



Real People. Real Possibilities.

# Legislative Bulletin

An Official Publication of the Hilliard City Council

**Publication Date: November 15, 2022**

**Please Note: This Bulletin is posted to the City of Hilliard website and at the Hilliard Branch of the Columbus Metropolitan Library.**

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

## ORDINANCES

**The following Ordinances were passed on November 14, 2022**

**22-37      APPROPRIATING FUNDS FOR THE OPERATING EXPENSES OF THE CITY OF HILLIARD, OHIO FOR THE PERIOD ENDING DECEMBER 31, 2023.**

**WHEREAS**, Sections 6.05 and 6.06 of the Hilliard City Charter require the submission of a budget and the adoption of an Appropriation Ordinance for Operating Expenses following a duly advertised budget hearing; and

**WHEREAS**, such budget hearing was duly advertised and held on November 14, 2022.

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

**SECTION 1.** To provide for the current expenses and other expenditures of the City of Hilliard for the fiscal year ending December 31, 2023, the sums indicated in the **attached Exhibit "A"** are hereby set aside and appropriated as hereinafter set forth.

**SECTION 2.** To deem appropriated, those monies received and deposited throughout the fiscal year for Fund 207 Grants, Fund 208 Park Maintenance Fund, Fund 209 Law Enforcement Education, Fund 210 Law Enforcement Trust, Fund 211 Law Enforcement Mandatory Drug Fine, Fund 212 Law Enforcement Seizure, Fund 213 Mayor's Court Computer, Fund 214 Seizure Account-Justice, Fund 215 Hilliard Recovery Court, Fund 230 Franklin County Justice Program Grant, Fund 250 General Government Grant, Fund 283 Construction Inspection Services, Funds 285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303 TIF, Fund 782 Police Benevolent Fund, Fund 881 Income Tax Deposit, Fund 890 Public Art, Fund 891/892 Fundraising Agency, Fund 893 Public Service Dept. Agency, Fund 894 Refund Trust, Fund 895 Escrow, Fund 896 Insurance Trust, Fund 897 CARES Act Funds, Fund 898 Local Fiscal Recovery Fund are appropriated upon deposit.

**SECTION 3.** Authority is hereby given to the Director of Finance, without further approval of Council, to transfer funds during fiscal year 2023 from the debt reduction accounts to the Bond Retirement Fund.

**SECTION 4.** Adoption of this Ordinance shall grant the authority and approval as set forth in the Hilliard City Charter Sections 6.07, 6.08 and 6.10.

**SECTION 5.** Pursuant to Section 6.07 of the Charter, this Ordinance shall be effective on January 1, 2022.

**22-38      APPROVING THE 2023 CAPITAL IMPROVEMENT BUDGET AND APPROPRIATING FUNDS FOR THE CAPITAL IMPROVEMENT EXPENSES OF THE CITY FOR THE PERIOD ENDING DECEMBER 31, 2023.**

**WHEREAS**, Section 6.09 of the Hilliard City Charter allows for the process of approval of the capital improvement budget to be developed and passed as City Council may establish by ordinance; and

**WHEREAS**, the City Manager has submitted the 2023 Capital Improvements Budget to City Council; and

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

## 22-38 continued:

**WHEREAS**, having reviewed the 2023 Capital Improvements Budget, City Council is prepared to proceed with authorizing the 2023 Capital Improvement Expenses as identified in Exhibit "A" attached hereto and incorporated herein.

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

**SECTION 1.** To provide for the current capital improvement expenses and other expenditures of the City of Hilliard for the fiscal year ending December 31, 2023, the sums indicated in the **attached Exhibit "A"** are hereby set aside and appropriated as set forth therein.

**SECTION 2.** This Ordinance shall be in full force and effect at the earliest time provided by law.

**The First Reading of the following Ordinances was held on November 14, 2022.  
The Second Reading/Public Hearing is scheduled for November 28, 2022**

## 22-39 APPROVING AN AMENDMENT TO SECTION 161.36 OF THE CITY'S CODIFIED ORDINANCES REGARDING THE TUITION REIMBURSEMENT PROGRAM.

