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## **AGENDA**

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# **Regular Council Meeting**

**7:00 PM January 11, 2023**

**Council Members:**

**Andy Teater  
Omar Tarazi  
Les Carrier  
Tina Cottone  
Peggy Hale  
Pete Marsh  
Cynthia Vermillion**

**Michelle Crandall, City Manager  
Diane (Dee) Werbrich, Clerk of Council**

**City Hall, Council Chambers • 3800 Municipal Way, Hilliard, OH 43026**

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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 Mark Artrip, Movement Church

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

**III. Roll Call**

**IV. Approval of Minutes**

- A. December 12, 2022, Special Executive Session
- B. December 12, 2022, Regular Meeting

**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 - None**

**VII. Changes to the Agenda**

**VIII. Consent Agenda - None**

**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 - None**

**First Readings**

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

**B. Resolutions**

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

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



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**XI. President's Communication**

**XII. Staff Reports**

A. 2023 Hilliard Aquatics Recommendations

**XIII. City Manager Updates**

**XIV. Items for Council Discussion**

**Adjournment**



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## CITY COUNCIL

### December 12, 2022 Special Executive Session Minutes

#### CALL TO ORDER

The meeting was called to order by President Teater at 5:00 PM.

#### ROLL CALL

Attendee Name:	Title:	Status:
Andy Teater	President	Present
Omar Tarazi	Vice President	Excused
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 and Clerk of Council Diane Werbrich

Ms. Cottone, seconded by Ms. Vermillion moved to recess to Executive Session for matters pertaining to the Appointment and Employment of Public Personnel (Charter Section 2.10(1)(a)).

<b>MOVER:</b>	Tina Cottone
<b>SECONDER:</b>	Cynthia Vermillion
<b>AYES:</b>	Teater, Carrier, Cottone, Hale, Marsh, Vermillion
<b>EXCUSED:</b>	Omar Tarazi

#### EXECUTIVE SESSION

Council recessed to Executive Session at 5:01 PM.

Ms. Hale left the meeting at 5:10 PM.

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

<b>MOVER:</b>	Les Carrier
<b>SECONDER:</b>	Cynthia Vermillion
<b>AYES:</b>	Teater, Carrier, Cottone, Marsh, Vermillion
<b>ABSENT:</b>	Peggy Hale
<b>EXCUSED:</b>	Omar Tarazi

President Teater reconvened the Special/Executive Session meeting at 5:18 PM

#### ITEMS FOR COUNCIL DISCUSSION - None

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



<b>AYES:</b>	Teater, Carrier, Cottone, Marsh, Vermillion
<b>ABSENT:</b>	Peggy Hale
<b>EXCUSED:</b>	Omar Tarazi

**ADJOURNMENT – 5:18 PM**

\_\_\_\_\_  
Andy Teater, President  
City Council

\_\_\_\_\_  
Diane Werbrich, MMC  
Clerk of Council

Approved: \_\_\_\_\_

Minutes Acceptance: Minutes of Dec 12, 2022 5:00 PM (Approval of Minutes)



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## CITY COUNCIL

### **December 12, 2022** **Regular Meeting Minutes**

President Teater called the meeting to order at 7:12 PM.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation - Pastor Glen Miles, First Community Church

The Pledge of Allegiance to the Flag of the United States of America - Troop 148

#### **ROLL CALL**

<b>Attendee Name:</b>	<b>Title:</b>	<b>Status:</b>
Andy Teater	President	Present
Omar Tarazi	Vice President	Present – left Chambers at 7:50 PM
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, Finance Director Dave Delande, City Engineer Clark Rausch, Transportation and Mobility Director Letty Schamp, Police Chief Mike Woods, Economic Development Director David Meadows, City Planner John Talentino, Community Relations Director David Ball and Clerk of Council Diane Werbrich

#### **APPROVAL OF MINUTES**

President Teater asked if there were any changes or corrections to the November 28, 2022, Special/Executive Session or Regular meeting minutes. Hearing none, the minutes were approved as submitted.

<b>STATUS:</b>	Accepted
<b>AYES:</b>	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

#### **COMMISSION AND BOARD REPORTS**

**Board of Zoning Appeals** - No report.

**Destination Hilliard** - No report.

**Environmental Sustainability Commission** - Mr. Marsh announced the Styrofoam collection will be December 28, 2022.

**MORPC**- No report.

**Planning & Zoning** - No report.

**Public Arts Commission** - No report

**Rec & Parks Advisory Commission** - Mr. Carrier announced there is a meeting scheduled on Wednesday, December 14, 2022.

**Aging in Place Committee** - Ms. Cottone reported the Committee met last week to finalize the surveys and sent them to Mr. Ball for editing. She noted a new Committee member was sworn in.



**Shade Tree Commission** - President Teater stated the Commission will appoint one new member and reappoint one existing member this evening.

