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Legislative Bulletin

An Official Publication of the Hilliard City Council

Publication Date: February 14, 2023

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ORDINANCES

**There were no Second Readings/Public Hearings on February 13, 2023
The First Reading of the following Ordinances were held on February 13, 2023**

23-02 AUTHORIZING THE CITY TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE, CAPITAL CITY LODGE NO. 9; AND APPROPRIATING FUNDS.

WHEREAS, the collective bargaining agreement between the City and the Fraternal Order of Police, Capital City Lodge No. 9 expired on December 31, 2022; and

WHEREAS, through of the course of negotiations, the parties were able to arrive at a tentative agreement for the three-year period, commencing January 1, 2023, and continuing to December 31, 2025 (the "Agreement"); and

WHEREAS, on February 3, 2023, City Staff was notified that the union membership had voted to accept the proposed agreement; and

WHEREAS, the Administration is recommending that the proposed agreement, attached hereto as Exhibit "A" and incorporated herein, be approved and appropriating additional funds as needed are in the best interest of the City; and

WHEREAS, Ohio Revised Code Section 4117.10(B) requires City Council to approve or reject the submission as a whole within 30 days after the Administration submits it for City Council's consideration.

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

SECTION 1. The City Manager, the Director of Human Resources, the Finance Director, the Law Director, and such other officials deem necessary, are hereby authorized and directed to execute an agreement on behalf of the City of Hilliard with the Fraternal Order of Police, Capital City Lodge No. 9, pursuant to the tentative agreement reached in accordance with the terms and conditions **attached** hereto as Exhibit "A" and incorporated herein, excepting any typographical and/or grammatical edits that may needed for the Agreement to be in final form for execution.

SECTION 2. An appropriation in the amount of \$285,511.98 is authorized from Fund 101, Object 107 to fund personnel costs in 2023.

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

23-03 AMENDING SECTION 339.02 AND EXHIBIT A TO CHAPTER 190 OF THE CITY'S CODIFIED ORDINANCES REGARDING OVERWEIGHT/OVERSIZE VEHICLES.

WHEREAS, Section 339.02 of the City's Codified Ordinances addresses the regulation of oversize/overweight vehicles that travel through the City; and

WHEREAS, staff has seen an increase of inquiries and applications for these types of vehicles; and

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23-03 continued:

WHEREAS, upon review of the current Section, staff determined that amendments were needed to update language and address the increase of time it takes to process these types of applications; and

WHEREAS, due to the amendments shown in Exhibit "A", it is necessary to amend Exhibit A of Chapter 190 of the City's Codified Ordinances to account for the permit fees for these types of vehicles; and

WHEREAS, the amendments, as shown in Exhibit "A" and Exhibit "B", attached hereto and incorporated herein, are in the best interest of the City and its residents.

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

SECTION 1. City Council finds that amending Section 339.02 the City's Codified Ordinances, as identified in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to Section 339.02, as shown and identified in track changes on the attached Exhibit "A", are approved.

SECTION 2. Exhibit A of Chapter 190 is hereby amended as shown on Exhibit "B", **attached** hereto and incorporated herein.

SECTION 3. All other provisions of Chapters 339 and Chapter 190, not modified herein, remain unchanged and are in full force and effect.

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

The following Resolutions were passed on February 13, 2023

23-R-06 MODIFICATION OF A PUD CONCEPT PLAN FOR THE 166.4 ACRES LOCATED ON THE SOUTH SIDE OF SCIOTO DARBY ROAD AT THE TERMINUS OF COSGRAY ROAD, WEST OF HILLIARD MUNICIPAL PARK, NORTH OF HERITAGE LAKES SUBDIVISION, AND ON THE EAST SIDE OF ALTON DARBY ROAD TO PERMIT THE CREATION OF THE HILLIARD RECREATION AND WELLNESS CAMPUS.