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

**WHEREAS**, the City finds it necessary to amend certain language in Code Section 161.36 to remove the limit on the maximum amount available for tuition reimbursement; and

**WHEREAS**, the amended language will benefit the City, its employees, and attract qualified candidates.

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

**SECTION 1.** City Council finds that amending the language in Section 161.36, as identified in Exhibit "A", attached hereto and incorporated herein, is in the City's best interest. The changes to Section 161.36, as shown in track changes in the attached Exhibit "A" are approved and shall be incorporated in to the City's Codified Ordinances.

**SECTION 2.** All other provisions of Chapter 161, not modified herein, remain unchanged and are in full force and effect.

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

## 22-40 AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT AND DEED FOR 3.4± ACRES ALONG ALTON DARBY CREEK ROAD AND COSGRAY ROAD.

**WHEREAS**, on March 8, 2021, the City accepted the transfer of 123 ±acres of land from the Hilliard Development Corporation in order to start developing its new Recreation and Wellness campus (the "City Property"); and

**WHEREAS**, the City desires to transfer 3.4 ±acres from the City Property to the Board of Trustees of Norwich Township so that Norwich Township can build a new fire station; and

**WHEREAS**, after negotiations between the City and Norwich Township, the Parties have agreed to a Purchase Agreement, attached hereto as Exhibit "A" and incorporated herein; and

**City of Hilliard Legislative Bulletin**  
an Official Publication of the Hilliard City Council

---

**22-40 continued:**

**WHEREAS**, pursuant to Section 151.03 of the City's Codified Ordinances, the City Manager has declared this 3.4± acres to be surplus to the needs of the City and transferring it to Norwich Township is in the best interest of the health, safety, and welfare of the City.

**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 a Real Estate Purchase Agreement with Board of Trustees of Norwich Township, substantially similar to the one attached hereto as Exhibit "A" and incorporated herein, with such changes that are not inconsistent with this Ordinance and not adverse to the City whose signature thereon shall be conclusive evidence that such changes are approved by Council.

**SECTION 2.** In accordance with the Real Estate Purchase Agreement, the City Manager is authorized to execute a limited warranty deed transferring 3.4 ±acres to the Board of Trustees of Norwich Township.

**SECTION 3.** The City Manager, City Engineer, and City Law Director are authorized to approve any necessary administrative changes to the deed and to affect the proper form and recording of the 3.4 ±acres to Norwich Township.

**SECTION 4.** This Ordinance shall be in full force and effect from and after the earliest period provided for by law.

---

**22-41      AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE CITY'S PURCHASE OF STOP LOSS INSURANCE.**

**WHEREAS**, the City of Hilliard is self-funded for purposes of providing employee health insurance benefits; and

**WHEREAS**, the City annually purchases a stop-loss insurance policy which provides for payment of health insurance claims that are more than \$75,000 per person covered; and

**WHEREAS**, the City, through its consultant, received renewal quotes for a stop-loss insurance policy; and

**WHEREAS**, the stop-loss policy previously in effect expires at midnight on December 31, 2022 after which time the City must have a new contract in place; and

**WHEREAS**, it is in the interest and benefit to the City of Hilliard and the public at large that the stop-loss policy be approved.

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

**SECTION 1.** The City Manager is authorized and directed to enter into a contract with Anthem Blue Cross Blue Shield to provide insurance coverage described above at an annual premium cost not to exceed \$840,348 for the period from January 1, 2023 to December 31, 2023, on such terms and conditions consistent with the recommendations provided by the City's consultant and as approved by the City's Law Director.

**SECTION 2.** All monies paid under this contract will be allocated to the various personnel appropriations (Object 51) in the City's 2023 Operating Budget as approved by City Council.

**SECTION 3.** This Ordinance shall be in full force and effect at the earliest time provided for by law.

---

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

## RESOLUTIONS

The following Resolutions were passed by Hilliard City Council on November 14, 2022.

**22-R-87 AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH THE OHIO STATE UNIVERSITY FOR 25,000 SQUARE FEET AT THE CITY'S RECREATION AND WELLNESS CENTER.**

**WHEREAS**, the City is developing its new Recreation and Wellness Center at the corner of Scioto Darby Road and Cosgray Road; and

**WHEREAS**, the City desires to have a medically integrated partner at the Center and requested proposals from entities that were interest in the right to lease space within the Center; and

**WHEREAS**, the Ohio State University, through its Wexner Medical Center ("OSU"), responded requesting 25,000 square feet of space to offer its services; and

**WHEREAS**, following negotiations between the City and OSU, the City desires to enter into a lease with OSU for an initial period of 15 years, with the first year of base rent equal to \$14.00/square foot; and

**WHEREAS**, it is to the benefit of the City's residents that the City enter into this Lease with the Ohio State University.

