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AGENDA

Regular Council Meeting

7:00 PM January 23, 2023

Council Members:

Omar Tarazi

Cynthia Vermillion

Les Carrier

Tina Cottone

Peggy Hale

Pete Marsh

Andy Teater

President

Vice President

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.



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I. Call to Order

II. Invocation and Pledge of Allegiance

Invocation - Pastor Joseph Chon, Cornerstone Christian Fellowship Church

The Pledge of Allegiance to the Flag of the United States of America – Cub Scout Pack 859

III. Roll Call

IV. Approval of Minutes

A. January 11, 2023, Organizational Meeting

B. January 11, 2023, Regular Meeting

C. January 11, 2023, Special Executive Session

V. Commission and Board Reports

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

VI. Recognition and Special Guests

A. Proclamation – Kevin Corvo

VII. Changes to the Agenda

VIII. Consent Agenda

23-R-03 ACCEPTING SANITARY SEWER PUBLIC IMPROVEMENTS FOR THE UPPER VIEW FLATS APARTMENT DEVELOPMENT.

IX. 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 in so the minutes can reflect the correct information. Each speaker will contain their comments to **3 minutes** and shall conduct themselves in a professional manner.

X. Business of the Council

A. Ordinances

Second Readings/Public Hearings

Public Notice: Any member of the public addressing Council on the Public Hearing below are asked to sign the speaker's sign-in form so the Clerk will have accurate information about your name and address. Each speaker will contain their comments to **3 minutes** and shall conduct themselves in a professional manner.

23-01 AMENDING CHAPTER 945 CAPACITY AND CONNECTION CHARGES OF THE CITY'S CODIFIED ORDINANCES TO ALIGN WITH CURRENT PRACTICES.

First Readings - None



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B. Resolutions

23-R-04 APPROVING GMP #1 FOR THE RECREATION AND WELLNESS CAMPUS AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS TO APPROVE GMP #1.

23-R-05 ACCEPTING A UTILITY EASEMENT FROM WOLPERT ENTERPRISES, LIMITED.

XI. President's Communication

XII. Staff Reports

A. Proposed Council Workshop Topics

XIII. City Manager Updates

XIV. Items for Council Discussion

Adjournment



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CITY COUNCIL

January 11, 2023
Organizational Meeting Minutes

CALL TO ORDER

The meeting was called to order by President Teater at 5:45 PM.

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

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, IT Director Duane Powell, Community Relations Director David Ball and Clerk of Council Diane Werbrich

EXECUTIVE SESSION (If necessary) for matters pertaining to the appointment of public personnel (Charter Section 2.10(1)(a)) – No Executive Session was called.

Mr. Marsh, seconded by Ms. Hale, moved to appoint Vice President Tarazi as President of Council.

STATUS:	Approved (4-3)
AYES:	Omar Tarazi, Les Carrier, Peggy Hale, Pete Marsh
NAYS:	Cynthia Vermillion, Tina Cottone, Andy Teater

Mr. Teater, seconded by Ms. Cottone, moved to appoint Ms. Vermillion as Vice President of Council.

STATUS:	Approved (7-0)
MOVER:	Mr. Teater
SECONDER:	Tina Cottone
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh, Teater

Vice President Vermillion stated that she is aware that everyone has their own opinion of who might be best in leadership and she is fully committed to backing the leadership team and making this the best year for Council.

Vice President Vermillion reported that she and President Tarazi met to discuss goals they would like Council to accomplish this year: 1) to have regular communication with Council members including informing them of upcoming topics and issues, 2) to pass revised and more comprehensive Council Rules including best practices for Council members and if there should be consequences, 3) with the future absence of the local newspaper, they want to ensure the local community remains informed of Council actions and decisions and 4) schedule a few more Council retreats to more fully discuss important community issues.

President Tarazi stated it will be a fun year and he is looking forward to working with everyone. He noted that if Council has any feedback, further discussion or other ideas, those can be discussed at the Regular meeting this evening.

Mr. Teater, seconded by Mr. Marsh, moved to adjourn the Organizational meeting by Voice Vote.



MOVER:	Andy Teater
SECONDER:	Pete Marsh
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh, Teater

ADJOURNMENT – 5:50 PM

Omar Tarazi, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Jan 11, 2023 5:45 PM (Approval of Minutes)



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CITY COUNCIL

January 11, 2023 Regular Meeting Minutes

CALL TO ORDER

The meeting was called to order by President Omar Tarazi at 7:09 PM.

INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation - Pastor Mark Artrip, Movement Church

The Pledge of Allegiance to the Flag of the United States of America - Ms. Cottone

ROLL CALL

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

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, Finance Director Dave Delande, Police Chief Mike Woods, Economic Development Director David Meadows, Chief People Person/Human Resources Director Colleen Lemmon, Community Relations Director David Ball, Community Relations Administrator Anna Subler, Recreation and Parks Director Ed Merritt, Recreation and Parks Deputy Director Erin Duffee, Aquatics Supervisor Anastasia Bradley and Clerk of Council Diane Werbrich

APPROVAL OF MINUTES

President Tarazi asked if there were any changes or corrections to the December 12, 2022, Special/Executive Session and Regular meeting minutes. Hearing none, the minutes were approved as submitted.

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

COMMISSION AND BOARD REPORTS

Board of Zoning Appeals - No report.

Destination Hilliard - Vice President Vermillion announced there will be a meeting next week.

Environmental Sustainability Commission - Mr. Marsh announced the Commission is meeting now and he will provide Council with the total number of pounds collected on December 28, 2022.

MORPC- Ms. Crandall reported the next meeting will be in February.

Planning & Zoning - Ms. Hale stated that it is nice to see a lot of residents asking about a lot of remodeling.

Public Arts Commission - President Tarazi stated a new mural will be coming before Council for approval at the next meeting



Rec & Parks Advisory Commission - No report.
Shade Tree Commission - No report.

Aging in Place Committee - Ms. Cottone reported the surveys have been mailed to the public and the results of that survey will help inform how the Committee moves forward.

Other Boards/Commissions - No report.

President Tarazi asked if any Council member is interested in changing their assignments in 2023. Council board/commission assignments will remain the same in 2023.

Ms. Cottone asked where the new mural will be located. President Tarazi replied at the Bee Bubbly.

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

PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

No one in attendance spoke.

BUSINESS OF THE COUNCIL

A. Ordinances

SECOND READINGS/PUBLIC HEARINGS - None

FIRST READINGS

23-01 AMENDING CHAPTER 945 CAPACITY AND CONNECTION CHARGES OF THE CITY'S CODIFIED ORDINANCES TO ALIGN WITH CURRENT PRACTICES.

Mr. Ralley reported this legislation would clarify the City's rules regarding capacity fees and that all parcels in the City would be subject to water and sewer capacity fees. He noted there are limited circumstances where because of how the jurisdictional boundaries are laid out, the City has water and sewer mains that certain parcels from the City of Columbus occasionally connect to directly like the new home recently constructed on Frazell Road. Mr. Ralley added the inverse is also true in certain limited circumstances where the City of Columbus has mains that City parcels connect to. This legislation clarifies that those City parcels are subject to capacity charges and from a policy standpoint, since the City is responsible for any necessary upgrades when users connect, it makes good sense and is reflective of how things have been handled in the past.

STATUS:	First Reading
SPONSOR:	Andy Teater
SECONDER:	Peggy Hale
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh, Teater
President Tarazi announced the second reading/public hearing will be January 23, 2023.	

B. Resolutions

23-R-01 AMENDING SECTION 149.05 OF THE CITY'S CODIFIED ORDINANCES TO EXTEND THE PUBLIC ARTS COMMISSION.

Vice President Vermillion asked that this legislation be amended to remove the end date of the Public Arts Commission. Mr. Hartmann clarified the language should be that the PAC shall only be dissolved by legislative action of Hilliard City Council, which would replace Section 1 (p) of this resolution.



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Vice President Vermillion, seconded by Mr. Teater, moved to amend 23-R-1 to add the language suggested by Mr. Hartmann.

STATUS:	Approved (7-0)
MOVER:	Cynthia Vermillion
SECONDER:	Andy Teater
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh, Teater

STATUS:	Adopted as Amended (7-0)
MOVER:	Cynthia Vermillion
SECONDER:	Les Carrier
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh, Teater

President Tarazi announced 23-R-01 passed and will take effect at the earliest time allowable by law.

23-R-02 APPOINTING ANGELA ZODY TO THE COLUMBUS REGION SPECIAL IMPROVEMENT DISTRICT.

