS	8	20	14		4	$ 7,550.00	46
REIMBURSABLE EXPENSES						$500	
PROJECT TOTAL						$8,050	

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

November 4, 2021

Josh Ginnetti, PE, SI
Transportation Project Engineer
City of Hilliard
3800 Municipal Way
Hilliard, Ohio 43026
(614) 334-2452

Re: ***2021 General Engineering Services – Cosgray Extension Intersection Study (Scioto-Darby)***

TASK ORDER 2 – PEER REVIEW OF COSGRAY/SCIOTO-DARBY ROUNDABOUT CONCEPTS

Kimley-Horn understands that the City of Hilliard would like to extend the GES contract dated 10/19/2021 between the City and Kimley-Horn to include Task Order 2 as described below. Kimley-Horn is proposing to provide incremental quality assurance for the proposed roundabout at the Cosgray Road & Scioto Darby Road intersection. Our role is to shadow the project development in its early stages to facilitate development of an optimal roundabout sizing and layout through incremental review.

SCOPE OF SERVICES

Kimley-Horn will perform the following scope of work under Task Order 2:

1. Review scope of work for the feasibility study (ICE) to quantify and compare capacity, cost, and safety predictions along with pedestrian security and safety expectations.
    a. Provide an initial review of assumptions and criteria.
    b. Review up to two concept roundabout designs including performance checks on the layout and recommending changes with red-line mark-ups and/or suggested geometric adjustments.
    c. Review the traffic forecasting and lane configuration.
    d. Review of the draft ICE report.
    e. Host a teleconference or in-person meeting to discuss the draft review comments for each incremental review. (assumed 3 meetings with the designer and City staff)

SCHEDULE

Kimley-Horn understands that the schedule for this task will be linked to the design schedule for the overall project review. Kimley-Horn is prepared to provide the peer review services described above within 2 weeks of each project submittal. The tentative schedule for design reviews includes the following review timelines:

- ICE report presented to City Council – 12/13/2021

INFORMATION REQUIRED

The following is a detailed list of information that is needed. We will rely on this information to undertake our review.

- Confirmation of the design vehicle (assumed to be a WB-62 unless otherwise stated).
- CAD files of existing topography, right-of-way, roundabout geometrics, and design checks.
- PDF files of the roundabout design and design checks for each submittal.
- Traffic volumes used for lane configuration.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

HOURS AND FEE

Kimley-Horn will perform the above scope for Task Order 2 on a cost not-to-exceed basis. Below is a summary of our estimated fees for the individual work tasks.

Work Task	Estimated Fee
1. Review for Feasibility Study (ICE)	$ 4,620.00
Expenses	$ 300.00
Total Estimated Cost	$ 4,920.00

A detailed fee estimate is attached to this proposal.

CLOSURE

We appreciate the opportunity to submit this proposal and look forward to continuing to work with you on this project. Please contact either of us if you have any questions or concerns.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Mark Lenters, PE
Project Manager
(404) 857-4670
mark.lenters@kimley-horn.com

Greg Kufahl, PE
Local Project Manager
(380) 215-1776
greg.kufahl@kimley-horn.com

Cc: Perry Morgan, Justin Muller

Authorization of Task Order

Recommended by: Lilly Achaup

Authorized by: Michelle L Campbell

Title: City Manager

Date: 12/8/21

PO#: CT210153

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

DETAILED FEE ESTIMATE
2021 GES - Task Order 2
City of Hilliard

PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.
PREPARED ON: November 4th, 2021

TASK	PRINCIPAL	SENIOR PROFESSIONAL	GRADUATE PROFESSIONAL	CAD TECHNICIAN	CLERICAL	TOTAL KHA COST	TOTAL KHA HOURS
	$225.00	$180.00	$125.00	$100.00	$100.00		
TASK 1.0: Review of Feasibility Study (ICE)							
1.1 Project Coordination	1	1			2	$605	4
1.2 Initial assumption and criteria review	1	2				$585	3
1.3 Concept design review (up to 2)	1	4				$945	5
1.4 Traffic forecasting review	1	2				$585	3
1.5 ICE documentation review	1	2				$585	3
1.6 Meetings	3	3			1	$1,315	7
TASK 1.0 SUBTOTAL	8	14			3	$4,620	25
TOTALS	8	14			3	$ 4,620.00	25
REIMBURSABLE EXPENSES						$300	
PROJECT TOTAL						$4,920	

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Main

Purchase Order No : **CT210153** **Bal : 4,253.00**

[Log] [Enc] [Pays] [Dtl] [Rcv]

	41000 1099 Unknown	**Ship**	001
Name	KIMLEY-HORN AND ASSOCIATES	**Name**	HILLIARD CITY HALL
Address	421 FAYETTEVILLE STREET	**Address**	CITY OF HILLIARD
	SUITE 600		3800 MUNICIPAL WAY
City, St	RALEIGH, NC	**City, St**	HILLIARD, OH
Zip	27601	**Zip**	43026
Date	12-06-2021	**Confirm**	
Status	OP	**Terms**	N0 NET ZERO
Total amt	10000.00	**Ship via**	
Req By	JG	**FOB**	
Req #	014448	**Amend #**	
Due date		**Amend dt**	
Expire dt			
		Type	
		Cont/Ord#	

Purpose	Roundabout Peer Review (GES) - Cosgray Rd Ext			
Keywords	ORD 21-26	Cosgray Rd Ext	CIP T-86	General
	Engineering	Services	Roundabout	Scioto Darby Rd

Balance

Purchase Order No : **CT210153** **Close** **Net**

Vend # 41000 - KIMLEY-HORN AND ASSOCIATES **PO Amt** 10,000.00

Account	Project	Amount	Paid	Balance	Status	Date
304.626.55806		10,000.00	5747.00	4,253.00	EP	12/06/21
Total		**10,000.00**	**5,747.00**	**4,253.00**		

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Kimley»Horn

January 20, 2022

Josh Ginnetti, PE, SI
Transportation Project Engineer
City of Hilliard
3800 Municipal Way
Hilliard, Ohio 43026
(614) 334-2452

Re: ***2021 General Engineering Services – Cosgray Extension Intersection Study (Scioto-Darby)***

TASK ORDER 3 – PEER REVIEW OF COSGRAY/SCIOTO-DARBY ROUNDABOUT PRELIMINARY DESIGN

Kimley-Horn understands that the City of Hilliard would like to extend the GES contract dated 10/19/2021 between the City and Kimley-Horn to include Task Order 3 as described below. Kimley-Horn is proposing to provide incremental quality assurance for the proposed roundabout at the Cosgray Road & Scioto Darby Road intersection being designed by MS Consultants. Our role is to shadow the project development in its early stages to facilitate development of an optimal roundabout performance through incremental review.

SCOPE OF SERVICES

Kimley-Horn will perform the following scope of work under Task Order 3:

1. Preliminary Roundabout Review
    a. Facilitate virtual design charrette meeting with City Staff and MS Consultants to begin preliminary roundabout design and define roundabout design criteria.
    b. Review preliminary roundabout design layout developed by MS Consultants for consistency with design criteria table and roundabout design standards.
    c. Verify the performance checks on the layout and recommend changes with red-line mark-ups and/or suggested geometric adjustments.
    d. Provide a memorandum documenting our review, including mark-ups and a design performance checks package (including speeds, trucks, and sight distance).
    e. Host a teleconference or in-person meeting to discuss the draft review comments on the preliminary geometric submittal with the designer and City staff.
2. Stage 1 Roundabout Plan Review
    a. Review the Stage 1 Plan submittal prepared by MS Consultants for design features that affect performance, constructability, and operation of the roundabout, including;
        i. Vertical design – driver comfort and drainage
        ii. Pedestrian and bicycle accommodation
        iii. Signing & marking plans – traffic information system of guidance and navigation.
        iv. Review typical cross-sections, preliminary grading (circle tipping) and drainage changes
        v. Review space for buses and trucks.
        vi. Assess driveway and access impacts and tradeoffs of proposed horizontal geometry on right-of-way and lot plans.
        vii. Illumination
        viii. Construction Staging
    b. Provide a memorandum documenting our review, including mark-ups.
    c. Host a teleconference or in-person meeting to discuss the mark-ups provided on the Stage 1 plan set with the designer and City staff.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

SCHEDULE

Kimley-Horn understands that the schedule for this task will be linked to the design schedule for the overall project review. Kimley-Horn is prepared to provide the peer review services described above within 2 weeks of each project submittal.

INFORMATION REQUIRED

The following is a detailed list of information that is needed. We will rely on this information to undertake our review.

- CAD files of existing topography, right-of-way, roundabout geometrics, and design checks for each submittal.
- PDF files of the roundabout design and design checks for each submittal.