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

**SECTION 1.** The City of Hilliard is authorized to enter into an agreement with the Ohio State University for 25,000 square feet of space at the City's Recreation and Wellness Center. The City Manager is authorized to enter into the lease agreement substantially similar to the one **attached hereto as Exhibit "A"** and incorporated herein (the "Lease"), with such changes therein that are not inconsistent with this Resolution and not detrimental to the City, with her execution thereof being conclusive evidence that such changes are approved by Council.

**SECTION 2.** The City Manager and Director of Law are authorized to sign any and all documents as may be necessary to effectuate the Lease and its terms and conditions.

**SECTION 3.** This Resolution is effective upon its adoption.

---

**22-R-88 AUTHORIZING A FEE AMENDMENT TO THE CONTRACT WITH THE PRIME AE GROUP, LLC.**

**WHEREAS**, on March 28, 2022, City Council adopted Resolution No. 22-R-19 authorizing a contract with Prime AE Group, LLC as the architect and engineer for the design of the Hilliard Recreation and Wellness Center (the "Project"); and

**WHEREAS**, as part of the Project, the City desires a medically integrated partner and by the passage of Resolution No.22-R-87, City Council authorized a lease with Ohio State University Medical Wexner Center; and

**WHEREAS**, to ensure that the design of this part of the Project is cohesive with the entire building, Prime has submitted its costs related to the OSUWMC portion; and

**WHEREAS**, the City desires to amend Prime's contract in the amount of \$510,000 which accounts for Prime's fees related to the design, including tenant improvements, of the OSUWMC portion of the Project; and

**WHEREAS**, funding for the Project was appropriated by Ordinance No. 22-20, and pursuant to Section 3.10 of the Charter, authorization for funding this Project may be established by resolution of Council; and

**City of Hilliard Legislative Bulletin**  
an Official Publication of the Hilliard City Council

---

**22-R-88 continued:**

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

**SECTION 1.** An expenditure is authorized from Fund 103, Object 55 in the amount not to exceed \$510,000 to amend the contract with Prime AE Group, LLC.

**SECTION 2.** The City Manager is hereby authorized to enter into an amended contract with Prime AE Group, LLC, in an amount not to exceed \$4,563,750, which is an increase of \$510,000 to its total fee.

**SECTION 3.** The Finance Director is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds provided herein.

**SECTION 4.** This Resolution is effective upon its adoption.

---

**22-R-89 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENT WITH 3401 MILL RUN LLC.**

**WHEREAS**, the Council of the City of Hilliard, Ohio, in order to encourage the development of real property and the acquisition of personal property, adopted Resolution No. 04-C-55 on November 22, 2004, designating certain property as the Mill Run Community Reinvestment Area pursuant to Ohio Revised Code ("R.C.") Chapter 3735 (the "CRA"); and

**WHEREAS**, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution No. 04-C-55, contained the characteristics set forth in R.C. Chapter 3735 and confirmed the Mill Run CRA by certification number 049-35476-03 on June 2, 2005; and

**WHEREAS**, the Owner seeks to acquire 3401 Mill Run Drive and expand on parcel number 050-006467 by the Franklin County Auditor's Office, to remodel approximately 36,000 square feet of office, construct a 15,000 square foot shop space and construct 36,000 square feet of flex industrial space (the "Property"); and

**WHEREAS**, on the Property, the Owner desires to invest approximately \$10.3 million, which includes approximately \$5.3 million in new construction, \$3.1 million in acquisition costs, \$1.1 million in existing building improvements, and \$1 million in furniture and fixtures (the "Facility").