Mr. Carrier asked what the Columbus Regional Special Improvement District is. Mr. Meadows replied the Special Improvement District allows for PACE financing primarily for commercial property. He explained that if a large commercial property owner wants to finance a lot of energy efficiency, renewable energy improvements, this is the vehicle to do that. Mr. Meadows added the City joined Franklin County along with several other communities and the purpose of appointing a staff member is because the City has only had one project go through this board and is primarily City of Columbus projects. Ms. Crandall added that this appointment has typically been a Council member but Vice President Vermillion reached out and asked if it was necessary for a Council member to be in this role due to the limited amount of activity and that it makes more sense to appoint a staff member.

STATUS:	Adopted (7-0)
MOVER:	Peggy Hale
SECONDER:	Cynthia Vermillion
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh, Teater

President Tarazi announced 23-R-02 passed and will take effect at the earliest time allowable by law.

PRESIDENT'S COMMUNICATION

President Tarazi announced that City offices will be closed on Monday, January 16, 2023, in observance of Martin Luther King Day.

STAFF REPORTS

A. 2023 HILLIARD AQUATICS RECOMMENDATIONS

Ms. Crandall stated this presentation relates to increases in City pool fees and noted typically this has been handled through administrative or internally within the organization but she thought it was appropriate to bring this forward to Council.

Ms. Duffee and Ms. Bradley presented the 2022-2023 Aquatics Transition Plans (See attached).

Vice President Vermillion asked why residents are being charged a higher percentage increase, some as high as 26 percent, than non-residents. Ms. Bradley replied that she did a 10 percent increase across the board and then rounded that number up, which may be reflective on a few of the prices to keep it consistent. Vice President Vermillion reported a family of five rate increased 26 percent for residents

Minutes Acceptance: Minutes of Jan 11, 2023 7:00 PM (Approval of Minutes)



versus 15 percent for non-residents, individual rates increased 24 percent for residents versus 12 percent for non-residents. Ms. Bradley asked if she is referencing the regular season rates or the Blue Splash rate. Vice President Vermillion replied the Blue Splash rate and noted regular rates were more even but there is a noticeable increase on the Blue Splash rate for residents. Ms. Bradley replied they based the Blue Splash rates on last year's rates and then increased them by 10 percent. She was under the impression that the difference between the Blue Splash and regular season rates was 10 percent, but that may not be the case across the board and she will review that closer. Vice President Vermillion then asked if people are buying passes now. Ms. Bradley replied passes were supposed to be available for sale on January 3, 2023, but was delayed until tomorrow morning so that they could present this information to Council. Vice President Vermillion asked if they could look into decreasing some of the resident increases. Ms. Crandall replied staff will check those calculations, but the City does want to recover costs and would have to look into increasing the non-resident rates more to offset. Vice President Vermillion reported that she noticed the City of Dublin had a City rate, a Dublin school rate and an "other" category and asked if there is a possibility of adding that third category. Ms. Bradley replied that the City used to have a school district rate but it was eliminated. The difference in pricing is based on income tax and school district residents do not pay city income tax and the income tax is what funds their operation. Vice President Vermillion clarified that she knows there is a City rate and a non-resident rate and asked if the City could do three categories which would be a City rate, City school rate and if someone is not in either of those, they would pay an even higher rate. Ms. Duffee replied that they are not looking at that right now for the aquatics facilities but a team is looking at that for the new community center. This has been a topic of discussion and they continue to assess through the program development process team.

Vice President Vermillion asked what the percentage of passes sold are to residents versus non-residents. Ms. Bradley replied 67 percent are residents and 33 percent non-residents. Vice President Vermillion noted that she noticed in the budget numbers that the 2023 actual projected number was still below the 2022 budgeted number so she feels there is room to adjust the increase to residents. Ms. Duffee replied that they will review the calculations again. Vice President Vermillion commented that she wants to be as fair as possible to City residents. Vice President Vermillion stated the Blue Splash Special used to run through April and asked if efforts are being made so people know that it is available for a shorter period of time. Ms. Bradley replied that they have been working with Community Relations but nothing has gone out to the public and the passes are not on sale yet because they wanted to present this to Council. They are making every effort to clearly advertise the information to ensure people will have time to purchase their passes at that discounted rate. Ms. Duffee added they are also sending information out to past pass holders.

Mr. Carrier remarked that the City went to the community for a .5 percent income tax increase and now is going to slide a fee increase too. He realizes that it has been a while since there has been a fee increase but he would prefer the City shift the burden, as much as possible, away from the residents and onto non-residents. He added that although that is a smaller pool of people by about a third, is there a way to consider locking in the Splash rate and then increasing the resident and non-resident rate for both the Splash period and the normal enrollment period to recapture enough revenue so they would be close to their operating goal of 95-100 percent recapture. Mr. Carrier remarked that the City has asked enough of the residents and should not be raising rates since the City has just turned the corner on a new income tax for recreation and parks. Ms. Crandall replied they will look at the mix of resident rates versus non-resident rates. She explained staff will bring back cost recovery for the pools but want to get it at 100 percent and rates have to be set appropriately for that and the community center too in order to pay for the operational costs for that. She noted those rates will have to change from time to time and the .5 percent income tax increase will help but some of that has to be dedicated to Capital Improvements not just with the pools and community center but throughout the parks, trails, arts and culture and everything else that was rolled into Issue 22. Ms. Crandall stated cost recovery percentage is really important and getting the pools to 100 percent should be the goal. Mr. Carrier stated some of that can be grabbed from non-residents who are not paying the tax and he would like to see the heavier side of that go outside the residential rate.



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Mr. Carrier asked what formal action needs to be taken. Ms. Crandall replied that originally they were going to ask for a motion to approve, but there seems to be a consensus among Council for staff to rework the numbers differently. If Council is comfortable with staff doing that, they could provide that information to Council once the rates have been reset because they would like to advertise soon. She asked if there is a comfort level with staff making some of those adjustments and then informing Council of the final numbers, which will allow staff to move forward with advertising and selling passes. Ms. Crandall suggested they look at the numbers and make some adjustments to the non-resident rates to allow for lower residential rates.

President Tarazi asked if they needed a resolution today, vote on something at the next meeting or is staff going to proceed and make the changes based on Council feedback. Ms. Crandall asked Council to allow staff to make some adjustments and then inform Council of those changes so they can move forward with advertising and selling passes. She added if Council chooses, they can wait and present something at the next meeting. Vice President Vermillion stated she feels waiting would be too late because the City should already be selling passes and noted that she is comfortable with staff making the changes and informing Council of the changes. Mr. Hartmann stated that it sounds like Council is giving staff direction so there would be a motion to allow staff to move forward based on the direction of Council. Ms. Crandall reported that the direction is that Council wants the non-resident rate to increase to some degree to allow for a decrease in the proposed rates for residents.

Ms. Hale reported that she and her family spend a lot of time at the pool and almost every day she heard parents say they would be willing to pay more for more life guards, they want the pools to be staffed and the slides and lazy river opened. She mentioned that she did see that the City is increasing the life guard pay from \$12 to \$14/hour and asked if that pay increase is comparable to other pools in the area. Ms. Duffee replied that they worked with HR to do a wage analysis and \$14/hour does put the City in line with other municipalities and mentioned a life guard could make more based on their experience and level of skills.

Mr. Carrier asked if the entire pool will be open and everything running. Ms. Duffee replied that is the hope and they are working with HR and Community Relations to make the advertising more fun to try to get more young people engaged and enticed to work here.

Mr. Marsh stated he is comfortable with staff reviewing the rates, increasing the non-resident rate and lowering the resident rate and proceeding. Ms. Cottone agreed and mentioned that when Issue 22 was going through she never heard a promise that the City would not increase prices and to her it is two different things, the City is building a new community center and maintaining what the City currently has. Mr. Carrier replied it is a question of who is carrying the burden and believes the increase should be for non-residents and not residents.

Mr. Teater stated that he is for cost recovery but they need to be fully staffed and have the pool open if the rates are going to be increased.