HOURS AND FEE

Kimley-Horn will perform the above scope for Task Order 3 on a cost not-to-exceed basis. Below is a summary of our estimated fees for the individual work tasks.

Work Task	Estimated Fee
1. Preliminary Roundabout Review	$ 7,223.00
2. Stage 1 Roundabout Plan Review	$ 7,840.00
Expenses	$ 900.00
Total Estimated Cost	$ 15,963.00

A detailed fee estimate is attached to this proposal.

CLOSURE

We appreciate the opportunity to submit this proposal and look forward to continuing to work with you on this project. Please contact either of us if you have any questions or concerns.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Mark Lenters
Project Manager
(404) 857-4670
mark.lenters@kimley-horn.com

Justin Muller, PE
Vice President
(614) 454-6696
justin.muller@kimley-horn.com

Cc: Perry Morgan, Greg Kufahl

Authorization of Task Order

Recommended by: Kitty Achauf

Authorized by: Michelle Z Crandall

Title: City Manager

Date: 2/8/2022

PO#: CT220050

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

DETAILED FEE ESTIMATE
2021 GES - Task Order 3
City of Hilliard

PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.
PREPARED ON: January 20th, 2022

TASK	PRINCIPAL	SENIOR PROFESSIONAL	GRADUATE PROFESSIONAL	CAD TECHNICIAN	CLERICAL	TOTAL KHA COST	TOTAL KHA HOURS
	$225.00	$180.00	$125.00	$100.00	$100.00		
TASK 1.0: Preliminary Roundabout Review							
1.1 Project Coordination	0.5	2			2	$673	4.5
1.3 Design Charrette	3	3				$1,215	6
1.2 Design Review	4	8	8			$3,340	20
1.3 Review Memorandum	1	2	4		1	$1,185	8
1.4 Meetings	2	2				$810	4
TASK 1.0 SUBTOTAL	10.5	17	12		3	$7,223	43
TASK 2.0: Stage 1 Plan Review							
1.1 Project Coordination	1	3			3	$1,065	7
1.2 Design Review	4	16	8			$4,780	28
1.3 Review Memorandum	2	2	4		1	$1,410	9
1.4 Meetings	1	2				$585	3
TASK 2.0 SUBTOTAL	8	23	12		4	$ 7,840.00	47
TOTALS	18.5	40	24		7	$ 15,062.50	90
REIMBURSABLE EXPENSES						$900	
PROJECT TOTAL						$15,963	

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Purchase Order No : CT220050

Vendor : 41000 KIMLEY-HORN AND ASSOCIATES

Vendor:	41000	**Ship:**	001
Name:	KIMLEY-HORN AND ASSOCIATES	**Name:**	HILLIARD CITY HALL
Address:	421 FAYETTEVILLE STREET	**Address:**	CITY OF HILLIARD
	SUITE 600		3800 MUNICIPAL WAY
City, State:	RALEIGH, NC	**City, State:**	HILLIARD, OH
Zip:	27601	**Zip:**	43026
Date:	02/03/2022	**Confirm:**	
Status:	OP	**Terms:**	N0
Total Amt:	16000.00	**Ship Via:**	
Req By:	JG	**FOB:**	
Req #	014894	**Amend #**	
Due Date:		**Amend Dt:**	
Expire Dt:		**Buyer:**	
		Type:	
		Cont/Ord #	

Purpose: RAB Peer Review (GES Task 3) - Cosgray Rd Ext

Keywords:	ORD 21-26	Cosgray Rd Ext	CIP T-86	General
	Engineering	Services	Roundabout	Scioto Darby Rd

Details

Detail Row	Quantity	Unit	Description	Unit Amount	Total Amount
	1		RAB Peer Review Task 3 Cosgray Rd Ext		16,000.00
Total					**16,000.00**

Encumber

Date	Account	Account Description	Project	Project Description	Amount	Adjust	Balance	UnEnc
02/03/2022	304.626.55806	T-86 ALTON DARBY / COSGRAY CONNECTOR			16,000.00	0.00	6,186.49	0.00
Total					**16,000.00**	**0.00**	**6,186.49**	

Balance

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Purchase Order No : CT220050

Vendor : 41000 KIMLEY-HORN AND ASSOCIATES

Account	Project	Amount	Paid	Balance	Status	Date
304.626.55806		16,000.00	9,813.51	6,186.49	EP	02/03/2022
Total		**16,000.00**	**9,813.51**	**6,186.49**		

Payments

Account	Project	Gross	Discount	Date	Voucher	Bank	Check #	X	Name & Address
304.626.55806		1,828.00	0.00	03/22/2022	12037064	12010	099455	A	KIMLEY-HORN AND ASSOCIATES
304.626.55806		7,985.51	0.00	05/17/2022	12134039	12010	099985	A	KIMLEY-HORN AND ASSOCIATES
Total		**9,813.51**	**0.00**						
Net Total		**9,813.51**							

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Kimley»Horn

July 29, 2022

Letty Schamp, PE
Director of Transportation & Mobility
City of Hilliard
3800 Municipal Way
Hilliard, Ohio 43026

Re: ***2021 General Engineering Services – Roundabout Review Assistance***

TASK ORDER 4 –ROUNDABOUT REVIEW ASSISTANCE

Kimley-Horn understands that the City of Hilliard would like to extend the GES contract dated 10/19/2021 between the City and Kimley-Horn to include Task Order 4 as described below. Kimley-Horn is proposing to provide general engineering services for a variety of engineering and roundabout review related tasks.

SCOPE OF SERVICES

Kimley-Horn will perform the following scope of work under Task Order 4:

1. Preliminary Roundabout Review
    a. Facilitate virtual design charrette meeting with City Staff and the City's consultants to begin preliminary roundabout design and define roundabout design criteria.
    b. Review preliminary roundabout design layout developed by the City's consultants for consistency with design criteria table and roundabout design standards.
    c. Verify the performance checks on the layout and recommend changes with red-line mark-ups and/or suggested geometric adjustments.
    d. Provide a memorandum documenting our review, including mark-ups and a design performance checks package (including speeds, trucks, and sight distance).
    e. Host a teleconference or in-person meeting to discuss the draft review comments on the preliminary geometric submittal with the designer and City staff.
2. Roundabout Plan Review
    a. Review the construction plan submittal prepared by the City's consultants for design features that affect performance, constructability, and operation of the roundabout, including;
        i. Vertical design – driver comfort and drainage
        ii. Pedestrian and bicycle accommodation
        iii. Signing & marking plans – traffic information system of guidance and navigation.
        iv. Review typical cross-sections, preliminary grading (circle tipping) and drainage changes
        v. Review space for buses and trucks.
        vi. Assess driveway and access impacts and tradeoffs of proposed horizontal geometry on right-of-way and lot plans.
        vii. Illumination
        viii. Construction Staging
    b. Provide a memorandum documenting our review, including mark-ups.
    c. Host a teleconference or in-person meeting to discuss the mark-ups provided on the Stage 1 plan set with the designer and City staff.
3. Roundabout Program Delivery
    a. Kimley-Horn will assist the City administering their roundabout implementation program. Tasks could include responding to questions that come up through construction, design, or stakeholder involvement.

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

b. Kimley-Horn will attend meetings as directed by the City staff to assist on current projects. Meetings could include design meetings, stakeholder meetings, or City Council meetings, etc.
c. Kimley-Horn will review roundabout project materials not identified in the tasks above. These materials may include future and upcoming projects as well as projects currently under construction.

SCHEDULE

Kimley-Horn understands that the schedule for this task will be linked to the design schedule for the overall project review. Kimley-Horn is prepared to provide the peer review services described above within 2 weeks of each project submittal.

INFORMATION REQUIRED

The following is a detailed list of information that is needed. We will rely on this information to undertake our review.

- CAD files of existing topography, right-of-way, roundabout geometrics, and design checks for each submittal.
- PDF files of the roundabout design and design checks for each submittal.

HOURS AND FEE

Kimley-Horn will perform the above scope for Task Order 4 on a cost not-to-exceed basis. Below is a summary of our estimated fees for the individual work tasks.

Work Task	Estimated Fee
1. Preliminary Roundabout Review	$ 8,245.00
2. Roundabout Plan Review	$ 8,175.00
4. Roundabout Program Delivery	$ 30,280.00
Expenses	$ 2,800.00
Total Estimated Cost	$ 49,500.00

A detailed fee estimate is attached to this proposal.