WHEREAS, the City of Hilliard ("the "Owner") owns approximately ±166.4 acres of land, identified as tax parcel identification numbers 050-010761-00, 050-010762-00, 050-010763, 050-010764 and 050-010512-00, (collectively, the "Property") depicted on Exhibit "A" attached hereto and incorporated by reference herein; and

WHEREAS, on April 26, 2010, City Council adopted Ordinance 10-10 rezoning the Property to Planned Unit Development ("PUD") to permit retail, office, and park uses; and

WHEREAS, on May 14, 2015, the Hilliard Planning and Zoning Commission approved a six-month extension of the PUD pursuant to the Section 1117.05.c.1 of the City's Codified Ordinances based on the findings that the extension was necessary, that there had been reasonable effort toward the accomplishment of the original PUD Zoning Development Plan, and that the proposed extension was not in conflict with the general health, safety and welfare of the public; and

WHEREAS, on November 26, 2015, the PUD Development Plan became null and void due to the lack of commencement of construction on the site; and

WHEREAS, the Owner (the "Applicant") filed application number PZ-22-67 with the Hilliard Planning and Zoning Commission to modify the PUD pursuant to Chapter 1117 of the City's Codified Ordinances, that would permit a new recreation and wellness center, commercial, office, and park uses on the Property; and

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23-R-06 continued:

WHEREAS, on January 10, 2023, the Darby Accord Panel recommended conditional approval of the proposed development with 12 conditions; and

WHEREAS, on January 12, 2023, following a public hearing on the application, the Planning and Zoning Commission voted 6-0 to forward a positive recommendation to City Council to modify the PUD Concept Plan with five conditions, which have been addressed in a memo to Council from City staff; and

WHEREAS, the PUD requires the Applicant to undertake a stream restoration project for the portion of the Clover Groff Run that is adjacent to the site, and requires the Applicant to construct the Cosgray-Alton Darby Road connector through the site, as development occurs in phases, which improvements will better the community.

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

SECTION 1. Pursuant to Chapter 1117 of the Codified Ordinances of the City of Hilliard, the Hilliard Recreation & Wellness Campus PUD Concept Plan, as depicted in Exhibit A, attached hereto and incorporated herein, is hereby approved.

SECTION 2. Pursuant to Chapter 1117 of the Codified Ordinances of the City of Hilliard, the Hilliard Recreation & Wellness Center PUD Development Text, dated January 8, 2023 (including all maps and exhibits appended thereto), attached hereto and incorporated herein as Exhibit "B", is hereby approved.

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

23-R-07 AUTHORIZING THE CITY TO JOIN THE CENTRAL OHIO RISK MANAGEMENT ASSOCIATION (CORMA) AND ENTER INTO AGREEMENTS AS NEEDED.

WHEREAS, Central Ohio Risk Management Association ("CORMA") is a risk sharing pool comprised of the following jurisdictions: Dublin, Pickerington, Upper Arlington, Westerville, Grove City, Powell, Groveport, Canal Winchester, Grandview Heights; and

WHEREAS, CORMA was created to take advantage of the economies to be realized from an insurance pool, to provide more control over claims than would normally be available with traditional insurance coverage, to provide methods for paying claims, and to provide for a formalized, jointly administered self-insurance fund, in partnership with other jurisdictions; and

WHEREAS, on a yearly basis, the City of Hilliard reviews its coverage for property and casualty insurance and excess loss coverage; and

WHEREAS, upon review and consideration of the City of Hilliard's insurance needs, the City has determined that it is in the best interests of the City to change property and casualty carriers and to join, become a member of, and subscribe to CORMA and execute CORMA's agreements for the provision of property and casualty insurance coverage and excess loss coverage; and

WHEREAS, in order to secure these insurances in a timely manner, it is in the interest and benefit to the City of Hilliard and the public at-large that the City join CORMA.

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

SECTION 1. The City is hereby authorized to join the Central Ohio Risk Management Association (CORMA).

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22-R-07 continued:

SECTION 2. The City Manager, Finance Director, Law Director, and other necessary persons authorized, are hereby authorized to execute any and all agreements and documents necessary to join, become a member of, and subscribe to CORMA and to execute any and all documents needed to rescind coverage under the City's current plan.

SECTION 3. This Resolution is effective upon its adoption.

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