President Tarazi asked about the 126 percent increase in police calls and what that involves. Ms. Bradley replied in 2021 there were 30 calls for service and 68 in 2022. In 2022 they had approximately an 80-day season at the Hilliard Family Aquatics Center with 9 days of inclement weather, which equates to approximately one police call a day where an officer had to come to the facility. She said the changes they are making are for the safety of the people at the facility and staff. Ms. Bradley stated that in a perfect world she agrees that they want to be fully staffed and hopes that implementing these types of things that staff will feel safer and more supported. Every decision they make is with that in mind. President Tarazi asked why the number of calls doubled. Ms. Bradley replied that is the million dollar question and she does not feel it has to do with the number of staff to maintain order and is an industry wide problem. She mentioned that there are fully staffed facilities having the same issues and some law enforcements have said it could be a result of COVID because the number of kids acting out who did not have structure for that significant period of time. She added they come to a facility and do not have adult supervision and do not respect the supervision and authority that is there, which may be what is ultimately



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causing this problem. Chief Woods added something else to consider is that a number of the City of Columbus pools were closed so residents of Columbus who may have gone to Dodge Park or other Columbus City pools are now coming to the City's pool. He said that the change in trying to identify who is coming into the pool is a huge deal because when guests have anonymity to act out, they are more emboldened to do that. There was a lot of fence jumping to get in without paying and a lot of disturbances, which some were repeat calls. He reported the fact that the City of Columbus and other areas did not have their pools opened and were not staffed, increased the chances for someone to come to Hilliard. President Tarazi asked about the severity of the calls. Chief Woods replied the majority were disturbances but there was a rash of stolen cars that were primarily going to the West Pool and then trying to commit additional crimes there, which is when they put extra resources there with and increase both plain clothed and uniformed officers. He noted there was a three- to four-week period where they saw stolen vehicles, a couple thefts associated with that and one strong armed robbery. Other than that, these were disturbances.

Ms. Hale asked if the Columbus pools will be open this year. Ms. Bradley replied they do not know and at this point they have not released anything and she has not had any discussion with anyone from the City of Columbus on that. She hopes having accountability of knowing who is in the City's facilities will deter individuals who want to cause problems because they will be able to be identified and will hopefully prevent some of that. Ms. Hale stated that she appreciates everything they are doing and would like to see it in the budget that if there is a need for someone undercover that it could be available if needed.

Vice President Vermillion, seconded by Ms. Hale, moved to direct staff to proceed based on Council's feedback on the rate increases.

STATUS:	Approved (7-0)
MOVER:	Cynthia Vermillion
SECONDER:	Peggy Hale
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh, Teater

Ms. Duffee announced that Recreation and Parks is working in collaboration with Hilliard City Schools and other community organizations to do the Martin Luther King Day Heart for Service Volunteer Fair from 11:00 a.m. to 1:00 p.m. at the Community Center on Monday, January 16, 2023.

CITY MANAGER UPDATES - None

ITEMS FOR COUNCIL DISCUSSION

President Tarazi reviewed the goals discussed earlier and asked Council's opinion and possible topics for Council Retreats. He commented that he thought it would be useful for a Council Retreat to have the time to absorb and discuss the Ten-Year Plan, affordable housing, the Darby Accord and the 70 percent green space and how those pieces fit together and a discussion on that. He added the fairgrounds was another topic and a dimension to the equation. He asked Council what they felt about these topics, are there additional topics or does Council want to handle them in a Committee of the Whole meeting. Ms. Hale replied that those topics sound great. She mentioned she would also like to work with staff to show appreciation to board/commission members.

Mr. Marsh liked President Tarazi's topics but would like to propose doing a Committee of the Whole on the Big Darby Accord zoning changes sooner than later because there is still work left on the Hilliard by Design and it may be a while before that is completed and Council is ready to have a retreat. He requested this discussion start in a Committee of the Whole prior to that. Mr. Carrier asked when the Hilliard by Design will be coming to Council. Ms. Crandall replied in the March or April 2023 time frame and the plan was to have that discussion at a Committee of the Whole.

Mr. Carrier asked Mr. Marsh if he wanted to have the Big Darby discussion before the Hilliard by Design is completed. Mr. Marsh replied he would like to at least start the discussion on the draft they have right now that they have worked through. President Tarazi asked if there has been significant discussion of



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the pros and cons with developers and people who might have to build out there. Mr. Marsh stated yes and he can go into more detail. President Tarazi asked if the Big Darby discussion could be put on the next Committee of the Whole agenda. Ms. Crandall replied that the items President Tarazi reviewed seem more like Committee of the Whole agenda items than a retreat. If they were going to do a retreat it would be to update their strategic goals. President Tarazi asked if that would happen after the Ten-Year Plan or are they independent. Ms. Crandall replied they could happen any time but ideally before the end of April if Council chooses to retreat for a day or so and would suggest hiring a professional facilitator. She added before the end of April would help because those goals would be for 2024 and beyond but it helps heading into the CIP and budget to start thinking ahead of what might be needed based on those goals. She noted the current goals are big visionary goals, which is great, and they are still working on some of them but there is room to review those to see if there is one or two more to add.

President Tarazi reported that the intention is that after he and Vice President Vermillion meet with Ms. Crandall at the Tuesday Weekly Update meeting that they would alternate emailing Council to provide updates on what is discussed to the degree that they are ready to be shared in that direction. He added this may help facilitate communication and asked Ms. Crandall to provide anything else that may help facilitate that communication. Ms. Crandall stated that if they want to provide items that may be on the agenda and on her last monthly report she tried to do that as well.

President Tarazi mentioned that Council never received comprehensive Council Rules in 2022 and thought best practices could be included in that review. Mr. Hartmann stated that Ms. Werbrich put something together that he and Ms. Clodfelder reviewed so whenever Council wants to discuss. Ms. Werbrich stated that after Council approved the updated Legislative Flow in March 2022, she rewrote all of the rules and sent them to the Law Department for review and edits in April. President Tarazi stated the Rules should be on the next Committee of the Whole for discussion but noted he was thinking the best practices piece really is not a rule. Mr. Hartmann asked if what President Tarazi was asking is similar to what he previously sent to Council. President Tarazi agreed and added just expanding on that if there are any other best practices that could be added.

President Tarazi asked that since the local paper is no longer going to be around, does the City need to put more resources into communicating more often with residents or increase what the City is currently doing. Ms. Crandall replied that this has been talked about extensively internally on how to communicate more with the community and build stronger relationships with the Columbus Dispatch, Business First and some other publications like the Columbus Underground. She added there is another local paper that serves Worthington and Clintonville and they will reach out to them to see if there is any potential, now that This Week is gone, to expand into other communities and to make them aware that the City would be interested but a lot of that is driven on how much advertising they can sell. She is not sure they are interested in expanding but is going to reach out to them to see if that is an opportunity. Ms. Crandall reported the Council action section of the weekly newsletter could be expanded so residents are aware of what is happening on Council.

President Tarazi reported there has been talk about flavored vape and should that be an item for a Committee of the Whole. Mr. Teater stated there was a group who addressed the Central Ohio Mayors and Managers Association (COMMA) and he would propose inviting them to a Committee of the Whole because their presentation was less than 30 minutes and very informative. He suggested the first step would be to invite them to a meeting. Ms. Crandall added that is Dr. Crane and Amanda Turner from Tobacco21 who are going out to other communities in the next month or two and mentioned there are several communities that are in the process of bringing forward legislation. She can reach out to them to see when they are available to attend a meeting.

Mr. Carrier asked if Council could get statistics on how we are doing with what was put in place with the schools - the remediation measures, vaping, etc. to see if it is helping or how effective it is. He said one of the big issues is the retailers and he would like to understand from the retailer's side that if this is banned what does it do to retailers in Hilliard. He does not believe it will be a big hit for Hilliard retailers as much as with the City of Columbus retailers.



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

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

ADJOURNMENT – 8:07 PM

Omar Tarazi, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Jan 11, 2023 7:00 PM (Approval of Minutes)



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CITY COUNCIL

January 11, 2023 Special Executive Session Minutes

CALL TO ORDER

The meeting was called to order by President Omar Tarazi at 6:46 PM.

ROLL CALL

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

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, Finance Director Dave Delande, Police Chief Mike Woods, Chief People Officer/Human Resource Director Colleen Lemmon, Recreation and Parks Director Ed Merritt, Recreation and Parks Deputy Director Erin Duffee, Aquatics Supervisor Anastasia Bradley, Communications Administrator Anna Subler and Clerk of Council Diane Werbrich

Mr. Marsh, seconded by Ms. Hale, moved to recess to Executive Session for Matters Pertaining to Reviewing Negotiations of a Bargaining Session (Charter Section 2.10(1)(d)).

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

EXECUTIVE SESSION

Council recessed to Executive Session at 6:47 PM.

Mr. Carrier, seconded by Mr. Marsh, moved to end the Executive Session.

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

President Tarazi reconvened the Special/Executive Session meeting at 7:08 PM.

ITEMS FOR COUNCIL DISCUSSION - None

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

MOVER:	Andy Teater
SECONDER:	Les Carrier
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh, Teater

ADJOURNMENT – 7:08 PM



City Council

Real People. Real Possibilities.