CLOSURE

We appreciate the opportunity to submit this proposal and look forward to continuing to work with you on this project. Please contact either of us if you have any questions or concerns.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Mark Lenters
Project Manager
(404) 857-4670
mark.lenters@kimley-horn.com

Justin Muller, PE
Vice President
(614) 454-6696
justin.muller@kimley-horn.com

Cc: Perry Morgan, Greg Kufahl

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

DETAILED FEE ESTIMATE
2021 GES - Task Order 4
City of Hilliard

PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.
PREPARED ON: July 29th, 2022

TASK	PRINCIPAL	SENIOR PROFESSIONAL	GRADUATE PROFESSIONAL	CAD TECHNICIAN	CLERICAL	TOTAL KH COST	TOTAL KHA HOURS
	$300.00	$185.00	$135.00	$110.00	$110.00		
TASK 1.0: Preliminary Roundabout Review							
1.1 Project Coordination	0.5	2			2	$740.00	4.5
1.3 Design Charrette	3	3				$1,455.00	6
1.2 Design Review	4	8	8			$3,760.00	20
1.3 Review Memorandum	1	2	4		1	$1,320.00	8
1.4 Meetings	2	2				$970.00	4
TASK 1.0 SUBTOTAL	10.5	17	12		3	$8,245.00	43
TASK 2.0: Plan Review							
1.1 Project Coordination	1	3			3	$1,185.00	7
1.2 Design Review	4	16	4			$4,700.00	24
1.3 Review Memorandum	2	2	4		1	$1,620.00	9
1.4 Meetings	1	2				$670.00	3
TASK 2.0 SUBTOTAL	8	23	8		4	$8,175.00	43
TASK 3.0: Roundabout Program Delivery							
1.1 Responding to Project Questions	16	24	16		8	$12,280.00	64
1.2 Attending Project Meetings	4	8	16		8	$5,720.00	36
1.3 Review Project Materials	16	24	16		8	$12,280.00	64
TASK 3.0 SUBTOTAL	36	56	48		24	$30,280.00	164
TOTALS	18.5	40	20		7	$46,700.00	86
REIMBURSABLE EXPENSES						$2,800.00	
PROJECT TOTAL						$49,500.00	

Attachment: Exhibit A_KHA PSA_Tasks1-4 (22-R-66 : Kimley Horn GES PSA)

Council Memo: Legislation (22-R-67)

Subject: 2022 Curb Ramp Replacement Contract
From: Michelle Crandall, City Manager
Initiated by: Letty Schamp, Transportation & Mobility Director
Date: August 22, 2022

Executive Summary

This legislation authorizes the City Manager to enter into a contract with Decker Construction Company and authorizes an expenditure for the construction of ADA-compliant curb ramps throughout the City.

Staff Recommendation

Staff recommends approval of this legislation to improve accessibility at various intersections throughout the City.

Background

As a result of Neighborhood Assessment pilot project in 2021, the City's Sidewalk Maintenance & American with Disabilities Act (ADA) Compliance Program (CIP T-160) was initiated in 2022. This program provides funding for planning, design, and/or construction of improvements to the existing sidewalk and curb ramp network to meet the requirements of the ADA.

Citywide sidewalk condition assessments are currently in progress, and the Sidewalk Maintenance Program, which requires private property owner participation in costs, will be implemented in 2023. Therefore, the 2022 project focuses solely on curb ramp replacements, which are the City's responsibility to repair or replace.

Staff identified 85 curb ramps that need to be replaced or repaired throughout the City to meet the requirements of ADA. The Engineer's estimate for this work was $203,000. The Project was advertised electronically on Bid Express beginning on July 21, 2022, for two weeks. Bids were opened on August 4, 2022. The City received two bids for the Project. The summary of bids is presented below.

Business	Bid Total
Decker Construction Company	**$218,915.57**
Strawser Paving Company	**$250,777.50**

Decker Construction Company was determined to be the lowest and best bidder. The City of Hilliard has successfully worked with Decker on other projects, and staff recommends award of the Project to Decker Construction Company in the amount of $218,915.57. Ten percent (10%) is available for contingencies to cover approved change orders during construction. Therefore, the maximum not-to-exceed expenditure is $240,807.13.

The completion date for the Project is November 15, 2022.

Financial Impacts

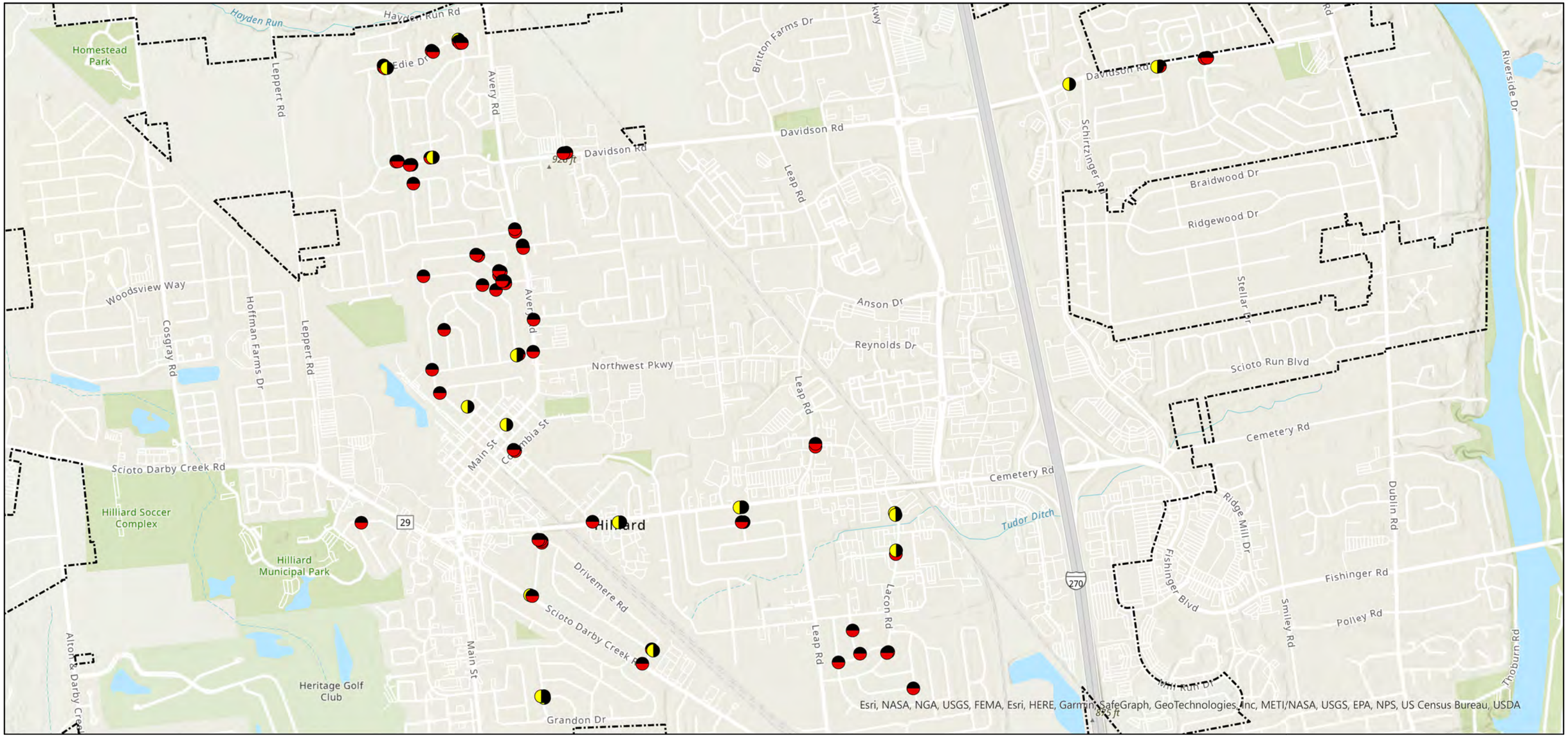
Hilliard City Council appropriated funds for the Project by passage of the 2022 Capital Improvement Budget (ORD 21-41). The current balance of CIP T-160 Sidewalk Maintenance Program & ADA Compliance is $241,449, which will fully fund this project in an amount not to exceed $240,807.13.

Expected Benefits

The Project is expected to improve the safety and accessibility of the sidewalk and curb ramp network which will benefit the entire community, especially pedestrians with physical limitations and mobility challenges.

Attachments

2022 Curb Ramp Replacement Location Map



CITY OF HILLIARD est. 1853
Real People. Real Possibilities.