**Other Boards/Commissions** - No report.

### RECOGNITION AND SPECIAL GUESTS

President Teater presented Ms. Jeri Miller with a proclamation for Cervical Health Awareness Month - January 2023.

**CHANGES TO THE AGENDA** - None

### CONSENT AGENDA

#### A. NEW LIQUOR PERMIT REQUEST - 3939 BRITTON PARKWAY

Council approved the Consent Agenda by Voice Vote. No hearing was requested.

<b>STATUS:</b>	Approved by Voice Vote (7-0)
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### PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)

The following spoke regarding the 2023 Council Leadership:

Alex Cofield, 3323 Scioto Farms Drive

Denise Davis, 4679 Prestige Lane

Dawn Larsen, 6045 Joneswood Drive

Vice President Tarazi stated he would be happy to meet and discuss their concerns after the meeting.

### BUSINESS OF THE COUNCIL

#### A. Ordinances

### SECOND READINGS/PUBLIC HEARINGS

#### 22-42 ACCEPTING THE APPLICATION FOR ANNEXATION OF 20.8± ACRES LOCATED IN NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO, AND ASSIGNING A ZONING CLASSIFICATION TO THE PROPERTY OF R-R, RURAL RESIDENTIAL.

The following spoke in favor of Ordinance 22-42:

Barbara Reif, 3236 Scioto Run Boulevard

Brandon Pauley, attorney for the applicant, Glenmont Christian Science Nursing

Ms. Vermillion thanked Mr. Pauley for his presentation and explained she voted no on a recent annexation request in that area because she wants to see the new Comprehensive Plan. She added that as a City she wants to have more control on what the City agrees to bring into the City limits versus accepting everything. Ms. Vermillion stated that she is aware there is a history of accepting annexations, but for her it is about the City having more of a say and control over what the City wants to see on that piece of land because it is a beautiful piece of property.

Ms. Crandall stated that the fiscal impact was mentioned in Mr. Pauley's presentation but the City does not see this as the highest and best use for this piece of property. Mr. Carrier asked Ms. Crandall what she sees as the highest and best use. Ms. Crandall replied that she does not have anything to offer but to see what else may come in but another senior care facility is not the highest and best use for this piece of property.





**STATUS:** Defeated (7-0)  
**NAYS:** Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

**22-43 AMENDING CERTAIN SECTIONS OF PART FIVE - THE “GENERAL OFFENSES CODE” OF THE CITY’S CODIFIED ORDINANCES TO ALIGN WITH OHIO REVISED CODE.**

No one in attendance spoke for or against at the Public Hearings for the following Ordinances: 22-43, 22-44, 22-45, 22-46, 22-47 or 22.48.

Mr. Carrier asked about the definition of hashish and if the penalties are elevated for having it in schools. Ms. Clodfelder replied not that she is aware of and not that was included in the Ohio Revised Code (ORC) so the City is making the City’s Code consistent with that. Mr. Carrier asked if the penalty could be bumped up for some of this. Ms. Clodfelder replied that she would review if that is something Council would like to consider.

Mr. Carrier asked if this prohibits the Catholic Church instant bingos. Ms. Clodfelder replied that it does not prohibit that but makes certain recommendations and standards regarding electronic/instant bingo and this language matches the current ORC adopted language. She noted that there are more instances where electronic/instant bingo are being more regulated and does not know if it applies to the situation Mr. Carrier is referencing. Mr. Carrier asked if this addresses the pull tab instant bingos. Ms. Clodfelder stated she would have to review the definition and is unsure if that applies to that or not. Mr. Hartmann advised that in reviewing this, what Mr. Carrier is referencing is not completely outlawed and it outlines how instant bingo can be done. Ms. Crandall added it expands the definition of instant bingo to also include a punch board.

**STATUS:** Adopted (7-0)  
**AYES:** Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion  
President Teater announced 22-43 passed and will take effect at the earliest time allowable by law.

**22-44 AMENDING CERTAIN SECTIONS OF PART THREE - THE “TRAFFIC CODE” OF THE CITY’S CODIFIED ORDINANCES TO ALIGN WITH OHIO REVISED CODE.**

**STATUS:** Adopted (7-0)  
**AYES:** Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion  
President Teater announced 22-44 passed and will take effect at the earliest time allowable by law.

**22-45 REPEALING AND REPLACING CHAPTERS 909 AND 913 AND ADOPTING CHAPTER 911 OF THE CITY’S CODIFIED ORDINANCES REGARDING MAINTENANCE AND CONSTRUCTION REQUIREMENTS RELATED TO SIDEWALKS, CURB RAMPS, SHARED-USE PATHS, DRIVEWAY APPROACHES, CURBS AND GUTTERS.**

**STATUS:** Adopted (7-0)  
**AYES:** Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion  
President Teater announced 22-45 passed and will take effect at the earliest time allowable by law.