**WHEREAS**, The Enterprise is desirous of relocating to the Facility (the "Project") provided that appropriate development incentives are available to support the economic viability of the Project; and

**WHEREAS**, the City, having the appropriate authority for the stated type of project desires to provide the Company with incentives available for the development of the Project in the CRA; and

**WHEREAS**, the Company has submitted a proposed agreement application (**attached** hereto as Exhibit "A" and incorporated herein by this reference) to the City (the "Application"); and

**WHEREAS**, the Company has submitted the required state application fee of \$750.00 made payable to the Ohio Development Services Agency with the application to be forwarded to said department with a copy of the final agreement; and

**WHEREAS**, the City has investigated the application of the Company and has recommended the same to this Council on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the CRA and improve the economic climate of the City; and

**WHEREAS**, the Project Site is located within the boundaries of the Hilliard City School District (the "School District") and

**City of Hilliard Legislative Bulletin**  
an Official Publication of the Hilliard City Council

---

**22-R-89 continued:**

the Tolles Career Center, and the board of education of each such district has been notified of the proposed approval of this Agreement in accordance with R.C. Sections 3735.671 and 5709.83, or has waived such notice, and has been given a copy of the Application; and

**WHEREAS**, pursuant to R.C. Section 3735.671(A)(2), the Board of Education of the School District has received the required estimates which show that the payments to be made pursuant to that Section equal or exceed 50% of the real property taxes charged and payable with respect to the Project, had the Project not been exempted from taxation, and therefore, approval of the exemption by the School District is not required; and

**WHEREAS**, pursuant to R.C. Section 3735.67(A) and in conformance with the format required under R.C. Section 3735.671, the parties hereto desire to set forth their agreement in writing with respect to matters hereinafter contained.

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

**SECTION 1.** The Council for the City of Hilliard finds that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Mill Run CRA and to improve the economic climate of the City. The Owner shall invest approximately ten million five hundred thousand dollars (\$10,500,000) into the Project, no later than December 31, 2024. The Project will result in the relocation and retention of one hundred ninety-five (195) full-time employees with \$11 million in annual payroll and the creation of one hundred twenty (120) full-time jobs with an estimated annual payroll of \$10 million within five years of the construction completion, for which the Enterprise will pay withholding taxes to the City of approximately \$525,000 per year throughout the term of this Agreement.

**SECTION 2.** The City has notified the School District and the Career Center pursuant to R.C. Section 5709.83 of its intention to take formal action to adopt or enter into the CRA Agreement with the Owner. In addition, the City has provided the Board of Education of the School District with timely notice of this Agreement and the estimates required by R.C. Section 3735.671(A)(2), which estimates show that the payments to be made pursuant to that Section equal or exceed 50% of the real property taxes that would have been charged and payable with respect to the Property had the Project not been exempted from taxation.

**SECTION 3.** The City Manager is authorized to enter into a CRA Agreement, substantially similar to the one **attached** hereto as Exhibit "B", with the Owner and the Enterprise providing a 50% real property tax exemption for ten (10) years (collectively, the "Exemption") on the increase in assessed value of the Property resulting from 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, which shall be evidenced conclusively by her signature thereof that such changes are approved by Council. The City Manager is authorized to enter into any other agreements or sign any documents necessary to effectuate the Agreement and the Exemption provided herein.

**SECTION 4.** The Clerk of Council shall forward a certified copy of this Resolution, along with all exhibits and attachments, to the Ohio Development Services Agency within fifteen days after the Agreement is entered into pursuant to R.C. Section 3735.671(D).

**SECTION 5.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

**SECTION 6.** This Resolution is effective upon its adoption.

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

## 22-R-90 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH THE ECO PLUMBERS, TO RELOCATE AND EXPAND ITS OPERATIONS AT 3401 MILL RUN DRIVE IN HILLIARD.

**WHEREAS**, the Eco Plumbers (the “Enterprise”) is a plumbing, heating and cooling services company headquartered in the City of Hilliard; and

**WHEREAS**, the Enterprise has seen an increase of new business, and is planning on expanding its current workforce; and

**WHEREAS**, the Enterprise desires to retain one hundred fifty (150) employees (the “Retained Jobs”) and relocate to 3401 Mill Run, Hilliard, Ohio (the “Facility”) and create one hundred twenty (120) new jobs (the “New Jobs”) to the Facility by December 31, 2028 (the “Project”); and

**WHEREAS**, in order to incentivize the Enterprise to make the investment and create the jobs contemplated herein, the City desires to provide the Enterprise with:

- Incentive payment of up to twenty-nine thousand dollars (\$29,000) each year for ten (10) years (2024-2033), provided that certain benchmarks are met:

2023	150 employees with \$11 million in annual payroll
2024	174 employees with \$13 million in annual payroll
2025	198 employees with \$15 million in annual payroll
2026	222 employees with \$17 million in annual payroll
2027	246 employees with \$19 million in annual payroll
2028-2032	270 employees with \$21 million in annual payroll

**WHEREAS**, the Project’s increase to Hilliard’s tax base, and the offering of incentives, will improve the economic welfare of Hilliard citizens, as authorized in Article VIII, Section 13 of the Ohio Constitution.