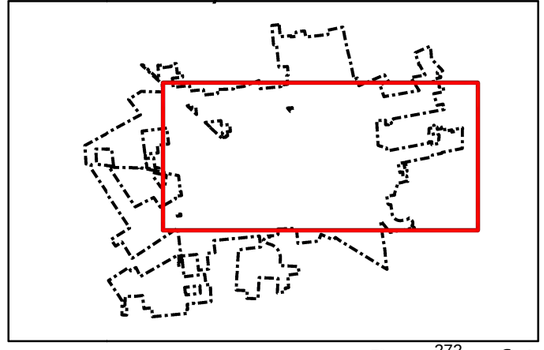
Transportation & Mobility

CITY OF HILLIARD
TRANSPORTATION AND MOBILITY
DIVISION

CIP T-160
2022 CURB RAMP
REPLACEMENTS

N

Citywide View



Scope of Contractor Work

- Partial Ramp Replacement
- Full Ramp Replacement
- Hilliard Corp Limit

0 0.38 0.75 1.5 2.25 3 Miles

July 20, 2022

Attachment: 2022 Curb Ramp Replacement Location Map (22-R-67 : 2022 Curb Ramp Replacement Contract)

Resolution: 22-R-67 **Adopted:**

Page 1 of **Effective:**

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION CONTRACT WITH DECKER CONSTRUCTION COMPANY FOR THE 2022 CURB RAMP REPLACEMENT PROJECT AS PART OF THE SIDEWALK MAINTENANCE PROGRAM (CIP T-160) AND AUTHORIZING AN EXPENDITURE.

WHEREAS, the City of Hilliard is committed to improving pedestrian safety and mobility to meet the requirements of the American with Disabilities Act (ADA) and allow for the entire community to benefit from improvements to the sidewalk, trail and curb ramp network, especially pedestrians with physical limitations and mobility challenges; and

WHEREAS, CIP T-160 was established in the 2022 Capital Improvements Budget to provide funding for the planning, design, and construction of improvements to the existing sidewalk and curb ramp network citywide; and

WHEREAS, the 2022 Curb Ramp Replacement Project consists of removing and replacing 85 curb ramps to bring them in compliance with ADA; and

WHEREAS, the Engineer's Estimate for construction of the Project was $203,000; 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 3:00 pm on August 4, 2022, and Decker Construction Company, which submitted a bid in the amount of $218,915.57 was determined to be the lowest and best bidder ("Contractor"); and

WHEREAS, a ten percent (10%) contingency in the amount of $21,891.56 is available to cover approved change orders on the construction contract; and

WHEREAS, funds for the Project were appropriated in the 2022 Capital Improvement Budget by Ordinance No. 21-41, passed by City Council on December 13, 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-160 is authorized in the amount not to exceed $240,807.13 from Fund 206, Object 55 for the construction of the Project.

SECTION 2. The City Manager is authorized to enter into a contract with Decker Construction Company for the 2022 Curb Ramp Replacement Project (CIP T-160) in an amount not to exceed $240,807.13, which includes a ten percent contingency to pay for approved change orders associated with the Project.

SECTION 3. 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-67						
☐ 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-67** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

_____

Diane C. Werbrich, MMC

Council Memo: Legislation (22-R-68)

Subject: Services Resolution for 4701 Leppert Road
From: Michelle Crandall, City Manager
Initiated by: Dan Ralley, Assistant City Manager
Date: August 22, 2022

Executive Summary

This resolution states the services that would be provided to the property located at 4701 Leppert Road, if it were to annex into the City.

Staff Recommendation

Staff recommends Council pass this piece of legislation in order to fulfill the requirements of the Ohio Revised Code.

Background

Ohio Revised Code Section 709.023 provides procedures for annexing a property in the township to an adjacent City. This type of annexation requires the signatures of the property owner(s) of the land proposed to be annexed and, in addition, the property will not be excluded from the township that it is currently located. As required by Code, the City, upon notification of filing of the annexation petition, the City is required to adopt a resolution stating the services that the City could provide, if the property is annexed, and file the resolution with the County.

On August 15, 2022, the Owner of the Property filed an annexation petition with the County. The City was notified on August 15th of the filing and has until September 6, 2022, to provide the County with the resolution.

The application was filed on behalf of Glenmont, which currently owns a nursing facility located at 4599 Avery Road. It is staff's understanding that Glenmont wishes to relocate their existing facility to the site on Leppert Road.

Water and sewer infrastructure is currently under construction in the vicinity of 4701 Leppert Road but is not yet operational. Epcon is required to extend a 16" waterline to the northern property line of the Carr Farms subdivision but has not yet completed this work. The Hayden Run Sanitary Sub-Trunk is in the final stages of construction and should be operational by the early fall.

Financial Impacts

N/A

Expected Benefits

This resolution fulfills the initial City requirements when considering an annexation petition.

Attachments

- Exhibit A – Annexation Petition

Resolution: 22-R-68 **Adopted:**

Page 1 of **Effective:**

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF HILLIARD WILL PROVIDE TO THE 20.187± ACRES LOCATED IN NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO, UPON ANNEXATION TO THE CITY, AND TO PROVIDE FOR BUFFER REQUIREMENTS.

WHEREAS, on August 12, 2022, pursuant to Ohio Revised Code Section 709.023, the property owners of 4701 Leppert Road, Parcel Nos. 200-001350-00 and 200-001352-00, seeking the annexation of 20.187± acres of real property in Norwich Township, Franklin County, Ohio, contiguous to the City of Hilliard, filed a Petition for Annexation of the property to the City of Hilliard with the Board of County Commissioners of Franklin County, Ohio, a copy of which is **attached** hereto as Exhibit "A", notice of which was duly served upon the City of Hilliard as prescribed by law; and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that within twenty days after the date that the petition is filed, the municipal corporation to which annexation is sought shall adopt a Resolution stating what services the municipal corporation will provide to the territory seeking annexation and an approximate date by which it will provide those services; and

WHEREAS, Ohio Revised Code Section 709.023(C) also provides that within that same twenty day period, a municipal corporation shall adopt an ordinance or resolution stating that, if the territory is annexed and becomes subject to zoning by the municipal corporation and that if the municipality corporation's zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining in the township from which the territory was annexed, the municipal corporation shall require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township.

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

SECTION 1. In the event that the proposed 20.187 ± acres (the "Property") is annexed to the City of Hilliard, Ohio, the City will provide to the Property the full range of municipal services available to the residents of, and to the property within, the City of Hilliard, including but not limited to police protection, mayor's court, public works and street maintenance, residential refuse collection, planning, building, zoning and engineering services, and recreation and parks, all of which can be provided immediately upon the effective date of the annexation as provided by law. Should it be determined that as a result of the annexation, the boundary line between the township and the City divides or segments a street or highway so as to create a road maintenance problem, the City, as a condition of the annexation, shall assume the maintenance of that street or highway or otherwise correct the problem.

SECTION 2. The County Commissioners have previously requested information on the status of water and sewer services to and within suburbs of the City of Columbus**.** The proposed annexation area is included within the boundaries of the area of the City of Hilliard's Water Service Contract and Sewerage Contract with the City of Columbus and those services are provided in accordance with the terms and conditions of those contracts. The City of Hilliard shall be under no obligation to extend water or sewer lines to any of the Property at the cost of the City or in contravention of the contracts.

SECTION 3. If the Property is annexed and becomes subject to the City of Hilliard zoning and the City zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under applicable county or township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexed territory remaining in the unincorporated area of Norwich Township, then the City of Hilliard will require the owner or owners of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Norwich Township.

SECTION 4. The Clerk of Council is hereby directed to forward and file certified copies of this Resolution with the Franklin County Board of County Commissioners and to send a copy to the Agent for the Petitioner for annexation, within twenty days following the date that the petition was filed.

SECTION 5. 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-68

☐ 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-68** passed by the Hilliard City Council on the 22nd day of August 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 22nd day of August 2022.