**22-46 AMENDING EXHIBIT A OF CHAPTER 190 OF THE CITY’S CODIFIED ORDINANCES TO UPDATE THE COMPREHENSIVE FEE SCHEDULE.**



**STATUS:** Adopted (7-0)  
**AYES:** Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion  
 President Teater announced 22-46 passed and will take effect at the earliest time allowable by law.

**22-47 AUTHORIZING THE CITY MANAGER TO ENTER INTO A 2023 CONTRACT WITH THE DISTRICT ADVISORY COUNCIL OF THE FRANKLIN COUNTY GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH AND PLUMBING INSPECTION SERVICES.**

Vice President Tarazi left Council Chambers at 7:50 PM.

Ms. Hale, seconded by Mr. Marsh, moved to approve the emergency passage of this ordinance.

Ms. Crandall explained the emergency language is needed for the continuation of services. Mr. Hartmann added this is an appropriation issue so that money is appropriated for next year and by passing it this year it has to be by ordinance. Mr. Carrier stated that to correct this, the City needs some supplemental appropriations later this year so it does not require an emergency. Mr. Hartmann agreed. President Teater mentioned that the City could start the process earlier. Ms. Crandall replied that typically the City receives this contract earlier in the year but had to reach out to Franklin County to ask for it. Mr. Hartmann added the County was late getting these out and a lot of jurisdictions are dealing with the same issue.

**STATUS:** Approved (6-0)  
**MOVER:** Peggy Hale  
**SECONDER:** Pete Marsh  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi

**STATUS:** Adopted as Amended (6-0)  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi  
 President Teater announced 22-47 passed and will take effect in accordance with the approved emergency language.

**22-48 AUTHORIZING THE RE-APPOINTMENT OF MICHELLE L. CRANDALL AS HILLIARD CITY MANAGER**

Ms. Vermillion, seconded by Ms. Cottone, moved to amend the exhibit to add the salary of \$212,960.00.

**STATUS:** Approved (5-0)  
**MOVER:** Cynthia Vermillion  
**SECONDER:** Tina Cottone  
**AYES:** Teater, Cottone, Hale, Marsh, Vermillion  
**NAYS:** Les Carrier  
**AWAY:** Omar Tarazi

Mr. Marsh, seconded by Ms. Vermillion, moved to approve the emergency passage of this ordinance.

Mr. Hartmann explained that the Charter requires that any contract for the expenditure of money can be passed as a resolution only if the money is appropriated in the same year and this is appropriated in the 2023 budget. He believes this is a safeguard over the years due to the possible change in Councils at the end of the years and is why it is required to be done by ordinance.



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**STATUS:** Approved (6-0)  
**MOVER:** Pete Marsh  
**SECONDER:** Cynthia Vermillion  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi

**STATUS:** Adopted as Amended (6-0)  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi

President Teater announced 22-48 passed and will take effect in accordance with the approved emergency language.

## FIRST READINGS

### B. Resolutions

#### **22-R-99 AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENT WITH ADVANCED DRAINAGE SYSTEMS, INC.**

Mr. Meadows reported this resolution and 22-R-100 are for two projects in the City for the retention of one of the City's top five employers. He added Advanced Drainage Systems (ADS) is the nation's largest recycler of plastic and has the highest average annual salary of any employer in the community.

Mr. Meadows explained this is for a 50 percent tax abatement for the construction of an engineering and research and development center off of Britton Parkway, behind the Mt. Carmel facility. He noted this facility will support approximately 120 of their total employees and is approximately a \$32 million investment. Mr. Meadows stated for this project staff is recommending a 15 year, 50 percent tax abatement. He noted the next piece of legislation encompasses this as well as the retention and expansion of their headquarters and office presence in the community. Mr. Meadows reported Advanced Drainage has over \$91 million in existing annual payroll and will grow by an existing \$17 million within the community. Staff is recommending an income tax incentive covering the total growth because they are in multiple facilities and the 50 percent abatement is targeted at the construction of the new research and development center.

Ms. Vermillion stated that she thought Community Reinvestment Areas (CRA) were supposed to be used in areas that are blighted or less than desirable to a business. Mr. Meadows replied that the only requirement to create a CRA is that a housing study must be performed and as long as a housing study is done as part of a CRA, there is no statutory requirement with what falls under that definition, It is up to the community to define what they want to see within a CRA boundary.

Ms. Vermillion reported that it notes economic viability and asked how abatements are determined. Mr. Meadows replied that in this instance it falls within an existing Tax Increment Financing (TIF) area to a 50 percent tax abatement and could not go higher. Typically, it is higher when looking at office projects especially now and noted our peer communities are typically offering a blanket 100 percent abatement for 15 years and they have existing compensation agreements relating to that. Mr. Meadows added the City has only done that once and for this project from March 2022 to September 2022 there was a 30 percent increase in cost. One of the things that a City tries to hedge against is some of the increase in cost because it is already a risky decision with getting board approval. He added when there are cost overruns on projects, targeted incentives are necessary to make the project viable.