January 11, 2023
Special Executive Session
Minutes
Page 2

4.C

Omar Tarazi, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Jan 11, 2023 6:45 PM (Approval of Minutes)

Council Memo: Legislation (23-R-03)

Subject: Upper Vue Flats Public Improvements
From: Michelle Crandall, City Manager
Initiated by: Clark Rausch, City Engineer
Date: January 23, 2023

Executive Summary

This legislation accepts the public sanitary sewer lines for the Upper Vue Flats Apartment development. The subdivision developer is Edward Rose Properties, Inc.

Staff Recommendation

As required by City Code Chapter 1191, the public improvements in Upper Vue Flats have been constructed in accordance with the approved construction plans for Hilliard Upper Vue Flats Public Sanitary Sewer Improvements. City Council is being asked to accept the public improvements associated with Upper Vue Flats. City staff recommends that the sanitary sewer constructed with Upper Vue Flats be accepted as a public improvement so that the developer's required one-year maintenance commitment for these improvements can begin.

Background

City Council approved Ordinance No. 04-48 on December 13, 2004, for the Britton Central Planned Unit Development (PUD). Edward Rose Properties, Inc. owns Subarea A2, north of Riggins Road and west of Britton Parkway, in the Britton Central PUD. The Upper Vue Flats Apartments, consisting of a maximum of 470 units, are currently under construction in Subarea A2. The only public improvement associated with the Upper Vue Flats Apartments is the sanitary sewer. The street, storm sewer, storm water management structures, and lighting in Upper Vue Flats are all privately owned and maintained.

The sanitary sewer was constructed per the Hilliard Upper Vue Flats Public Sanitary Sewer Improvements plan and was inspected by the City in summer 2022. However, Edward Rose Properties, Inc. only recently granted the City an easement over the sanitary sewer. Thus, the reason for the delay in bringing these public improvements before City Council for acceptance.

Financial Impacts

The acceptance of the public improvements associated with this Resolution adds approximately 3,600 feet of public sanitary sewer to the City's public infrastructure inventory. The construction cost of these completed public improvements is approximately \$188,500.

Expected Benefits

The acceptance of the public improvements associated with this Resolution provides sanitary sewer service to 470 new apartments in the City of Hilliard.

Attachments

None



Resolution: 23-R-03

Adopted:

Page 1 of

Effective:

ACCEPTING SANITARY SEWER PUBLIC IMPROVEMENTS FOR THE UPPER VIEW FLATS APARTMENT DEVELOPMENT.

WHEREAS, City Council approved a Planned Unit Development (“PUD”) consisting of 282 ±acres of land located west of I-270, south of the Hilliard municipal boundary, east of Wilcox Road and approximately 2,600 feet north of Davidson Road, by the passage of Ordinance No. 04-48 on December 13, 2004 (the “Britton Central PUD”); and

WHEREAS, a final plat for the northern section of Britton Parkway was approved by the Planning and Zoning Commission and City Council on April 14, 2005, and September 26, 2005, respectively, by the passage of Resolution 05-R-39; and

WHEREAS, Edward Rose Properties, Inc., (the “Owner”) owns 29.073 ±acres consisting of Subarea A2 of the Britton Central PUD identified as parcel number 050-010603 by the Franklin County Auditor’s Office (the “Rose Property”);and

WHEREAS, City Council approved changes to the Britton Central PUD to modify the building height, exterior siding, roof pitch, and site lighting within Subarea A2 of the PUD by the passage of Resolution 20-R-25; and

WHEREAS, the Upper Vue Flats Apartment development consists of a maximum 470 apartment units on the Rose Property; and

WHEREAS, the only public improvement associated with the Upper Vue Flats Apartment development is the sanitary sewer system; and

WHEREAS, the Owner has recently granted the City an easement over all sanitary sewers located on the Upper Vue Flats Apartment development; and

WHEREAS, the public improvements for the Upper Vue Flats Apartment development have been found to be constructed per the plans submitted to and approved by the City Engineer for each section; and

WHEREAS, the City conducted a final inspection of the public improvements associated with both developments on the date shown below; and

WHEREAS, per Section 1191-01 of the City’s Planning and Zoning Code, the Developer has posted maintenance surety for the public improvements, and the public improvements will be maintained by the Developer until the date listed below for final acceptance and full maintenance by the City of Hilliard for each section of the PUD; and

<u>Public Improvements</u>	<u>Final Inspection Date</u>	<u>Final Acceptance Date</u>
Upper Vue Flats Apartments Public Sanitary Sewer Improvements (# P-952)	6/10/2022	6/10/2023

WHEREAS, it is in the best interest of the City of Hilliard and the public at large that the City accepts the public improvements as noted above.

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

SECTION 1. The City of Hilliard accepts the public improvements for the Upper Vue Flats Apartment development as set forth in the following plans titled:

1. "Public Sanitary Sewer Improvements for Hilliard Upper Vue Flats Riggins Road – 2021, P-952" approved by the City Engineer on May 18, 2021, which plans are on file in the office of the City Engineer and available for inspection.

SECTION 2. The City Manager, Clerk of Council and City Engineer are authorized to do all acts and to execute all instruments appropriate or necessary to carrying out the terms of accepting the public improvements as provided herein.

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 23-R-03						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted	Omar Tarazi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated	Les Carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled	Tina Cottone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Held Over	Peggy Hale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Pete Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Positive Recommendation	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Recommendation						
<input type="checkbox"/> Referred Back To Committee						

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. **23-R-03** passed by the Hilliard City Council on the 23rd day of January 2023.

IN TESTIMONY WHEREOF, witness my hand and official seal this 23rd day of January 2023.

Diane C. Werbrich, MMC

Council Memo: Legislation (23-01)

Subject: Chapter 945 Updates
From: Michelle Crandall, City Manager
Initiated by: Dan Ralley, Assistant City Manager
Date: January 23, 2023

Executive Summary

This ordinance will clarify language in the City's Codified Ordinances regulating water service connections and better align Code language with current practices.

Staff Recommendation

Staff recommends that City Council adopt this legislation.

Background

The City of Hilliard, under a contract agreement with the City of Columbus, regulates water services within Hilliard including how such connections are made and the application of fees associated with any connection.

Because Hilliard is financially responsible for water system distribution maintenance and any needed distribution system upgrades, all parcels located within Hilliard that connect to the water system are subject to Hilliard surcharges. In certain limited situations, parcels that are in Columbus have obtained permission to connect to a Hilliard water line, and as a result pay a Hilliard capacity fee for this connection but not the Hilliard surcharge.

This code change clarifies that all parcels within Hilliard are subject to Hilliard water capacity fee charges even if the water main is one that is maintained by the City of Columbus. The application of capacity fee charges against all Hilliard parcels was the assumed process, but does not align with the City's current code language. Because capacity charges are used to maintain and upgrade the distribution system, and Hilliard would ultimately be responsible for any upgrades necessitated by new development in Hilliard, it is appropriate that Hilliard also collect a capacity fee from these properties.

Financial Impacts

In very limited circumstances, this code change will ensure that Hilliard receive capacity fee charges from properties in Hilliard that may be connecting to a City of Columbus maintained waterline.

Expected Benefits

N/A

Attachments

N/A



Ordinance: 23-01

Passed:

Page 1 of

Effective:

AMENDING CHAPTER 945 CAPACITY AND CONNECTION CHARGES OF THE CITY'S CODIFIED ORDINANCES TO ALIGN WITH CURRENT PRACTICES.

WHEREAS, Chapter 945 of the City's Codified Ordinances regulates water capacity fees for properties within Hilliard; and

WHEREAS, it is necessary to update the code section to ensure that it corresponds with current practices for calculating and collecting capacity fees; and

WHEREAS, the proposed code change clarifies that all Hilliard parcels that connect to a centralized water system are subject to capacity fees; and

WHEREAS, the Administration desires to amend the code section, as outlined in Exhibit "A" attached hereto and incorporated herein;

WHEREAS, the proposed amendments are in the best interest of the City and its residents.

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

SECTION 1. City Council finds that amending Chapter 945 of the City's Codified Ordinances for Capacity and Connection Charges, as identified in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to the Capacity and Connection Charges, as shown in track changes in the attached Exhibit "A" are approved and shall be incorporated in the City's Codified Ordinances.

SECTION 2. All other provisions of Chapter 945 not modified herein remain unchanged and are in full force and effect.