_____
Diane C. Werbrich, MMC

Franklin County
Board of Commissioners
ECONOMIC DEVELOPMENT & PLANNING
1803
Economic Development & Planning Department
James Schimmer, Director

Application for
Annexation Petition
Expedited Type 2
Pursuant to ORC §709.023

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AUG 15 2022
Franklin County Planning Department
Franklin County, OH

Property Information

Site Address: 4701 Leppert Road, Hilliard Ohio 43026

Parcel ID(s):	Total Acreage:
200-001352-00 200-001350-00	20.187
From Township: Norwich Township	To Municipality: Hilliard

Property Owner Information *In the event of multiple owners, please attaxch seperate sheet

Name: Glenmont
Address: 4599 Avery Road, Hilliard, Ohio 43026

Phone #	Fax #

Email:

Attorney/Authorized Agent Information

Name: Brandon T. Pauley, Esq.
Address: 250 South Civic Center Drive, Suite 300
Columbus, Ohio 43215

Phone # 6142467510	Fax # 6142467511

Email: btpauley@bmdllc.com

Staff Use Only

Case # ANX- 31-22
Hearing Date: 9/20/22
Date Filed: 8/15/22
Fee Paid: $350.00
Receipt #: 22-02450
Received By: Matt Brown
Notification Deadline (*5 days*): 8/22/22
Svc Statement Deadline (*20 days*): 9/6/22

Document Submission

The following documents must accompany this application on letter-sized 8 ½" x 11" paper:

- [x] Legal description of the property
- [x] Fee Payment (*checks only*)
- [x] Map/plat of property
- [x] List of adjacent properties

Petitioners Signature

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Property Owner	Date	Property Owner	Date
	8/12/2022		

Attorney or Authorized Agent	Date	Attorney or Authorized Agent	Date
	8/12/2022		

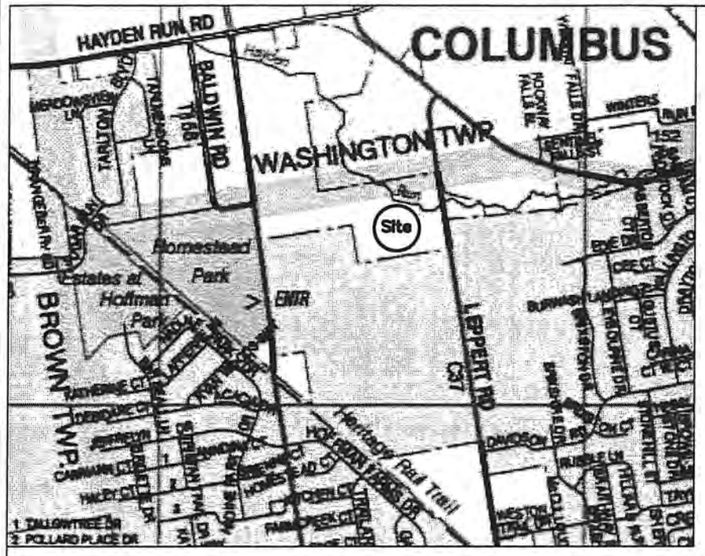
150 South Front Street, FSL Suite 10, Columbus, Ohio, 43215-7104
Tel: 614-525-3094 Fax: 614-525-7155 Development.FranklinCountyOhio.gov

Attachment: Exhibit A.Services Resolution 4701 Leppert Rd (22-R-68 : Services Resolution for 4701 Leppert Road)

PROPOSED ANNEXATION OF ±20.8 ACRES

FROM: Norwich Township

TO: City of Hilliard



Vicinity Map

Being ±20.8 Acres, Situated in the State of Ohio, County of Franklin, Township of Norwich, in Virginia Military Surveys 6366 & 3453

150' 75' 0' 150'

Scale: 1" = 150'

June 7, 2022

Area to Be Annexed:

Contiguity Length ± 2007'
Perimeter Length ± 4134'
Contiguity Percentage: 49%

Existing City of Hilliard Corp. Line

Proposed City of Hilliard Corp. Line

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Franklin County Planning Department
Franklin County, OH
ANX-31-22

Line Table			
L1	SOUTHEASTERLY ±34	L7	SOUTHERLY ±38
L2	EASTERLY ±54	L8	SOUTHEASTERLY ±62
L3	NORTHEASTERLY ±28	L9	EASTERLY ±130
L4	SOUTHEASTERLY ±28	L10	SOUTHEASTERLY ±49
L5	SOUTHEASTERLY ±71	L11	EASTERLY ±121
L6	SOUTHEASTERLY ±61		

36.030 Ac.
West Leppert Investments, LLC
I.N. 200507180140634

EASTERLY ±376

5.215 Ac.
Bryan & Catherine Allen
I.N. 201809050120327

4.333 Ac.
Glenmont
I.N. 202204120056631
Parcel I, Tract Two

4.358 Ac.
Victor & Galina Moskalyuk
I.N. 201111040142785

0.252 Ac.
County of Franklin
D.B. 3322, Pg. 36

LEPPERT ROAD

VMS 6366
VMS 3453

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
CORNELL R. ROBERTSON, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By CRR Date 6/23/2022

6 Ac.
Kristin & Timothy Andrew Donnell,
Bailey S. & Sarah J. Alexander,
Keith A. & Jenna D. Caldwell
I.N. 202107160125058

EASTERLY ±359'

0.435 Ac.
County of Franklin
D.B. 3314, Pg. 15

0.146 Ac.
County of Franklin
D.B. 3320, Pg. 487

±128' SOUTHERLY

±120' SOUTHERLY

2.506 Ac.
Lara I. & Todd L. Suever
I.N. 201509180132046

NORTHERLY ±932'

±20.8 Acres

15.604 Ac.
Glenmont
I.N. 202204120056631
Parcel I, Tract One

EASEMENT
FRANKLIN COUNTY COMMISIONERS
I.N. 199906040141755

City of Hilliard
Corporation Lane
Case No. 8-95
Ord. No. 95-68
O.R.V. 34865, Pg..H-07

RECEIVED
JUN 23 2022
Franklin County Engineer
Cornell R. Robertson, P.E., P.S.

56.593 Ac.
City of Hilliard, Ohio
I.N. 201505130062378

Glenmont
I.N. 202204120056631
Parcel II

±359' SOUTHERLY

57.985 Ac.
Epcon Carr Farms, LLC
I.N. 202102250035317

0.25 Ac.

C/L

±20'

FCGS 5069

P.O.B.

City of Hilliard
Corporation Lane
Case No. 3-03
Ord. No. 03-16
I.N. 200305300160722

104.982 Ac.
Amazon Data Services, Inc.
I.N. 202101210013148

±1164' WESTERLY

RECEIVED
JUL 08 2022
Franklin County Planning Department
Franklin County, OH
ANX-28-22

STATE OF OHIO
PAUL T. DINAN 7312
REGISTERED PROFESSIONAL SURVEYOR

MyersSurveying COMPANY
2740 E. Main St., Bexley, Ohio 43209-2577
(614)235-8677 ~ (614)235-4559 fax
info@myerssurveying.com

m.o.# 2-12/14/2021		X –	T –

Paul T. Dinan 6-7-2022

By: Paul T. Dinan, Professional Surveyor No. 7312 Date

Attachment: Exhibit A.Services Resolution 4701 Leppert Rd (22-R-68 : Services Resolution for 4701 Leppert Road)

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
CORNELL R. ROBERTSON, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By _____ Date 6/23/2022

RECEIVED
JUN 23 2022
Franklin County Engineer
Cornell R. Robertson, P.E., P.S.

MyersSurveying COMPANY
2740 East Main Street
Bexley, Ohio 43209-2577
(614) 235-8677
Telefax (614) 235-4559
Email: info@myerssurveying.com

June 7, 2022

20.8 ACRES

Situate in the State of Ohio, County of Franklin, Township of Norwich, in Virginia Military Surveys 6366 and 3453, being all of the 15.604 Acre, 4.333 Acre and 0.25 Acre tracts conveyed to Glenmont in Instrument Number 202204120056631, all of the 0.146 Acre tract conveyed to County of Franklin in Deed Book 3320, Page 487, part of the 0.435 Acre tract conveyed to County of Franklin in Deed Book 3314, Page 15 and part of the 57.985 Acre tract conveyed to Epcon Carr Farms, LLC in Instrument Number 202102250035317, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

BEGINNING at Franklin County Engineer's monument box "FCGS 5069", in the centerline of Leppert Road at the southeast corner of said 0.25 Acre tract, in the west line of said 57.985 Acre tract, at the northeast corner of a 104.982 Acre tract conveyed to Amazon Data Systems, Inc. in Instrument Number 202101210013148 and in the existing City of Hilliard Corporation Line, as established by Case No. 3-03, Ordinance No. 03-16, recorded in Instrument Number 200305300160722;

Thence, westerly, along the south lines of said 0.25 Acre and 15.604 Acre tracts, along part of the north line of said 104.982 Acre tract and along said City of Hilliard Corporation Line, approximately 1164 feet to the southwest corner of said 15.604 Acre tract and the southeast corner of a 56.593 Acre tract conveyed to the City of Hilliard, Ohio in Instrument Number 201505130062378;

Thence, northerly, along the west lines of said 15.604 Acre and 4.333 Acre tracts, along the east line of said 56.593 Acre tract, along the east line of a 6 Acre tract conveyed to Kristin and Timothy Andrew Donnell, Bailey S. and Sarah J. Alexander, Keith A. and Jenna D. Caldwell, in Instrument Number 202107160125058, along the east line of a 5.215 Acre tract conveyed to Bryan and Catherine Allen in Instrument Number 201809050120327 and partly along said City of Hilliard Corporation Line, approximately 932 feet to the northwest corner of said 4.333 Acre tract, the northeast corner of said 5.215 Acre tract and in the south line of a 36.030 Acre tract conveyed to West Leppert Investments, LLC in Instrument Number 200507180140634;