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

**SECTION 1.** The City finds and determines that the Project and the related economic development incentives described in the Economic Development Agreement, in a form substantially similar to the one **attached** hereto as Exhibit “A” (the “Agreement”) and incorporated herein, are in furtherance of the City’s Comprehensive Plan. The City further finds and determines that it is appropriate and in the best interests of the City to provide certain incentives to The Eco Plumbers, for the purpose of creating jobs and employment opportunities in the City and to improve the economic welfare of the people of the State of Ohio and the City as authorized in Article VIII, Section 13 of the Ohio Constitution.

**SECTION 2.** The City Manager, for and in the name of the City, is authorized to execute an Agreement substantially similar to the one attached hereto as Exhibit “A”, and in a form not inconsistent with the terms of this Resolution and not substantially adverse to the City, with any changes or modifications being evidenced conclusively with her execution thereof that such changes are approved by City Council.

**SECTION 3.** The Director of Finance and the Director of Law, and any other City officials, as appropriate, are each authorized and directed to prepare and sign any other documents, instruments, amendments or certificates and to take such actions as are necessary or appropriate to consummate and implement the transactions described in or contemplated by this Resolution in executing the Agreement.

**SECTION 4.** This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

**SECTION 5.** This Resolution is effective upon its adoption.

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

**22-R-91 APPROVING CHANGES TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR ±1.94 ACRES LOCATED ON THE NORTH SIDE OF PARK MILL RUN DRIVE APPROXIMATELY 550 FEET WEST OF FISHINGER BOULEVARD KNOWN AS THE MILL RUN EVENTS CENTER AS PART OF THE MILL RUN DEVELOPMENT (“PUD”) PLAN AND TEXT FOR EXPANDED PERMITTED AND CONDITIONAL USES AND MODIFIED DEVELOPMENT STANDARDS.**

**WHEREAS**, City Council approved a Planned Unit Development District (“PUD”) consisting of 199.4 acres of land for the Mill Run PUD by passage of Ordinance No. 85-43, effective July 8, 1985 (known as the “Mill Run PUD”); and No.

**WHEREAS**, City Council approved Resolution 94-C-09 on April 25, 1994, for the development plan of a 6,830-square-foot restaurant operated as TGI Friday’s; and

**WHEREAS**, the land, identified by the Franklin County Auditor as parcel number 050-007350, the graphical exhibit of which is depicted on Exhibit “A” attached hereto and incorporated by reference herein (the “Property”) consists of the former Lunada Mexican Grill & Cantina; and

**WHEREAS**, Five Friends LLC. (the “Owner”) owns the land located at 3861 Park Mill Run Drive (the “Property”), located on the north side of Park Mill Run Drive, approximately 550 feet west of Fishinger Boulevard; and

**WHEREAS**, the Owner submitted application number PZ-22-57 to the Planning and Zoning Commission to seek approval of a modification to the Mill Run PUD Development Plan and Text to expand permitted and conditional uses, as well as to establish applicable development standards; and

**WHEREAS**, staff finds that the proposal is consistent with the approved PUD Concept Plan and that such modification is not in conflict with the general health, safety and welfare of the public or the development standards of the Planned Unit Development District; and

**WHEREAS**, at its regularly scheduled and advertised meeting on October 13, 2022, the Planning and Zoning Commission voted to forward a favorable recommendation to City Council to modify the Mill Run PUD to include permitted and conditional uses, as well as applicable development standards for the Property; and

**WHEREAS**, a copy of the amended portions of the Development Text for the Mill Run PUD is **attached** hereto as Exhibit “A” and incorporated herein by reference (the “Mill Run PUD Development Plan and Text”).