SECTION 3. This Ordinance shall be in effect from the 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 23-01					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Passed	Omar Tarazi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Les Carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Held Over	Tina Cottone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Referred	Peggy Hale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Pete Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Positive Recommendation					
<input type="checkbox"/> No Recommendation					

CHAPTER 945 WATER REGULATIONS

WATER SERVICE REGULATIONS

945.01 DEFINITIONS.

- (a) As used in this chapter the word "consumer" means the owner of the property to which water service is rendered.
- (b) References in this chapter to the City or a City official shall also apply to the City of Columbus, whichever may be applicable.

945.02 RESPONSIBILITY OF CONSUMER.

(a) For each water line, the consumer shall provide: ~~Each consumer shall provide at his own expense in his water line:~~

- (a1) A place and all necessary fittings for the installation of a water meter. The location of the meter shall be satisfactory to the City Manager or Designee. The meter itself shall be furnished by the City.
- (b2) A valve in the line before the meter unless the service already has a meter or the meter is in a basement or frost-proof pit satisfactory to the City Manager or Designee.
- (eb) Each consumer shall be held responsible for the protection of all parts of the water service which are furnished, and should damage be done to any of these, the consumer shall be held liable and shall be charged for labor and parts necessary to restore the equipment to operating condition.

945.03 TAMPERING WITH METER OR WATER SYSTEM.

- (a) No person shall break or tamper with the seal on any water meter or tamper with any portion of the water system.
- (b) Whoever violates this section shall be guilty of a minor misdemeanor.

945.04 POWERS AND DUTIES OF CITY MANAGER OR DESIGNEE.

- (a) The City Manager or Designee shall make provisions for testing water meters of any customer who feels that ~~his~~ the meter is measuring incorrectly.
- (b) The City Manager or Designee may pass and enforce additional regulations necessary for the efficient operation of the City waterworks.
- (c) The City Manager or Designee is authorized to discontinue water service to any consumer who violates any provision of this chapter or who fails or refuses to pay the charges assessed ~~against him~~.

(1980 Code 51.04; Ord. No. 22-06 , § 1(Exh. A), 2-28-22.)

945.05 LIABILITY FOR LOSS OR DAMAGE.

Any person who violates any of the provisions of this chapter shall become liable to the City for any expense, loss or damage occasioned the City by reason of the violation. The expense, loss or damage shall become a part of the rental or charges against the consumer where the violation occurred.

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE
TITLE THREE - UTILITIES
CHAPTER 945 - WATER REGULATIONS
WATER RATE REGULATIONS

WATER RATE REGULATIONS

945.06 PAYMENT OF WATER RENT.

- (a) The owners, whether holders of legal title or vendees under land contract, of real property to which water is furnished by the City are financially responsible to the City for water rents as to water furnished to their property.
- (b) The City Manager or Designee shall refuse to furnish water service, following turnoff, to property which water, previously furnished, has not been paid for in full, including all delinquent rents and charges.

945.07 WATER TAPS.

Tap fees shall be paid before taps are made and monthly charges for water shall start and continue so long as water is on. It shall be the responsibility of the consumer to notify the City Manager or Designee if water is no longer desired.

945.08 WATER TAP PERMIT AND SERVICE FEE.

- (a) Prior to making application to the City of Columbus for a water tap for any water line, **the property owner or contractor seeking such tap for any parcel located within the City of Hilliard, on the Hilliard Water Distribution System, the property owner or contractor seeking such tap** shall make application to the City for a water tap permit.
- (b) A nonrefundable fee per tap requested shall accompany each application. This fee shall then be paid forthwith by the Director of Finance into the Water Fund of the City of Hilliard. See Chapter 190 for fee. (c) Upon determination that all requirements for the property in question have been met, and that all other fees have been paid, the City shall then issue a water tap permit or permits to the applicant.
- (d) Agreement shall be obtained from the City of Columbus Division of Water that no taps into the Hilliard Water Distribution System will be issued by them without the presentation of the permit set forth in this section.

945.09 WATER USED OR WASTED THROUGH LEAKS.

Each consumer shall be responsible for paying for all water registered by his meter regardless of whether the water is used or wasted through leaks.

WATER WELL DRILLING

945.10 PERMIT REQUIRED.

- (a) Hereafter no water well shall be drilled in the City unless, prior to drilling, a permit has been secured from the City in the form set out in the Appendix attached to Ordinance 82- 17, as may be amended from time to time.
- (b) A separate permit shall be required for each and every water well drilled in the City, including those intended for domestic potable water, ground water source heating or cooling, ground water recharge and livestock water.

945.11 COMPLIANCE WITH HEALTH DEPARTMENT REGULATIONS.

Every water well for which a permit is issued shall be constructed, operated, maintained and abandoned in accordance with the requirements of [Franklin County Public Health](#). ~~the County Health Department.~~ Such requirements shall not be less than those required for wells intended as a potable water supply.

945.12 WELL LOG AND DRILLING REPORT.

Prior to water well sterilization or use, a copy of the "Well Log and Drilling Report", Division of Water, Department of Natural Resources, State of Ohio, shall be furnished the City. The report shall be neat, accurate and complete. An incomplete report may result in suspension of the permit by the City.

945.13 WATER WELL USE REGULATIONS.

When water wells are used as a source for potable water and heating or cooling or ground water recharge the following additional requirements shall be in effect:

- (a) The water well shall be constructed, operated, maintained and abandoned in compliance with Ohio Administrative Code Section 3745-9 (Water Well Standards) ~~and Section 3745-41 (Water Well Waivers)~~ together with the requirements of [Franklin County Public Health](#). ~~the County Health Department.~~
- (b) An approved backflow prevention device shall be appropriately installed in relation to a heating or cooling unit to protect the well and water user from contamination.
- (c) The heating or cooling unit shall be valved on the intake and discharge sides of the unit. The intake valve shall be located between the unit and backflow prevention device.
- (d) The heating or cooling unit shall be equipped with an automatic device to shut down the entire system if a leak occurs in the refrigeration system.
- (e) The discharge from any heating or cooling system to the storm collection system, roadside ditches, open ditches, field tile or ground surface shall have approval, in writing by the City Engineer, prior to use. Discharge to sanitary sewerage collection system and treatment facilities is prohibited.
- (f) After the effective date of this section, any residence, building or establishment using well water as a source for heating or cooling shall upon written notice by the City or the County Health Department cease to use the water well as a source for heating or cooling if the water level in surrounding water wells is at such a level that an adequate domestic supply is unavailable without deepening the well. The residence, building or establishment, having been ordered to cease, shall not be allowed to reuse the source until an adequate recharge system has been installed and approved by the City Engineer or until in the opinion of the City Engineer, an adequate domestic supply is again available.
- (g) Water returned to the subsurface shall be of equal or better quality, both chemically and bacteriologically as it was prior to use except for the temperature differential.

- (h) Water from water wells having an objectionable quality shall not be returned to a subsurface stratum or aquifer containing water of a higher quality.
- (i) Permission to drill shall be denied for wells using ground source water for heating or cooling in areas where inadequate domestic supply has been experienced.

WATER SHORTAGES

945.14 ADOPTION OF RULES AND REGULATIONS.

The rules and regulations dealing with threatened water shortage as set forth below are hereby adopted for implementation during a water shortage emergency:

- (a) No water customer, user or consumer shall use water which is provided through the Division of Water City of Columbus, to sprinkle, water, douse, or wet their grass or lawn at any time.
- (b) No residential water customer, user or consumer shall use water which is provided by the Division of Water City of Columbus, to fill, refill or add to water in a swimming pool located on their or any other property.
- (c) Any water use in violation of this rule can result in discontinuance of water service. Discontinuance shall result if:
 - (1) A designated employee of the City of Hilliard has reason to believe that a violation of these rules has occurred; and
 - (2) He either mails or delivers a written warning of the violation and the possible penalties to the violator; and
 - (3) A second violation is observed by a designated employee of the City of Hilliard.
- (d) The City Manager may designate a person/or persons who are employees of the City of Hilliard who shall be responsible for the enforcement of these rules.
- (e) If the water service is terminated pursuant to this rule it shall be reinstated only when:
 - (1) A violator comes to the Hilliard Municipal Building and meets with either the City Manager or the person or persons designated to enforce these rules; and
 - (2) A twenty-five dollar (\$25.00) service charge is paid.
- (f) All ordinances of the City that require the planting of landscaping or grass are hereby suspended.

CAPACITY AND CONNECTION CHARGES

945.15 WATER SYSTEM-CAPACITY CHARGE.

- (a) For the purpose of providing revenue to help finance and to more equitably distribute the cost of the construction of necessary additions to the water distribution system and facilities, it is determined and declared necessary to provide for the establishment and regulation of a water system-capacity charge as hereinafter determined with the charge to be in addition to any and all other fees which may be imposed with respect to the water system.
- (b) The funds received from the collection of this charge, as it is herein authorized, shall be deposited daily with the Director of Finance who shall credit them to a special fund from which Council may take appropriations for the payment of the cost and expense of the construction, operation, maintenance, management and repair of the water systems; for the payment of the cost and expense of replacement, extensions to, or the

enlargement of the system; for the payment of principal and interest on any debt incurred for the construction of the water system; and for the creation of a sinking fund for the payment of the debt.