Thence, easterly, along the north line of said 4.333 Acre tract and along part of the south line of said 36.030 Acre tract, approximately 376 feet to the northeast corner of said 4.333 Acre tract, the northwest corner of a 4.358 Acre tract conveyed to Victor and Galina Moskalyuk in Instrument Number 201111040142785 and in the approximate centerline of a creek;

Thence, along the east line of said 4.333 Acre tract, along the west line of said 4.358 Acre tract and along the approximate centerline of a creek the following eleven (11) courses:

1. southeasterly, approximately 34 feet;
2. easterly, approximately 54 feet;
3. northeasterly, approximately 28 feet;
4. southeasterly, approximately 28 feet;
5. southeasterly, approximately 71 feet;
6. southeasterly, approximately 61 feet;
7. southerly, approximately 38 feet;

MB
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JUL 08 2022
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Franklin County, OH
ANX-28-22

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AUG 15 2022
ANX-31-22
Franklin County Planning Department
Franklin County, OH

Attachment: Exhibit A.Services Resolution 4701 Leppert Rd (22-R-68 : Services Resolution for 4701 Leppert Road)

8. southeasterly, approximately 62 feet;
9. easterly, approximately 130 feet;
10. southeasterly, approximately 49 feet
11. easterly, approximately 121 feet to the southeast corner of said 4.333 Acre tract, the southwest corner of said 4.358 Acre tract and in the north line of said 15.604 Acre tract;

Thence, easterly, along part of the north line of said 15.604 Acre tract, along the north line of a 0.146 Acre tract conveyed to County of Franklin in Deed Book 3320, Page 487, along the south line of said 4.358 Acre tract, along the south line of a 0.252 Acre tract conveyed to County of Franklin in Deed Book 3322, Page 36 and across a 0.435 Acre tract conveyed to County of Franklin in Deed Book 3314, Page 15, approximately 359 feet to the east line of said 0.435 Acre tract and the west line of a 2.506 Acre tract conveyed to Lara L. and Todd L. Suever in Instrument Number 201509180132046, also being in the east right of way line of Leppert Road;

Thence, southerly, along part of the east line of said 0.435 Acre tract, along part of the west line of said 2.506 Acre tract and along part of the east right of way line of Leppert Road, approximately 128 feet;

Thence, southerly, continuing along part of the east line of said 0.435 Acre tract, continuing along part of the west line of said 2.506 Acre tract and continuing along part of the east right of way line of Leppert Road, approximately 120 feet to the southeast corner of said 0.435 Acre tract, the southwest corner of said 2.506 Acre tract, in the north line of a 57.985 Acre tract conveyed to Epcon Carr Farms, LLC in Instrument Number 202102250035317, also being in the existing City of Hilliard Corporation Line as established by Case Number 8-95, Ordinance Number 95-68 and recorded in Official Record Volume 34865, Page H07;

Thence,.southerly, crossing part of said 57.985 Acre tract, along the east right of way line of Leppert Road and along the existing City of Hilliard Corporation Line, approximately 359 feet to the south line of said 0.25 Acre tract extended easterly;

Thence, westerly, crossing part of said 57.985 Acre tract and along the easterly extension of the south line of said 0.25 Acre tract, approximately 20 feet to the **POINT OF BEGINNING, CONTAINING 20.8 ACRES, MORE OR LESS.** This description was prepared from record information only and is not based on a field survey. This description is for annexation purposes only.

Contiguity = 49%

Myers Surveying Company, Inc.

Paul T. Dinan 6-7-2022

Paul T. Dinan, Professional Surveyor 7312
PTD/ptd
(212142021LeppertRoadAnnexation)



Attachment: Exhibit A.Services Resolution 4701 Leppert Rd (22-R-68 : Services Resolution for 4701 Leppert Road)

Adjacent Property Owners:

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AUG 15 2022
Franklin County Planning Department
Franklin County, OH
ANX-31-22

Parcel ID: 200-000244-00

Owner: MOSKALYUK VIKTOR

Address: 4777 LEPPERT RD HILLIARD OH 43026-9479

Parcel ID: 050-011455-00

Owner: AMAZON DATA SERVICES INC

Address: 4600 COSGRAY RD HILLIARD OH 43026-9479

Notice Address: PO BOX 80416, SEATTLE WA 98108-0416

Parcel ID: 200-003691-00

Owner: SUEVER TODD L & LARA L

Address: 4710 LEPPERT RD HILLIARD OH 43026

Parcel ID: 050-011197-00

Owner: CITY OF HILLIARD OHIO

Address: 4678 COSGRAY RD HILLIARD OH 43026

Parcel ID: 200-001341-00

Owner: DONNELL KRISTIN, CALDWELL JENNA D, CALDWELL KEITH A, ALEXANDER SARAH J, ALEXANDER BAILEY S, DONNELL TIMOTHY ANDREW

Address: 4702 COSGRAY RD HILLIARD OH 43026

Parcel ID: 200-000053-00

Owner: ALLEN BRYAN & ALLEN CATHERINE

Address: 4760 COSGRAY RD HILLIARD OH 43026

Parcel ID: 010-276232-00

WEST LEPPERT INVESTMENTS LLC

Notice Address: 140 MILL ST STE A COLUMBUS OH 43230

Attachment: Exhibit A.Services Resolution 4701 Leppert Rd (22-R-68 : Services Resolution for 4701 Leppert Road)

Address: LEPPERT RD REAR HILLIARD OH 43026

Parcel ID: 050-011719-00

EPCON CARR FARMS LLC

Notice Address: 500 STONEHENGE PKWY DUBLIN OH 43017

Address: LEPPERT RD HILLIARD OH 43026

4879-3007-7955, v. 1

Attachment: Exhibit A.Services Resolution 4701 Leppert Rd (22-R-68 : Services Resolution for 4701 Leppert Road)

Council Memo: Information Only

Subject: Polco/NCS Survey
From: Michelle Crandall, City Manager
Initiated by: David Ball, Community Relations
Date: DirectorAugust 22, 2022

Summary

The City has not performed a general resident satisfaction survey since 2018. It is a best practice to periodically survey community members about their degree of satisfaction regarding the variety of services a City offers. It also is helpful to benchmark those survey results against our past performance and compare ourselves to the reported satisfaction of residents of other communities.

To achieve this, the City has contracted with Polco to perform the National Cities Survey (NCS.) The surveys will be distributed after Labor Day. We should have results in late November.

A representative sample of residents will be invited to complete the survey to ensure statistically significant response and results. The City is assured those taking the survey are Hilliard residents because households are randomly selected by Polco based on GIS data paired with information from the US Postal Service.

Polco's statistically appropriate methodologies result in an approximately 6% margin of error, which is typical for the anticipated 250-450 responses. Responses will be statistically weighted by Polco to ensure the best representation of our community.

The survey methodology includes a mailed survey to select households, followed by a reminder postcard. The survey can be completed on paper and mailed to Polco or taken online. After the survey is completed, the City has the option of performing an identical survey but allowing any community members to participate. While the results of this second option are less statistically valid because participants are self-selected, there may be some value in performing the second version for comparison and engagement purposes.

The goal moving forward will be to perform an NCS survey every two to three years to gauge progress.

Financial Impacts

The cost of the survey is $22,200, which was included in the 2022 Community Relations budget. This covers the survey distribution and data analysis, 12-month access to the Polco survey platform (which would allow the City to perform other resident engagement surveys during the next year,) a remote presentation of results to City Council and/or Staff, and one-half page of custom questions.

Expected Benefits

In addition to providing the City with data about the satisfaction levels our residents have about a variety of municipal services (which is helpful in identifying areas for improvement,) the NCS allows apples-to-apples comparison of resident opinions over time. This gives the City data on our progress and improvement from survey to survey.