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

**SECTION 1.** The Mill Run PUD Development Text for the property at 3861 Park Mill Run Drive is amended by adding additional permitted and conditional uses and related development standards for the Property.

**SECTION 2.** The amended Development Text, **attached** hereto as **Exhibit “A”** and incorporated herein by reference, is approved and shall hereafter be included in the Mill Run PUD Development Plan and Text.

**SECTION 3.** This Resolution is effective at the earliest time provided for by law.

**22-R-92 APPROVING CHANGES TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR ±1.316 ACRES LOCATED ON THE SOUTH SIDE OF CEMETERY ROAD EAST OF TRUEMAN BOULEVARD KNOWN AS THE BURDGE PROPERTY AS PART OF THE MILL RUN DEVELOPMENT (“PUD”) PLAN AND TEXT FOR EXPANDED USES AND MODIFIED DEVELOPMENT STANDARDS.**

**WHEREAS**, City Council approved a Planned Unit Development District (“PUD”) consisting of 199.4 acres of land for the Mill Run PUD by passage of Ordinance No. 85-43, effective July 8, 1985 (known as the “Mill Run PUD”); and



# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

## 22-R-92 continued:

**WHEREAS**, the land, identified by the Franklin County Auditor as parcel number 050-004916, the graphical exhibit of which is depicted on Exhibit "A" attached hereto and incorporated by reference herein (the "Property"), and consists of a former residence converted to an office use; and

**WHEREAS**, Jeremy and Angela Burdge (the "Owner") owns the land located at 3809 Cemetery Road (the "Property"), located at the southeast corner of the intersection of Cemetery Road and Trueman Boulevard; and

**WHEREAS**, the Owner has worked with staff to diligently address long-standing property maintenance issues since purchasing the property earlier this year and is proposing improvements to the site; and

**WHEREAS**, the Owner submitted application number PZ-22-58 to the Planning and Zoning Commission to seek approval of a modification to the Mill Run PUD Development Plan and Text to expand permitted and conditional uses, as well as to establish applicable development standards; and

**WHEREAS**, staff finds that the proposal is consistent with the approved PUD Concept Plan and that such modification is not in conflict with the general health, safety and welfare of the public or the development standards of the Planned Unit Development District; and

**WHEREAS**, at its regularly scheduled and advertised meeting on October 13, 2022, the Planning and Zoning Commission voted to forward a favorable recommendation to City Council to modify the Mill Run PUD to include permitted and conditional uses, as well as applicable development standards for the Property; and

**WHEREAS**, a copy of the amended portions of the Development Text for the Mill Run PUD is **attached** hereto as Exhibit "B" and incorporated herein by reference ("Mill Run PUD Development Text").

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

**SECTION 1.** The Mill Run PUD Development Text for the property at 3809 Cemetery Road, **attached** hereto as **Exhibit "A"** and incorporated herein by reference, is amended by adding additional permitted and conditional uses and related development standards for the Property.

**SECTION 2.** The amended Development Text, **attached** hereto as **Exhibit "B"** and incorporated herein by reference, is approved and shall hereafter be included in the Mill Run PUD Development Text.

**SECTION 3.** This Resolution is effective at the earliest time provided for by law.

---

## 22-R-93     **AUTHORIZING THE CITY MANAGER TO GRANT EASEMENTS TO COLUMBUS FIBERNET, LLC FOR ACCESS ACROSS CITY PROPERTY.**

**WHEREAS**, the City owns property to the east of the Darby Glen and Beacon subdivisions, identified as Parcel Nos. 050-007426 and 050-007944 (collectively, the "Property"); and

**WHEREAS**, the City maintains a path on the Property which connects the Darby Glen Park to Beacon Elementary; and

**WHEREAS**, Columbus Fibernet, LLC (CFN) has requested an easement through the Property to extend fiber conduit; and

**WHEREAS**, in order to grant the easement, the City requested that CFN perform certain repair and maintenance on the part of the path and Property it disturbs as well; and

**WHEREAS**, additionally, the City requested that CFN lay City conduit, which will expand the City's fiber network; and

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

## 22-R-93 continued:

**WHEREAS**, CFN agreed to both requests and the City and the City finds that granting the easements is in the City's best interests.

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

- The City Manager is hereby authorized to grant the necessary easements to Columbus Fibernet LLC, through City owned property, identified as Parcel Nos. 050-007426 and 050-007944.