Mr. Carrier asked if there were any other abatements or agreements coming forward relative to this project with ADS. Mr. Meadows replied there will eventually be an agreement for the eventual construction of Arthur Drive, which currently is the stub road that goes just north of the tree stand on Mt.



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Carmel. This will consist of the appropriations for those funds and then the reimbursement of those funds for the roadway. Mr. Carrier asked where the reimbursement comes out of. Mr. Meadows stated the City would have to reimburse the developer and then would get a grant from ODOT. In addition, the City has received \$400,000.00 in 629 Funds from the Ohio Department of Development and the balance would be from the General Fund. Mr. Carrier then asked what that balance would be. Mr. Meadows stated that figure is not known yet and is why the developer's agreement has not been brought forward to Council. He noted the City had to work through getting the road alignment etc. done before getting the final cost estimate but it would be approximately \$1.6 million. Mr. Carrier asked who gets paid first, the CDA or the TIF. Mr. Meadows mentioned Hickory Chase and is the reason why there is a restriction on the 50 percent abatement. The abatement can trump the TIF and why it is limited to 50 percent. The Hickory Chase project was clear that it could not restrict the City's ability to use a CRA abatement. The 50 percent abatement would hit first and the balance of the 50 percent would be distributed in accordance with the Hickory Chase agreement. Mr. Carrier stated the City will pay approximately \$1 million and asked how much the abatement will add over the life of the deals. Mr. Meadows replied it is a \$32 million investment but cannot go with investment dollars to figure out the total value and by his estimate it is approximately a \$206,000.00/year incentive for the property tax abatement. He added the net for the City with these incentives is over \$22 million.

**STATUS:** Adopted  
**MOVER:** Pete Marsh  
**SECONDER:** Cynthia Vermillion  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi

President Teater announced 22-R-99 passed and will take effect at the earliest time allowable by law.

**22-R-100 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH ADVANCED DRAINAGE SYSTEMS, INC., TO EXPAND ITS OPERATIONS IN HILLIARD.**

Ms. Vermillion asked if the non-discrimination section can be amended to have it conform with the City's non-discrimination ordinance. Mr. Hartmann replied that can be done and reported that OSU agreed to that amendment in their agreement as well. He stated they will request the additional language be added.

Ms. Vermillion, seconded by Mr. Carrier, moved to amend the agreement to have the non-discrimination section align with the City non-discrimination ordinance.

**STATUS:** Approved (6-0)  
**MOVER:** Cynthia Vermillion  
**SECONDER:** Les Carrier  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi

Minutes Acceptance: Minutes of Dec 12, 2022 7:00 PM (Approval of Minutes)



**STATUS:** Adopted as Amended (6-0)  
**MOVER:** Cynthia Vermillion  
**SECONDER:** Peggy Hale  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi  
 President Teater announced 22-R-100 passed and will take effect at the earliest time allowable by law.

**22-R-101 AUTHORIZING THE CITY MANAGER TO MODIFY AN EXISTING PROFESSIONAL SERVICES AGREEMENT (PSA) WITH WOOLPERT, INC. TO PROVIDE DESIGN SERVICES FOR THE CENTER STREET MODIFICATIONS (CIP T-157) AND AUTHORIZING AN EXPENDITURE.**

Ms. Schamp reported that this is a Professional Services Agreement (PSA) amendment. She explained that in July 2022 the City entered into an agreement with Woolpert for some preliminary design for the Center Street modifications and at that time it was less than \$50,000.00. Now the City would like to move forward with the detailed design, which takes the cost over \$50,000.00 and is why this is being presented to Council to authorize this contract amendment. Ms. Schamp stated the amount is \$79,000.00 and she is proposing to get this ready to go out to bid and start construction after the summer event series in Old Hilliard to minimize the impact on the existing programming in the area.

President Teater asked what the modifications are. Ms. Schamp replied there are four things: 1) extend the curbing across Center Street at Main Street to make it a permanent closure, 2) correcting some drainage deficiency at that intersection where water currently ponds across the curb ramp, 3) installing a rapid flashing beacon across the intersection between Hilliard's Station Park and First Responders Park and 4) resurfacing Main Street throughout the limits of Old Hilliard at the conclusion of the project.

Mr. Marsh asked if the plan is to have the section of train tracks removed or fixed and changed. Ms. Schamp replied one or the other but that has not been determined yet. Mr. Marsh stated he likes the tracks. Mr. Carrier agreed. Ms. Schamp stated then minimally the tracks will be fixed.

**STATUS:** Adopted (6-0)  
**MOVER:** Peggy Hale  
**SECONDER:** Pete Marsh  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi  
 President Teater announced 22-R-101 passed and will take effect at the earliest time allowable by law.

**22-R-102 APPROVING THE RE-APPOINTMENT OF DENNIS P. KAREM AND THE APPOINTMENT OF \_\_\_\_\_ TO THE CITY'S SHADE TREE COMMISSION.**

Mr. Marsh, seconded by Mr. Carrier, moved to amend the legislation to add Mr. Barbo.