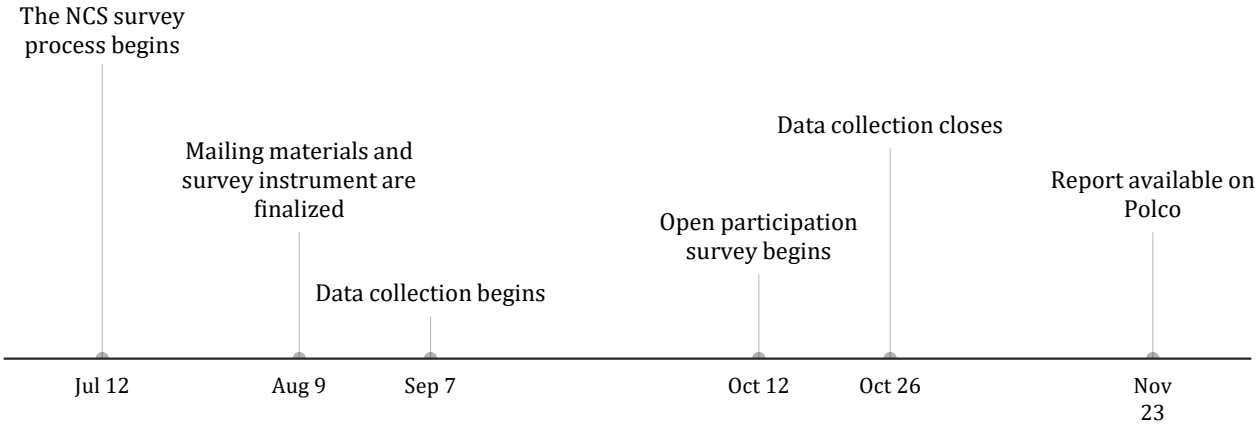
Because Polco performs the exact same survey in communities nationwide, the NCS also allows the City to benchmark our residents' degree of satisfaction to Polco's national benchmarks. As a result, Hilliard's data does not exist in isolation.

Polco's online report includes demographic and geographic comparisons, where possible.

Attachments

- A copy of the survey timeline
- FAQ from Polco

Timeline for The National Community Survey™



Item	Date
Preparing for the Survey	
Program Manager sends The NCS instrument for review	Jul 12
Send Program Manager drafts of **optional** custom questions to add to the survey	Jul 19
Mailing materials and survey instrument are finalized	Aug 9
Program Manager generates sample of representative households in your community	Aug 9
Polco prints materials, prepare mailings and sets up the survey online	Aug 9 to Sep 7
Conducting the Survey	
Data collection is open for The NCS - track response on Polco!	Sep 7 to Oct 26
Invitation postcards sent	Sep 7
Wave 1 survey invitations with paper survey sent	Sep 14
Open participation survey begins (Program Manager will provide link)	Oct 12
Data collection closes for the random sample survey and open participation survey	Oct 26
Send Program Manager final count of returned postcards	Oct 26
Survey analysis and report writing	Oct 26 to Nov 23
Program Manager provides link to report on Polco	Nov 23
After the Survey	
After your community has completed The NCS, stay engaged with your community members by posting additional surveys and polls on Polco!	

Attachment: Hilliard Tentative NCS Timeline 2022 (1) (2316 : Polco/NCS Survey)

Background of National Research Center & Polco

National Research Center (NRC) gives local governments, and other public sector organizations, the data they need to make more informed decisions. For over 25 years, NRC has worked with hundreds of jurisdictions nationwide. NRC is best known for our national benchmarking surveys and custom survey research. This benchmark database holds hundreds of thousands of resident opinions – making it the largest of its kind in the United States. NRC is a team of leading experts in the survey research industry. Our experienced practitioners are thought-leaders in the field, authoring numerous articles and books, and presenting research at conferences around the nation.

Polco is an online civic engagement platform designed to receive ongoing feedback from members of a community. This award-winning tool gives officials data-rich reports and input to make more informed decisions. Polco was developed to quickly deploy and analyze surveys online, providing the agility to gather critical information from community stakeholders throughout the nation. We have created tools for governments, economic development organizations and nonprofits to measure community livability.

In 2019, NRC merged with Polco, creating the gold standard in civic engagement. Now Polco provides local government leaders with the best in survey research alongside today's most innovative online civic engagement capabilities.

Frequently Asked Questions

The NCS Instrument

What is The NCS?

The NCS is a cost-effective survey of resident opinion and an important benchmarking tool that allows for comparison among communities. It is the only resident survey endorsed by the International City/County Management Association and the National League of Cities.

The NCS survey instrument was developed by National Research Center (NRC, now the research arm of Polco) in 2001, in partnership with ICMA, to address the need for a standardized survey tool that could provide robust benchmark comparisons for local governments across the nation. It was among the first scientific surveys developed to gather resident opinion on a range of community issues, and has since been used in more than 350 jurisdictions across 46 states. The NCS instrument is the gold standard in community surveys, and it is tried and true. We periodically refresh and update the survey instrument to make sure it's relevant, and any changes to the survey questions are extensively tested by our research experts. Communities using The NCS have reported that the tool improved service delivery, strengthened communications with community stakeholders, and helped leaders identify clear priorities for use in strategic planning and budget setting. We're confident in The NCS and the data that it provides for communities around the country.

Attachment: Council FAQ (1) (2316 : Polco/NCS Survey)

What are Polco's credentials?

National Research Center (NRC) has been successfully conducting surveys for local governments for over 25 years. NRC was formed by former employees from the City of Boulder, and thus have also worked extensively with local governments across the country. NRC's research team literally wrote the book on citizen surveys, published in three different printings by ICMA Press.

What are the benefits of using The NCS rather than another survey option?

1. Survey questions have been written and vetted by survey research experts at Polco/National Research Center
2. You can be confident that you're hearing from a truly representative sample of your residents (especially residents that you may not hear from in council meetings or in an open participation survey, for one reason or another)
3. You can have a high level of confidence in your results (due to our rigorous methodology)
4. Your report will include benchmark comparisons that show results for specific City services or features compared to those services/features in other municipalities

What should we keep in mind as we try to determine whether or not to add custom questions to our implementation of The NCS?

Our standard survey questions are fairly comprehensive and provide a broad overview of the different facets of livability in the community. These questions will provide a good baseline by which you can measure against other communities (using the benchmark comparisons), as well as monitor progress against your own results in future years via the trendlines. However, if you do opt to purchase custom questions, you'll have 1/2 page of space (although you can purchase more space, we recommend keeping the survey as short as possible, because longer surveys can negatively affect response rate). Often this correlates to about 2-3 questions (more or less, depending on length). These custom questions can provide a good place to get resident input on current/upcoming proposals, past initiatives (to gauge how effective they were), specific priorities for the City, or other timely topics. If you do decide to include custom questions on the survey, we strongly recommend that you consider and plan for how residents' input/responses will affect the decisions and plans made by your local government. It's important that questions are only asked if/when resident input will affect the outcome in some way (and avoid asking questions about decisions that have already been made/will not be changed based on the results). If you do decide to move forward with the custom questions add-on, you can look through our library of already developed and vetted questions, in case any of those suit your needs. Otherwise, we're happy to help construct new questions if you have specific topics in mind.

Attachment: Council FAQ (1) (2316 : Polco/NCS Survey)

What grade does The NCS read at?

We aim for a 6th grade reading level, and always do our best to avoid any jargon.

What is the estimated time that it takes people to complete this survey?

Typically it takes respondents about 20 minutes to fill out the survey, but it can be a little more depending on the complexity and number of custom questions that you add.

Survey Methodology

What's a probability-based survey and what are the benefits?

A probability-based survey uses a sampling method where every eligible person or household in a community has a known chance of being selected to participate. Respondents are selected at random from a comprehensive list (usually of residential addresses) as an effort to reduce bias. Probability-based sampling is currently considered the gold standard for survey methods, although with declining response rates and the advent of new outreach and weighting methods -- this may change in the near future.

What's an open participation survey and what are the benefits?

An open participation survey is offered to all residents in a community. This method is important because it provides engagement opportunities to all, thus often providing a higher number of completed responses overall and for population sub-groups. It can be less resource-intensive than a probability-based survey and require less time from administration to actionable data. Polco's open participation surveys are programmed as an online survey, and we recommend that invitations be sent widely through as many communication channels as possible (social media, email lists, newsletters, media reporting, etc.). Open participation surveys also can benefit from snowball sampling whereby existing survey respondents can recruit their friends and acquaintances, so that response grows like a rolling snowball. This sampling method can be used to elevate general awareness of the research effort and increase overall response as well as the response from those who do not traditionally participate in surveys.

Can I do a probability-based survey and an open participation survey at the same time?

Yes, in fact it is always advisable to include an open participation survey when implementing a survey with a probability-based sample. The probability-based method ensures that every resident has an equal chance of being selected, but most residents are not selected in the final sample. The open participation works to increase the number of completed surveys and also ensures that the whole community feels included and everyone has a chance to be heard.

Please note, the open participation survey and random sample survey data will be provided

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separately in the final report.

What is sampling and how does it work?

Sampling is the process of selecting a subset of random households from your community to receive the survey. To do this, we use the boundary data you provide, along with lists of addresses in your jurisdiction from USPS, to geocode the households that are within your community's boundaries. We then randomly select a number of households for our sample, because we cannot survey everyone due to how expensive that would be. To mitigate lower response rate trends within multi-family households and ensure our sample is as representative as possible, we often select a higher proportion of multi-family homes compared to single-family homes.

What does it mean to track an area, and what kind of information does this provide?