- (c) The City Manager or Designee shall collect a water system capacity charge whenever application is made for the issuance of a water permit to provide water service to a structure.
- (d) No person shall make a service connection to ~~a the City's~~ water system or any part thereof, unless ~~he/she has been issued~~ a permit ~~to do so by the~~ ~~has been issued by the~~ City of Hilliard ~~for the area serviced by the City of Columbus.~~
- (e) The fee to be charged for permits to connect to the water system shall be as set forth in Chapter 190.
- (f) In the event a tap is subsequently enlarged, the difference between the capacity fee previously paid and the current capacity fee for the new size shall be paid.
- (g) For all taps used to supply fire protection only, the rate shall be fifteen (15) percent of the domestic capacity charge for the tap size. A tap for a private domestic and fire protection combined system with no separate fire supply meter shall be charged the domestic capacity charge for the tap size.
- (h) The water capacity charge is in addition to any charges made by any other governmental agency.
- (i) The City Manager, with consent of City Council may waive all or part of the City of Hilliard capacity charges herein in such cases where unusual circumstances, imminent hardship or economic development warrant.
- (j) Public water service shall ~~not be~~ ~~be not~~ provided to areas outside the corporate boundaries of the City of Hilliard except as approved by the City Manager with written consent by the City of Columbus Director of Public Utilities.

945.16 WATER MAIN FRONT FOOT CONNECTION CHARGE.

Each applicant shall pay the sum of ten dollars (\$10.00) per front foot of the property to be served provided that this charge shall not be imposed for the replacement of a tap or increase in size of an existing tap and provided further that this charge shall not be imposed if the owner of the property concerned can show that he or his predecessor in title paid, or is paying a special assessment for the construction of any of the water mains which provide such service or at his own expense constructed any of the water mains which provide such service. The number of feet to be paid for shall be determined by one of the following applicable methods:

- (a) Lots or parcels of ground having the same width at the front and rear and the same depth on each side shall be charged for on the basis of the actual front footage; provided, however, that in the event the depth of such lot or parcel of ground abuts on a street or other public way and the owner elects to construct a building fronting on the street or public way abutting such depth, the front footage shall be exacted for such depth.
- (b) Lots or parcels of ground which are of irregular shape shall be charged for on the basis of the width of such property as measured on a line forty feet from the front lot line and parallel to the center line of the street upon which such property is to face, except that for lots or parcels of ground having curved frontage the width to be charged shall be measured on a line parallel to and forty feet distant from a line tangent to such curved frontage at a point midway between the side of the lots or parcels of ground.

Council Memo: Legislation (23-R-04)

Subject: Approving GMP #1 for the Recreation & Wellness Campus
From: Michelle Crandall, City Manager
Initiated by: Ed Merritt, Director of Recreation & Parks
Date: January 23, 2023

Executive Summary

This Resolution authorizes GMP (Guaranteed Maximum Price) #1 for the Recreation and Wellness Campus.

Staff Recommendation

Staff recommends Council adopt this legislation.

Background

On November 2, 2021, residents approved increasing the City’s municipal income tax by 0.5% and dedicating the resulting funds for recreation and parks, including (but not limited to) construction of a new community center (the “Project”). Following the approval of the increase, City Council has approved the following contracts for the management and development of the Project:

Contractor	Services Provided
McCarthy Consulting	Owner’s Representative
EDGE Group	Design of Athletic Complex and Landscaping
Prime AE	Architect & Engineering for the Recreation Center
Ruscilli	Construction Manager at Risk

Following approval of these contracts, City staff has worked with all contractors to design and create design documents for the Project with the goal of breaking ground and beginning construction in Spring 2023.

Utilizing the design documents provided by the EDGE Group dated November 14, 2022, Ruscilli issued Bid Package #100 – Earthwork & Site Utilities for the Athletic Complex for GMP #1 in late November 2022. Five (5) competitive bids were received on December 16, 2022. After an initial review of the bid results, three (3) bidders participated in a series of detailed scope review meetings overseen and managed by Ruscilli. The purpose of these scope review meetings was to ensure all bids were complete, had the proper scope covered, and gave the Project Team the opportunity to assess the commitment of each bidder to the overall Project. The scope review process concluded in early January 2023 and focused on the two (2) most complete and competitive bidders for this scope of work.

The Project Team has worked with Ruscilli to develop the information required for GMP #1. As a result of that effort, GMP #1 has been reviewed and approved for consideration by the City of Hilliard.

The total of GMP #1 is \$6,747,793.00, The scope contained within this GMP #01 is \$64,020.00 under the budget established for this scope of work from the Control Estimate completed in November 2022.

Financial Impacts

By the passage of Ordinance No. 22-38, funds for the Athletic Complex were appropriated.

Expected Benefits

By approving GMP #1, it ensures that work on the Athletic Complex begins in Spring 2023 and can have two (2) full seasons of turf field growth before opening the fields to play in the late summer of 2024.

Attachments

N/A



Resolution: 23-R-04

Adopted:

Page 1 of

Effective:

APPROVING GMP #1 FOR THE RECREATION AND WELLNESS CAMPUS AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS TO APPROVE GMP #1.

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

WHEREAS, in 2022 City Council awarded multiple contracts for the design, architecture, engineering of the Project; and

WHEREAS, in late 2022, the City, through its Construction Manager at Risk, was able to issue an invitation for bid ("GMP #1) for certain work and products related to the construction of the Project; and

WHEREAS, following review of responses received, it is necessary to amend Ruscilli's contract to buy the work and products related to GMP #1 along with various general construction requirements; and

WHEREAS, funding for GMP #1 was appropriated by Ordinance No. 22-38, and pursuant to Section 3.10 of the Charter, authorization for funding this Project may be established by Resolution of Council.

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

SECTION 1. An expenditure is authorizing from Fund 101, Object 55 in an amount not to exceed \$6,747,793 in order to fund GMP #1 for the Recreation and Wellness Campus.

SECTION 2. The City Manager is hereby authorized to enter into GMP #1, as shown on Exhibit A, attached hereto and incorporated herein, in an amount not to exceed 6,747,793.

SECTION 3. This City Manager is hereby authorized to enter into any agreement or to execute and deliver any documents, certificates or approvals that are necessary or appropriate in furtherance of GMP #1 that are not inconsistent with this Resolution and not adverse to the City.

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

SECTION 5. This Resolution is effective upon its adoption.

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 23-R-04						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted	Omar Tarazi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated	Les Carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled	Tina Cottone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Held Over	Peggy Hale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Pete Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Positive Recommendation	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Recommendation						
<input type="checkbox"/> Referred Back To Committee						

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. **23-R-04** passed by the Hilliard City Council on the 23rd day of January 2023.

IN TESTIMONY WHEREOF, witness my hand and official seal this 23rd day of January 2023.

Diane C. Werbrich, MMC

**GUARANTEED MAXIMUM PRICE AMENDMENT
CONSTRUCTION MANAGER CONSTRUCTOR CONTRACT**

City of Hilliard, Ohio (“Owner”) and **Ruscilli Construction Co. LLC** (“Construction Manager”) enter into this Amendment as of the last date set forth below to amend the Contract they entered into as of December 5, 2022, in connection with the Project known as the **City of Hilliard – Recreation & Wellness Center and Athletic Field Complex Project**.

Article 1 Contract Sum and Related Items

- 1.1** The Contract Sum is \$6,747,793, which is the sum of:
- 1.1.1** the Construction Manager’s Fee in the amount of \$122,567, which must not exceed 1.85% of the Cost of the Work; plus
- 1.1.2** the Cost of the Work in the amount of \$6,625,226;
- .1** The Cost of the Work includes the Construction Manager’s Contingency in the amount of \$97,910, which must not exceed 1.5% of the Cost of the Work.
- .2** The Cost of the Work also includes the Allowances (if any) and Unit Prices (if any) defined through this Contract Sum Amendment.

Article 2 Contract Times

- 2.1** The Contract Times are the periods of time established in the following table for the achievement of the associated Milestones:

Construction Phase Milestone	Contract Time
*Mobilization	3/15/23
*Substantial Completion	8/29/24

*NOTE: See Exhibit “D” Construction Schedule. Milestones are for Athletic Complex only.