**STATUS:** Approved (6-0)  
**MOVER:** Pete Marsh  
**SECONDER:** Les Carrier  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi



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**STATUS:** Adopted as Amended (6-0)  
**MOVER:** Les Carrier  
**SECONDER:** Pete Marsh  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi

President Teater announced 22-R-102 passed and will take effect at the earliest time allowable by law.

**PRESIDENT'S COMMUNICATION - NONE****STAFF REPORTS - NONE****CITY MANAGER UPDATES - NONE****ITEMS FOR COUNCIL DISCUSSION****A. 2023 COUNCIL MEETING DATES**

Mr. Carrier, seconded by Ms. Cottone, moved to cancel the scheduled December 27, 2022, Regular Council meeting by Voice Vote.

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

President Teater, seconded by Mr. Carrier, moved to amend the 2023 Regular Council meeting schedule to change the first meeting to Wednesday, January 11, 2023 by Voice Vote.

**STATUS:** Approved (4-1-1)  
**MOVER:** Andy Teater  
**SECONDER:** Les Carrier  
**AYES:** Andy Teater, Les Carrier, Peggy Hale, Pete Marsh  
**NAYS:** Cynthia Vermillion  
**ABSTAIN:** Tina Cottone  
**AWAY:** Omar Tarazi

Council approved the amended 2023 Council meeting schedule by Voice Vote.

**STATUS:** Approved as Amended by Voice Vote (6-0)  
**AYES:** Teater, Carrier, Cottone, Hale, Marsh, Vermillion  
**AWAY:** Omar Tarazi

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



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<b>MOVER:</b>	Cynthia Vermillion
<b>SECONDER:</b>	Les Carrier
<b>AYES:</b>	Teater, Carrier, Cottone, Hale, Marsh, Vermillion
<b>AWAY:</b>	Omar Tarazi

**ADJOURNMENT – 8:21 PM**

\_\_\_\_\_  
Andy Teater, President  
City Council

\_\_\_\_\_  
Diane Werbrich, MMC  
Clerk of Council

Approved: \_\_\_\_\_

Minutes Acceptance: Minutes of Dec 12, 2022 7:00 PM (Approval of Minutes)

## Council Memo: Legislation (23-01)

**Subject:** Chapter 945 Updates  
**From:** Michelle Crandall, City Manager  
**Initiated by:** Dan Ralley, Assistant City Manager  
**Date:** January 11, 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Passed		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Held Over		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Referred		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Positive Recommendation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Recommendation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Passed		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Held Over		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Referred		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> First Reading		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Positive Recommendation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Recommendation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 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

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## 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-01)

**Subject:** Extending the Public Arts Commission  
**From:** Michelle Crandall, City Manager  
**Initiated by:** Kelly Clodfelder, Staff Attorney  
**Date:** January 11, 2023

### Executive Summary

This legislation would extend the Hilliard Public Arts Commission (the "PAC").

### Staff Recommendation

Staff recommends that Council adopt this Resolution.

### Background

On October 25, 2016, City Council adopted Resolution No. 16-R-76 enacting Section 149.05 of the City's Codified Ordinances to establish the PAC. When enacted, Section 149.05(p) stated that unless extended by legislative action, the PAC would dissolve on December 31, 2019. Therefore, in September 2019, City Council adopted Resolution No. 19-R-75 extending the PAC to December 31, 2022. As a result, legislative approval is needed in order to further extend the PAC.

### Financial Impacts

There are no anticipated financial impacts.

### Expected Benefits

Extending the PAC will ensure that the City will continue to benefit from a public art program.

### Attachments

N/A





**Resolution: 23-R-01**

**Adopted:**

**Page 1 of**

**Effective:**

**AMENDING SECTION 149.05 OF THE CITY'S CODIFIED ORDINANCES TO EXTEND THE PUBLIC ARTS COMMISSION.**

**WHEREAS**, on October 25, 2016, City Council adopted Resolution No. 16-R-76 enacting Section 149.05 of the City's Codified Ordinances to establish the Hilliard Public Arts Commission (the "PAC"); and

**WHEREAS**, Section 149.05(p) of the City's Codified Ordinances states that unless extended by legislative action, the PAC will dissolve on December 31, 2022; and

**WHEREAS**, City Council finds that the PAC is necessary to ensure that visual arts are available and accessible in the community; and

**WHEREAS**, City Council desires to extend the PAC so that it can continue to advise City Council and the Administration on the public arts program.

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

**SECTION 1.** Section 149.05(p) of the City's Codified Ordinances is hereafter amended to read as follows (with deletions stricken and additions underlined):

149.05 The Hilliard Public Arts Commission

(p) The Public Arts Commission shall dissolve as of December 31, ~~2022~~ 2025 unless extended by legislative action of Hilliard City Council.