If you choose to track areas, your final report will allow you to compare results between respondents located within each of those different areas. These comparisons can show if (and how) perspectives vary between residents from different parts of the community, which could provide useful data for future decision-making. Some clients choose to track council districts, wards, or general geographic locations (e.g., North/South/Central). Others choose not to track areas at all! It's entirely up to you and your colleagues. It may be something to consider as you discuss custom questions, too, in case any of those may benefit from area breakdowns.

What stops respondents from taking the survey multiple times?

We have conducted extensive testing over the past two decades on duplicate responses (and have also presented on this topic at AAPOR). In our research, we have found duplicate responses and submissions to be quite rare; in fact, it is a long-standing joke in the survey industry that it is difficult enough to get the respondent to take the survey once, much less multiple times. In particular, duplicate responses or ballot-stuffing are very rarely a concern for our benchmark surveys such as The NCS, as these surveys do not cover contentious topics and are unlikely to elicit such strong feelings and actions from residents. We do check for duplicate responses during our analysis and remove those from the dataset when found. If duplicate responses are a big concern for the City, you could consider requiring registration on the survey. This is an online survey setting that requires respondents to provide their email address and zip code in order to submit a response. We generally recommend allowing guest responses for the random sample survey, to reduce any potential barriers for residents; requiring registration is one way to deter multiple responses from a single individual, but it might also deter response in general, so it's worth additional consideration and discussion.

What does it mean if a respondent is verified?

Respondents will be asked to provide their name, zip code, and email address.The name and

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zip code can be verified against voter registration records, giving Polco admins additional demographic information such as gender, age range, and voting district. Polco values respondent privacy and does not report any individually identifying information.

How verification works: Polco uses the respondent's input (name and zip code) and a proprietary matching algorithm to find that individual within a local verification list (usually the voter registration database for the City). Historically, Polco has matched around 60% to 70% of its responding users on local voter files. Each user successfully matched against the verification list no longer needs to self-report most additional demographic and geographic information (age, gender, precinct/ward, etc.). This not only improves the accuracy of the results, but helps stave off survey fatigue. In addition, verification ensures that respondents only respond to each survey once, avoiding fraud and ballot box stuffing.

By comparing verified results to unverified results, admins can get a better idea of the accuracy of their results and identify any potential issues.

Residents are concerned about needing to provide their email addresses to submit the survey (if registration is required). They're saying it's not anonymous/confidential. How should I respond?

Polco's privacy policy is very strict and favors respondents. We never share email addresses, for any reason, ever. Polco will also not share email addresses with our customers, so the City will not have access to the list of residents' email addresses. Email addresses are kept separate from the survey responses, and are not tied to any data that we provide the City.

By requiring residents to include their zip code and email address when they submit the survey, we make sure to hear from a single resident only once and ensure that people are not responding multiple times. Any residents that have registered with Polco will receive an email notification whenever the City posts additional content on Polco in the future, allowing them the chance to respond/engage with the City if they wish, and they can opt out at any time. Polco will never share residents' email addresses or reach out for any other reason outside of civic engagement!

What type of response rate can I expect?

Typically we see a response rate of 15-25% from communities. In general, response rates to surveys (similar to The National Community Survey) have lowered over time across the entire survey research industry. We continue to explore different methods for encouraging engagement!

What can we try to increase our response rates?

- More publicity – Polco is happy to provide outreach templates if needed. Share news about the survey via as many channels and outreach methods as possible.
- Change the survey to be more user-friendly – decrease respondent burden by making it

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shorter or less dense. Make sure the cover letter outlines how important the survey effort is.
- Add additional survey invitation contacts, such as a reminder postcard.
- Make sure you choose a convenient time of year (e.g., avoid the holidays).
- Share how the results will be used. Residents are more likely to respond if they know their responses will be valued and will make a real difference!
- Create a regular cadence of engaging with residents over time. Help residents become familiar with outreach efforts from the City, and see that it leads to action and change.

Data Analysis and Validity

How many responses do I need for my results to be valid?

The data will be valid regardless of the number of surveys received, because we use industry standard best practices for sampling and weighting the data. However, the number of surveys received will impact the margin of error. We typically strive for a margin of error of +/-5%, and generally meet that threshold for the vast majority of surveys we conduct.

What is the confidence interval of the random sample survey?

We use the 95% confidence interval, and our goal is a margin of error of +/- 5% or less.

Our response rate was 15% – are the data even valid?

While we always strive for a higher response rate, a low response rate certainly does not mean you should disregard the data. We use rigorous methodologies to ensure that every person in your community has an equal chance of being selected to receive a survey and that those who are selected have several opportunities to complete the survey. Once we have all the responses, we also weight the data to best represent the profile of the community. Respondents receive a higher weight if they are in groups that are under-represented (for example, younger males) and a lower weight if they are in a group that is over-represented (for example, older females). Each respondent's opinion is still counted, but the sum of the opinions reflects the true population.

Again, while we may prefer a high response rate, this survey (with its rigorous methodology and weighting) is going to be a much better indicator of community opinion than only listening to those residents who choose to write or telephone the city or attend a meeting.

What does it mean for Polco to "clean" the data?

"Cleaning" data involves looking for duplicate responses and ensuring that respondents only replied once (no ballot stuffing or accidental multiple submissions), removing responses that

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aren't helpful (e.g., if a respondent only replied to one question in the survey), etc. If your survey has conditions, where they should skip the next question if they answer "no" to the previous question, we'll look for any inconsistent/incorrectly entered responses in those questions. In short, we rely on "cleaning" to make sure that the survey results are accurate and useful.

What is weighting?

Weighting is a method used to make the demographics of respondents match the demographics of the total population of your community. We select a random sample of households to receive survey invitations. After we get the results back, we compare certain variables like age, race and gender, between the sample and the entire population using Census data. Those who respond to the survey are not always representative of the total population. There are some groups that are commonly underrepresented, such as males and renters. Weighting allows us to adjust the results to bring them more in line with the population norms. For example, if our sample of survey respondents contained 40% males and the population contained 49% males, weighting can be used to adjust the data to correct for this discrepancy. This allows us to give underrepresented groups a voice and align the sample with the entire population of your community.

Using/Sharing the Results

How seriously should benchmarks be taken?

Benchmarks are very useful because they provide context for your ratings. For example, jurisdictions are often worried about their code enforcement rating and very happy about their rating for fire services. But with a comparison to the benchmark, they find that most jurisdictions have low scores for code enforcement and good scores for fire services. They may find out that they are best in the nation at code enforcement and worst at fire services.

Sometimes a jurisdiction may ask a question that only a few other jurisdictions have also asked; in this case, we may still be able to provide a benchmark comparison but only to a smaller comparison group. This still provides some context, but it is a narrower comparison. In all cases, benchmarks should be used as a part of the puzzle. In addition to the benchmark comparisons, we recommend you consider the rating relative to past years where possible, as trends over time can provide very valuable data.

What are crosstabs and how do they work?

In the world of survey research, "crosstabs" are a common way of analyzing survey results. "Crosstabs" refer to the process of cross-tabulation, which is used to analyze the relationship between different variables (in survey research, the relationship between two or more survey questions). Crosstabs make your data more actionable by helping you identify patterns, trends, and correlations within your survey results. They also help you break down your results into

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more manageable pieces so you can focus on specific topics and demographics. Knowing how different groups of respondents answered particular questions can empower you to make data-driven decisions based on resident needs.

At Polco, we sometimes use the word “crosstabs” interchangeably with “breakdowns” or “comparisons.”

How have other jurisdictions shared these results with their communities?

It varies by jurisdiction. Many post the report on their websites and embed or link to the results in the news section or their municipality’s blog. Some give overviews in their newsletters or as utility-bill enclosure, often pointing to a web URL to find the full report. Others will create press releases or have press conferences. A few jurisdictions have also packaged their results with “next steps,” showing the community how they are responding to the new information. We strongly encourage you to share the results, ideally in numerous ways. This will help build trust and engagement as residents see that their responses are valued.

How have other communities used their survey results?

Other jurisdictions often use their survey results to make policy decisions and assist with strategic planning and budgeting. Communities also use the results to compare the perceptions of their jurisdictions’ leadership and staff with those of their residents to see if they align. Jurisdictions that are conducting The NCS for the first time can use the results to get a baseline of where their community is at. Communities that have conducted the survey multiple times over the years can monitor their own trends over time, using trendlines to see which items have increased or decreased since the previous survey, identify which initiatives have been successful, and determine which areas may need more attention in coming years. Below are a number of ways that communities use these results:

- To measure service performance
- To assess community needs
- To make strategic plans
- To demonstrate the openness of the government
- To evaluate potential policies or community characteristics
- To continue a trend line from periodic surveying
- To respond to a council mandate

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