**SECTION 2.** The City Manager is hereby authorized to execute an Easement Agreement with Columbus Fibernet, LLC, substantially similar to the one attached hereto as Exhibit "A", and incorporated herein. The City Manager is authorized to make such changes to the attached Easement Agreement that is not inconsistent with this Resolution and that are not adverse to the City, which shall be evidence conclusively by her signature thereof that such changes are approved by Council.

**SECTION 3.** The City is hereby authorized to approve any necessary administrative changes to effect the proper recording of the legal descriptions, documents, and instruments, and shall provide the City Clerk with a final recorded copy of all such legal descriptions, documents and instruments for filing in the City records.

**SECTION 4.** This Resolution is effective upon its adoption.

---

## 22-R-94 AUTHORIZING THE TRANSFER OF FUNDS TO THE CAPITAL IMPROVEMENT FUND.

**WHEREAS**, Section 6.10 of the City's Charter permits City Council to authorize, by resolution, the transfer of funds during the fourth quarter of the fiscal year; and

**WHEREAS**, as required by their respective ordinances, the City's Finance Department has been collecting and maintaining Tax Increment Financing ("TIF") service payments in the following funds:

- Fund 286 - Baumeister TIF (Ordinance No. 05-63)
- Fund 287 – Pingree TIF (Ordinance No, 13-45)
- Fund 289 – One Mill Run TIF (Ordinance No. 14-19)
- Fund 301 – Bo Jackson TIF (Ordinance No. 16-20)
- Fund 295 – Anderson Meadows TIF (Ordinance No. 10-28)

**WHEREAS**, in each of the funds listed above, money is available to transfer to the City's Capital Improvement Fund, Fund 304, in order to reimburse the City for costs already expended; and

**WHEREAS**, specifically, the transferred money will reimburse costs expended for:

- The Bo Jackson Parking Lot
- IT-11 Fiber
- T-147 Main St./Hilliard Rome Corridor
- T- 84 Riggins Rd Improvements
- T-21 Scioto Darby Improvements
- T-129 Leppert Road Improvements
- Reimbursement for paying off short term note for land acquisition

**WHEREAS**, it is in the City's and its residents' best interest to approve of the transfer of funds.

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

# City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

**22-R-94 continued:**

**SECTION 1.** City Council approves transferring of funds to the Capital Improvement Fund 304 in the following amounts:

- \$477,846.68 from the Baumeister TIF Fund 286
- \$6,646.19 from the Pingree TIF Fund 287
- \$29,425.44 from the One Mill Run TIF Fund 289
- \$45,078.31 from the Bo Jackson TIF Fund 301
- \$1,746.68 from the Anderson Meadows TIF Fund 295

**SECTION 2.** The Finance Director is authorized and directed to transfer the following amounts to the Capital Improvement Fund 304:

- \$477,846.68 from the Baumeister TIF Fund 286
- \$6,646.19 from the Pingree TIF Fund 287
- \$29,425.44 from the One Mill Run TIF Fund 289
- \$45,078.31 from the Bo Jackson TIF Fund 301
- \$1,746.68 from the Anderson Meadows TIF Fund 295

**SECTION 3.** This Resolution is effective upon its adoption.

---

## **22-R-95 AUTHORIZING THE TRANSFER OF UNENCUMBERED FUNDS.**

**WHEREAS**, on November 22, 2021, City Council passed Ordinance No. 21-36 providing for the appropriation of funds for the year ending December 31, 2022; and

**WHEREAS**, Section 6.10 of the Hilliard City Charter allows City Council to authorize the transfer unencumbered balances in the fourth quarter of the fiscal year by Resolution; and

**WHEREAS**, the City finds it is necessary to transfer various unencumbered balances of appropriation within several operating funds to meet projected expenditures through December 31, 2022; and

**WHEREAS**, these transfers will not increase the operating budget amount approved by Council in Ordinance No. 21-36; and

**WHEREAS**, it is to the interest and benefit of the City of Hilliard and the public at large that these transfer be made.

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

**SECTION 1.** City Council approves the transferring of funds, as shown on Exhibit "A" attached hereto and incorporated herein.

**SECTION 2.** The Finance Director is authorized and directed to transfer the amounts as shown on Exhibit "A".

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