**SECTION 2.** This Resolution is effective upon its passage.

**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-01						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Omar Tarazi	<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	Cynthia Vermillion	<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-01** passed by the Hilliard City Council on the 11th day of January 2023.

IN TESTIMONY WHEREOF, witness my hand and official seal this 11th day of January 2023.

\_\_\_\_\_  
Diane C. Werbrich, MMC

## Council Memo: Legislation (23-R-02)

**Subject:** Appointing Angela Zody to the Columbus Region Special Improvement District  
**From:** Michelle Crandall, City Manager  
**Date:** January 11, 2023

### Executive Summary

This legislation appoints Angela Zody to the Columbus Regional Energy Special Improvement District.

### Staff Recommendation

Staff recommends that City Council approve the appointment of Angela Zody to the Columbus Region Special Improvement District.

### Background

The Columbus, Worthington Regional Energy Special Improvement District (the "District") was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 0261X-2015 of the Council of the City of Columbus, Ohio approved on November 23, 2015. The Columbus Regional Energy Special Improvement District Program Plan was adopted as a plan for public improvements and public services under Ohio Revised Code Section 1710.02(F), which plan allows for additional properties within the City of Columbus, Ohio and within any municipal corporation or township which is adjacent.

Resolution No. 18-R-27, adopted on March 26, 2018, authorized the petition for special assessments and City Council appointed Pete Marsh to the District. On April 11, 2022, City Council adopted Resolution No. 22-R-34 appointing Cynthia Vermillion to the District.

### Financial Impacts

There are no financial impacts.

### Expected Benefits

Continues City of Hilliard representation on the Columbus Regional Energy Special Improvement District

### Attachments

N/A



Resolution: 23-R-02

Adopted:

Page 1 of

Effective:

**APPOINTING ANGELA ZODY TO THE COLUMBUS REGION SPECIAL  
IMPROVEMENT DISTRICT.**

**WHEREAS**, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts ("ESIDs") upon a petition to a municipal corporation or township, which ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special improvement projects by way of voluntary special assessments; and

**WHEREAS**, the Columbus, Worthington Regional Energy Special Improvement District (the "District") was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 0261X-2015 of the Council of the City of Columbus, Ohio approved on November 23, 2015 (the "Creation Resolution"); and

**WHEREAS**, pursuant to the Creation Resolution, the Columbus Regional Energy Special Improvement District Program Plan (as amended and supplemented from time to time, the "Program Plan") was adopted as a plan for public improvements and public services under Ohio Revised Code Section 1710.02(F), which plan allows for additional properties within the City of Columbus, Ohio and within any municipal corporation or township which is adjacent to any other municipal corporation or township in which a portion of the District's territory is located to be added to the territory of the District; and

**WHEREAS**, pursuant to Resolution No. 18-R-27, adopted March 26, 2018, the City of Hilliard approved the petition for special assessments, the Columbus Regional Energy Special Improvement District Program Plan and joined Columbus Regional Special Improvement District; and

**WHEREAS**, the City recommends appointing Angela Zody to the District Board.

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

**SECTION 1.** Hilliard City Council hereby appoints Angela Zody to the Columbus Regional Energy Special Improvement District Board.

**SECTION 2.** 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-02						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted	Andy Teater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> Adopted as Amended	Omar Tarazi	<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	Cynthia Vermillion	<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-02** passed by the Hilliard City Council on the 11th day of January 2023.

IN TESTIMONY WHEREOF, witness my hand and official seal this 11th day of January 2023.

\_\_\_\_\_  
Diane C. Werbrich, MMC



## Council Memo: Information Only

**Subject:** 2023 Hilliard Aquatics Recommendations  
**From:** Michelle Crandall, City Manager  
**Initiated by:** Ed Merritt, Director of Recreation & Parks  
**Date:** January 11, 2023

### Summary

The City of Hilliard Recreation and Parks Department oversees the operation of two outdoor pool facilities, the Hilliard Family Aquatic Center and Clyde “Butch” Seidle Community Pool. Methods of admission for the Hilliard Municipal Pools include memberships and daily visit purchases. To ensure sufficient cost recovery for pool operations, prices are reviewed annually.

Pool membership prices in the City of Hilliard have not changed since 2016, when they were decreased rather than increased. History of membership rates can be found in the supporting documents with current rates in the table below. Pool membership sales have traditionally offered a, “Blue Splash Special,” allowing members to purchase at a discounted rate from the start of membership sales (first week of January) though the first week of April.