- 2.2** The Date of Commencement for the Contract Times must be on or before 3/14/23.
- 2.3** The liquidated damages associated with the Construction Phase Milestones shall be \$500 for the **City of Hilliard – Recreation & Wellness Center and Athletic Field Complex Project** for each day after the expiration of the Contract Time that the Construction Manager fails to achieve the associated Milestones.

Article 3 List of Exhibits

- 3.1** This Amendment is based upon the following documents:
- 3.1.1** **Drawing and Specification Log**, attached at **Exhibit A**;
- 3.1.2** **Assumptions and Qualifications**, attached at **Exhibit B**;
- 3.1.3** **Project Estimate**, attached at **Exhibit C**;
- 3.1.4** **Construction Schedule**, attached at **Exhibit D**;
- 3.1.5** **Submittal Schedule**, attached at **Exhibit E – not used**;
- 3.1.6** **Subcontractor Work Scopes**, attached at **Exhibit F**;

- 3.1.7 **Scope of Construction Manager’s Self-Performed Work** attached at **Exhibit G – not used;**
- 3.1.8 **Schedule of Allowances**, attached at **Exhibit H;**
- 3.1.9 **Schedule of Unit Prices**, attached at **Exhibit I;**
- 3.1.10 **Schedule of Alternates**, attached at **Exhibit J – not used;**
- 3.1.11 **Cash Flow Forecast**, attached at **Exhibit K – not used;**
- 3.1.12 **Site Utilization Plan**, attached at **Exhibit L;**
- 3.1.13 **Standard Billing Rates**, attached at **Exhibit M;**
- 3.1.14 **Undefined Storm Sewer Allowance #2**, attached at **Exhibit N;**

City of Hilliard, Ohio

Ruscilli Construction Co. LLC

Michelle Crandall, City Manager

Robert A. Ruscilli, Principal

Date

Date

Council Memo: Legislation (23-R-05)

Subject: Utility Easement for Wolpert Enterprises Tract
From: Michelle Crandall, City Manager
Initiated by: Jeff Cox,
Date: January 23, 2023

Executive Summary

This is for the granting of a utility easement from the owner of 4861 Edwards Farms Road for a public sanitary sewer.

Staff Recommendation

City staff is recommending the acceptance of a twenty-five (25) feet wide utility easement for the construction of a new public sanitary sewer on the property at 4861 Edwards Farms Road. This sanitary sewer will serve not only the 14.30± acre parcel currently being developed on Edwards Farms Road but will also act as a sanitary sewer outlet for the future development of surrounding properties in the area.

Background

Wolpert Enterprises, Limited owns 26.86± acres located on the west side of Edwards Farm Road north of Davidson Road, identified as tax parcel identification number 050-006545. At its regularly scheduled meeting on August 11, 2022 the Hilliard Planning and Zoning Commission approved a Lot Split for the property that will separate 14.30± acres from the 26.86± acre tract. At its regularly scheduled meeting on September 8, 2022, the Hilliard Planning and Zoning Commission approved a 'Level B' Site Plan for the 14.30± acres of the property.

A public sanitary sewer must be extended along the east side of the 14.30± acres to provide sanitary service to the property. The sanitary sewer will not only serve the property owned by Wolpert Enterprises, Limited but also future development of surrounding parcels in the area. Therefore, the portion of sanitary sewer along the property at 4861 Edwards Farms Road will be a public sanitary sewer owned and maintained by the City. In order for the City to accept this sanitary sewer as public infrastructure and be able to maintain it, the owner of 4861 Edwards Farms Road will provide a twenty-five (25) feet wide utility easement from said property. They are requesting the City accept this sanitary sewer easement for ownership and maintenance of this sanitary sewer.

Financial Impacts

The construction of the public sanitary sewer in this easement adds approximately four hundred (400) feet of additional sanitary sewer to the City's public sanitary sewer inventory. The additional financial impacts to operate and maintain this additional length of sewer are minimal.

Expected Benefits

The acceptance of this utility easement on the property at 4861 Edwards Farms Road will allow the City to own and maintain the sanitary sewer that will serve not only the development of the 14.30± acres of the property, but also will serve as a sanitary sewer for other surrounding properties in the area.

Attachments

N/A



Resolution: 23-R-05

Adopted:

Page 1 of

Effective:

ACCEPTING A UTILITY EASEMENT FROM WOLPERT ENTERPRISES, LIMITED.

WHEREAS, Wolpert Enterprises, Limited, (the “Developer”), owns 26.86± acres (the “Property”) located on the west side of Edwards Farms Road, identified as tax parcel identification number 050-006545, and depicted on Exhibit “A” attached hereto and incorporated by reference herein; and

WHEREAS, the Developer filed application number PZ-22-42 with the Hilliard Planning and Zoning Commission for approval of a Lot Split to separate 14.30 acres from a 26.86± acre tract and a ‘Level B’ Site Plan for the construction of an 89,954-square-foot data center on 14.30 acres; and

WHEREAS, on September 8, 2022, following a public hearing on the consideration of the ‘Level B’ Site Plan, the Hilliard Planning and Zoning Commission voted 6-0 to approve the ‘Level B’ Site Plan; and

WHEREAS, the Developer has submitted plans for the construction of the data center building; and

WHEREAS, the Developer is required to extend a public sanitary sewer to serve the data center building; and

WHEREAS, the sanitary sewer to be constructed in front of the property at 4861 Edwards Farms Road will serve as a public sanitary sewer for other properties in the area and will be owned and maintained by the City; and

WHEREAS, in order for the City to accept this sanitary sewer as public infrastructure and be able to maintain it, the owner of 4861 Edwards Farms Road will provide a twenty-five (25) feet wide utility easement along a portion of the lot to the City as shown and described on Exhibit “B”, **attached** hereto and incorporated by reference herein; and

WHEREAS, it is in the interest and benefit of the City of Hilliard and the public at large that the City accepts the utility easement from the property at 4861 Edwards Farms Road.

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

SECTION 1. The City of Hilliard hereby accepts the utility easement as shown and described on Exhibit “A”, attached hereto and incorporated by reference herein.

SECTION 2. The City Engineer and the City Law Director are authorized to approve any necessary administrative changes to affect the proper recording of the easement identified thereon, and are authorized to provide the Clerk of Council with a final recorded copy of said easement.

SECTION 3. The Clerk of Council and City Engineer are authorized to do all acts and to execute all instruments appropriate or necessary to carrying out the terms of this acceptance.

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 23-R-05						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted	Omar Tarazi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Cynthia Vermillion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Defeated	Les Carrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Tabled	Tina Cottone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Held Over	Peggy Hale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Withdrawn	Pete Marsh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Positive Recommendation	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Recommendation						
<input type="checkbox"/> Referred Back To Committee						