	Blue Splash Special		Regular Season	
	Resident	Non-Resident	Resident	Non-Resident
Individual	\$85	\$170	\$105	\$190
Family of 2	\$110	\$195	\$145	\$230
Family of 3	\$145	\$230	\$180	\$265
Family of 4	\$155	\$240	\$195	\$280
Family of 5	\$170	\$255	\$210	\$295
Each Addtl.	\$10/Person	\$10/Person	\$10/Person	\$10/Person
Add-On	\$60	\$110	\$85	\$125
Senior Citizen*	\$25	\$30	\$30	\$40

\*65+ or 55+ for Hilliard Senior Center Members

Daily Admission prices were last updated in 2018, in part due to a cash handling policy and procedure change. This increase helped eliminate significant need for change runs to the bank and increase consistency across facilities. History of daily admission rates are in the table below. Daily admission rates are accepted in the form of cash and major credit cards.

Admission Rates Prior to 2018	CBSCP	HFAC
Child (3-9)	\$6	\$8
Adult (10-64)	\$8	\$10
Senior (65+)	\$3	\$3
Ages 0-2	Free	Free
Admission Rates 2018-Present	CBSCP	HFAC
General (3-64)	\$10	\$10
Senior (65+)	\$5	\$5
Ages 0-2	Free	Free

## Recommendations

Staff recommends an increase to both memberships and daily admissions for the Summer of 2023 as follows:

Recommended Rates 2023	Blue Splash Special		Regular Season	
	Resident	Non-Resident	Resident	Non-Resident
Individual	\$105	\$190	\$115	\$210
Family of 2	\$145	\$230	\$160	\$255
Family of 3	\$180	\$265	\$200	\$290
Family of 4	\$195	\$280	\$215	\$310
Family of 5	\$210	\$295	\$230	\$325
Each Addtl.	\$15/Person	\$15/Person	\$15/Person	\$15/Person
Add-On	\$85	\$125	\$95	\$140
Senior Citizen*	\$30	\$40	\$35	\$45
Daily Admission (3-64)	N/A		\$10	\$15
Senior Daily Admission (65+)	N/A		\$5	

\*65+ or 55+ for Hilliard Senior Center Members

Changes reflect a 10% increase across the board for memberships rounded to the nearest 5 or 0. Prices are comparable with those of neighboring municipalities, attached in supporting documents. The Blue Splash Special will run through February 28, 2023.

## Financial Impacts

In 2022, Recreation and Parks sold 9,929 memberships totaling \$485,467. If the same number of memberships are sold in 2023 at the proposed rate, there is an anticipated additional \$48,547 of revenue for an estimated \$534,014. However, with the increase of daily admission cost and change of policies and procedures, the number of membership sales will rise, reflecting a greater increase in revenue.

Daily admission numbers reflected 779 senior visits and 24,894 individual standard visits for the summer of 2022, totaling \$252,835 of revenue. Current procedures do not capture the breakdown of resident versus non-resident visitors. Percentages for visitor estimates are based on membership sale percentages of 67% Residents and 33% Non-Residents, reversed. If daily admission visitors are to remain the same, the city could see revenue as high as \$336,230 reflecting an increase of \$83,395. If non-resident daily admission numbers reduce by as much as 34%, revenue would still exceed that of summer 2022. By increasing daily admission pricing, ideally more people will purchase memberships, generating more guaranteed revenue to better cover the costs of operations.

Additionally, wages for seasonal positions were increased by \$2.00 across the board in 2022. Increasing from a starting rate of \$10.00 to \$12.00 is a 20% increase. If starting wages are to increase to \$14.00 in 2023 as proposed, this will reflect an anticipated increase of \$22,459.58 in aquatics wages. Increased revenue will help offset costs for staff wages and supplies.

With projected changes to membership pricing, daily admission pricing, operating hours, and staff wages, projected cost recovery estimates are as follows:

Aquatics Staff Wages		
	2022*	2023 Projected
<b>Full Staffing/100% Hours**</b>	\$607,988.00	\$661,741.76
<b>Budgeted</b>	\$482,500	\$537,966.00
<b>Actual</b>	\$430,360.15	\$478,789.74

*\*2022 budget numbers were calculated prior to wage increases in June, 2022.*

*\*\*Budgeted staffing costs are based on the variable factors that impact working hours at the aquatic facilities including staffing and weather.*

Aquatics Cost Recovery		
	2022	2023 Projected
<b>Expenditures</b>	\$860,345.37	\$907,090.80
<b>Revenues</b>	\$818,987.33	\$936,548.33
<b>Cost Recovery</b>	95%	104%

### Attachments

- 2022 Membership Comparisons
- Aquatics Council Presentation



**2022 Municipality Membership Pricing Comparisons**

*Compiled by Bexley Recreation*

**Memberships**

Pricing is listed as resident / non-resident for comparisons.

Type	Bexley	Gahanna (EB)	Grandview	Groveport	Hilliard	Pickerington	Upper Arlington	Westerville
Individual	166/208	Gahanna	120/210	84/168	105/190	90/113	127/193	80/140
Individual Student	107/134	160/185						80/140
Senior Ind	107/134	100/125	65/110	42/84	30/40		105/160	45/78
Senior Couple	134/168		100/140	63/126			149/215	
Family 2	276/345	250/275	190/290	147/294	145/230	160/200	182/275	130/225
Family 3	292/365	300/325	235/350	200/400	180/265	210/263	242/363	160/277
Family 4	310/387	325/350	270/400	247/494	195/280	240/300	286/407	180/312
Family 5	327/408	350/375	290/430		210/295	275/344		190/330
Family 6+	343/429		305/110	10 each additio		300/375		210/347
Plus 1	135/153	90			85/125	80	66/99	70/124

**Daily Rates**

City	Child	Adult	Senior	Notes
Bexley	7	10	5	1 and under are free
Grandview	7/9 (Sat/Sun)	12/16 (Sat/Sun)		M-F rates are Child (5/7) and Adult (8/12)
Groveport		8/14		2 and under are free; Only one rate for 3 and up. NR rate listed second.
Hilliard	10	10	5	2 and under are free
Pickerington	8	8		
Westerville	7/15	7/15		2 and under are free



# 2022-2023 Aquatics Transition Plans

January 11, 2023

## Metrics

- Number of Participants – Lessons & Programs (674 Total, 433 Unique)
- Swim Lesson Levels Passed (226 Levels Passed, 10 'Graduates')
- Program Revenue (\$41,210.50)
- Number of Memberships Sold (9,929)
- Membership Revenue (\$485,467.00)
- Daily Pass Scans (54,784)
- Daily Admission Revenue (\$257,216.00)
- New Employees Hired (47)
- Total Number of Employees (115)
- Hours Worked (34,997.5)
- Certifications Processed (113)
- 3 Facilities, 8 Bodies of Water (6 Pools, 2 Splash Pads)
  - ~1.3 million Gallons of Water



## Cost Recovery

<b>Expenditures</b>	<b>\$860,345.37</b>
<b>Revenues</b>	<b>\$818,987.33</b>
<b>Net Revenue</b>	<b>\$(41,358.04)</b>
<b>Recovery Rate</b>	<b>95%</b>

## Benchmarking

- Market analysis of membership rates, daily fees, policies
- Staff wages
- Expenses

## Professional Networking

- Central Ohio Aquatics Roundtable
- All Ohio Aquatic Roundtable
- Aquatic Forums
- OPRA
- NRPA



## 2022 Membership Prices

- Last Updated 2016

	Blue Splash Special		Regular Season	
	Resident	Non-Resident	Resident	Non-Resident
<b>Individual</b>	\$85	\$170	\$105	\$190
<b>Family of 2</b>	\$110	\$195	\$145	\$230
<b>Family of 3</b>	\$145	\$230	\$180	\$265
<b>Family of 4</b>	\$155	\$240	\$195	\$280
<b>Family of 5</b>	\$170	\$255	\$210	\$295
<b>Each Addtl.</b>	\$10/Person	\$10/Person	\$10/Person	\$10/Person
<b>Add-On</b>	\$60	\$110	\$85	\$125
<b>Senior Citizen</b>	\$25	\$30	\$30	\$40



## 2023 Membership Prices

- Blue Splash Special through February 28, 2023

	Blue Splash Special		Regular Season	
	Resident	Non-Resident	Resident	Non-Resident
<b>Individual</b>	\$105	\$190	\$115	\$210
<b>Family of 2</b>	\$145	\$230	\$160	\$255
<b>Family of 3</b>	\$180	\$265	\$200	\$290
<b>Family of 4</b>	\$195	\$280	\$215	\$310
<b>Family of 5</b>	\$210	\$295	\$230	\$325
<b>Each Addtl.</b>	\$15/Person	\$15/Person	\$15/Person	\$15/Person
<b>Add-On</b>	\$85	\$125	\$95	\$140
<b>Senior Citizen</b>	\$30	\$40	\$35	\$45



## Daily Admission Costs

Admission Rates Prior to 2018	CBSCP	HFAC
Child (3-9)	\$6	\$8
Adult (10-64)	\$8	\$10
Senior (65+)	\$3	\$3
Ages 0-2	Free	Free
Admission Rates 2018-Present	CBSCP	HFAC
General (3-64)	\$10	\$10
Senior (65+)	\$5	\$5
Ages 0-2	Free	Free





## 2023 Daily Admission Costs

- Encourage Membership Purchases
- Guaranteed Revenue

Age	Resident	Non-Resident
0-2	Free	Free
3-64	\$10	\$15
65+	\$5	\$5



## Background

- Increase in Behavioral Incidents
- Patrons Disrespecting Staff, Cursing them Out, Non-Members Jumping the Fence, Disrespect of the Facility, Not Following Facility Rules
- Increase in Police Calls for Service (126% increase)
- Not Unique to Hilliard



## Policy Implementation

- 14 Years Old to Visit Alone
- Household Registration (18+)
- Visitor Pass
- Waiver for between 14-17
- Public Safety, Collaboration with HPD

CITY OF  
**HILLIARD**  
est. 1853

**Thank  
you!**