CERTIFICATE OF THE CLERK

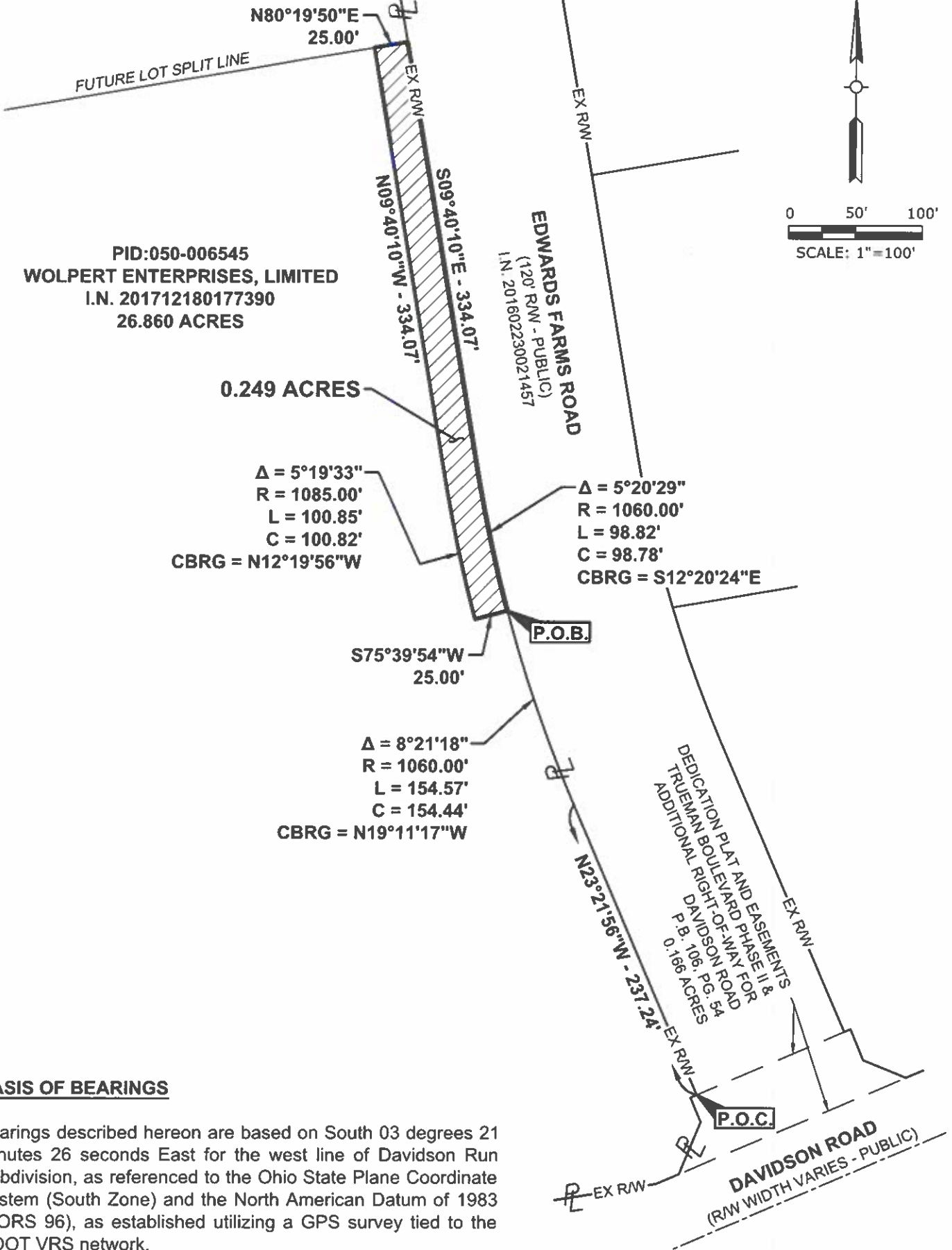
I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. 23-R-05 passed by the Hilliard City Council on the 23rd day of January 2023.

IN TESTIMONY WHEREOF, witness my hand and official seal this 23rd day of January 2023.

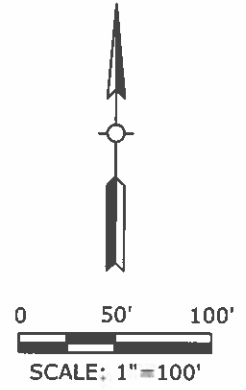
Diane C. Werbrich, MMC

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF HILLIARD, VIRGINIA MILITARY SURVEY NO. 4854

EXHIBIT "A"



PID:050-006545
 WOLPERT ENTERPRISES, LIMITED
 I.N. 201712180177390
 26.860 ACRES



0.249 ACRES

$\Delta = 5^{\circ}19'33''$
 $R = 1085.00'$
 $L = 100.85'$
 $C = 100.82'$
 CBRG = N12°19'56"W

$\Delta = 5^{\circ}20'29''$
 $R = 1060.00'$
 $L = 98.82'$
 $C = 98.78'$
 CBRG = S12°20'24"E

$\Delta = 8^{\circ}21'18''$
 $R = 1060.00'$
 $L = 154.57'$
 $C = 154.44'$
 CBRG = N19°11'17"W

DEDICATION PLAT AND EASEMENTS
 TRUEMAN BOULEVARD PHASE II &
 ADDITIONAL RIGHT-OF-WAY FOR
 DAVIDSON ROAD
 P.B. 106, PG. 54
 0.166 ACRES

BASIS OF BEARINGS

Bearings described hereon are based on South 03 degrees 21 minutes 26 seconds East for the west line of Davidson Run Subdivision, as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (CORS 96), as established utilizing a GPS survey tied to the ODOT VRS network.

This easement exhibit was prepared by Brian P. Bingham, Registered Professional Surveyor No. 8438, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

Brian P. Bingham
 Brian P. Bingham
 Registered Professional Surveyor No. 8438
 Date: 12/15/2022



PREPARED FOR:
OPPIDAN



EXHIBIT "A"
 0.249 ACRE SANITARY SEWER EASEMENT
 FOR
 EDWARDS FARMS ROAD DATA CENTER
 CITY OF HILLIARD, FRANKLIN COUNTY, OHIO

DATE:	12/07/2022
DRAWN BY:	CRH / MWM
CHECKED BY:	MJW
JOB NUMBER:	2022.01395

EXHIBIT "B"
DESCRIPTION OF A 0.249 ACRE EASEMENT

Situated in the State of Ohio, County of Franklin, City of Hilliard, located in Virginia Military Survey Number 4854, and being a part of that **26.860 acre** tract of land described in a deed to **Wolpert Enterprises, Limited**, of record in **Instrument Number 201712180177390**, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being more further bounded and described as follows:

Commencing for reference at an angle point in the west right-of-way line for Edwards Farms Road (120' R/W width), being a southeast corner of said 26.860 acre tract, said point being on the north line of that 0.166 acre right-of-way parcel of the Dedication Plat and Easements Trueman Boulevard Phase II & Additional Right-of-Way for Davidson Road, as recorded in Plat Book 106, Page 54;

Thence **North 23 degrees 21 minutes 56 seconds West**, along the west right-of-way line for said Edwards Farms Road, along the east line of said 26.860 acre tract, a distance of **237.24 feet** to a point;

Thence along the arc of a curve to the right, continuing along the west right-of-way line for said Edwards Farms Road and the east line of said 26.860 acre tract, said curve having a radius of **1,060.00 feet**, a central angle of **08 degrees 21 minutes 18 seconds**, and an arc length of **154.57 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **North 19 degrees 11 minutes 17 seconds West** and a length of **154.44 feet**;

Thence across said 26.860 acre tract for the following four (4) described courses:

1. **South 75 degrees 39 minutes 54 seconds West**, a distance of **25.00 feet** to a point on a curve;
2. Along the arc of a curve to the right, said curve having a radius of **1,085.00 feet**, a central angle of **05 degrees 19 minutes 33 seconds**, and an arc length of **100.85 feet** to a point of tangency, said curve being subtended by a long chord having a bearing of **North 12 degrees 19 minutes 56 seconds West** and a length of **100.82 feet**;
3. **North 09 degrees 40 minutes 10 seconds West**, a distance of **334.07 feet** to a point on a proposed lot split line;
4. **North 80 degrees 19 minutes 50 seconds East**, along said proposed lot split line, a distance of **25.00 feet** to a point on the west right-of-way line for said Edwards Farms Road, being the east line of said 26.860 acre tract;

Thence **South 09 degrees 40 minutes 10 seconds East**, along the west right-of-way line for said Edwards Farms Road, along the east line of said 26.860 acre tract, a distance of **334.07 feet** to a point of curvature;

Thence along the arc of a curve to the left, continuing along the west right-of-way line for said Edwards Farms Road and the east line of said 26.860 acre tract, said curve having a radius of **1,060.00 feet**, a central angle of **05 degrees 20 minutes 29 seconds**, and an arc length of **98.82 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **South 12 degrees 20 minutes 24 seconds East** and a length of **98.78 feet**;

The above description contains a total area of **0.249 acres**, all of which are within Franklin County Auditor's parcel number 050-006545.

Bearings described hereon are based on South 03 degrees 21 minutes 26 seconds East for the west line of Davidson Run Subdivision, as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (CORS 96), as established utilizing a GPS survey tied to the ODOT VRS network.

This description was prepared by Brian P. Bingham, Registered Professional Surveyor Number 8438, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.


Brian P. Bingham
Registered Professional Surveyor No. 8438



12/15/2022
Date

Exhibit B: Legal Description Sanitary_sewer_easement_0.249_acres_SIGNED (23-R-05 : Utility Easement for Wolpert Enterprises Tract)



Council Memo: Information Only

Subject: Proposed Council Workshop Topics
From: Michelle Crandall, City Manager
Date: January 23, 2023

Summary

The following are proposed Council of the Whole workshop topics for the first few months of 2023. These are being provided for Council's review and discussion.

Council Workshop Topics

- Council Rules - Draft Review (scheduled for 1/23)
- Big Darby – Future Development Standards
- Flavored/Menthol Tobacco
- Housing Overview
- Electric Aggregation Options
- Hilliard by Design – Comprehensive Plan (possibly two sessions to cover Focus Areas in greater detail)

These topics would take us through the end of April assuming they are all scheduled, and one is scheduled prior to each regular meeting. Staff is looking for feedback on these and any additional topics Council would like to consider in a Council of the Whole workshop setting.