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## **AGENDA**

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# **Regular Council Meeting**

**7:00 PM Monday, June 26, 2023**

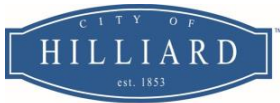
### **Council Members**

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

**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**

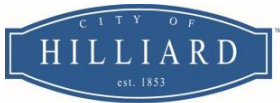
- Goal Statement - The City is committed to implementing a strategy that includes public infrastructure maintenance and delivery of City services that support residents as they maintain properties in our older neighborhoods.

**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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**1. Call to Order**

**2. Invocation and Pledge of Allegiance**

Invocation -TBD

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

**3. Roll Call**

**4. Approval of Minutes**

A. Approval of the Minutes

[05222023 Regular Minutes - FINAL](#)

[06142023 Special - FINAL](#)

6 - 61

**5. 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

**6. Recognition and Special Guests**

A. Property Appraisal Franklin County Auditor - P.R. Casey, Deputy Chief of Staff and General Counsel

62 - 83

[2023 Property Reappraisal Overview\\_FINALREVISED\(6.14.23\) \(002\)](#)

B. Franklin County Driving Pad Plan

84 - 102

[FAIRGROUNDS DRIVING PAD - Franklin County Engineer](#)

[FAIRGROUNDS DRIVING PAD - Staff Presentation](#)

**7. Changes to the Agenda**

**8. Consent Agenda - None**

**9. Public Comments (Items not on the Agenda)**

**Public Notice:**Any member of the public addressing Council on items not on this agenda or legislation that is not a public hearing are asked to sign the speaker's sign-in form. Each speaker will contain their comments to **3 minutes** and shall conduct themselves in a professional manner.

**10. Business of the Council**

A. Ordinances

**Second Readings/Public Hearings – None**



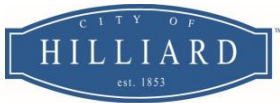
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**First Readings**

- |       |   |           |
|-------|---|-----------|
| 23-10 | PROVIDING FOR AN AMENDMENT TO SECTIONS 5.01 AND 5.04 OF THE CITY'S CHARTER, AUTHORIZING THE LAW DIRECTOR TO MAKE ARRANGEMENTS WITH THE FRANKLIN COUNTY BOARD OF ELECTIONS, AND DIRECTING THE CLERK OF COUNCIL TO DELIVER A CERTIFIED COPY OF THIS ORDINANCE TO THE FRANKLIN COUNTY BOARD OF ELECTIONS FOR PLACEMENT OF THE QUESTION OF THE CHARTER AMENDMENTS UPON THE BALLOT AT THE NOVEMBER 7, 2023, MUNICIPAL ELECTION FOR APPROVAL BY THE CITY'S ELECTORATE.<br><a href="#">Ordinance No. 23-10 (Approving Ballot Issue re: Charter Sections 5.01 and 5.04) - Pdf</a> | 103 - 105 |
| 23-11 | APPROVING AN AMENDEMENT TO SECTION 161.31 OF THE CITY'S CODIFIED ORDINANCES REGARDING LIFE INSURANCE.<br><a href="#">Memo: Amending Section 161.31 - Pdf</a>  | 106 - 109 |
| 23-12 | DECLARING THE IMPROVEMENTS TO THE TRUEPOINT DEVELOPMENT SITE TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; AUTHORIZING THE USE OF SERVICE PAYMENTS TO PAY URBAN REDEVELOPMENT COSTS; ESTABLISHING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND AUTHORIZING REVENUE SHARING AGREEMENTS WITH THE HILLIARD CITY SCHOOL DISTRICT AND NORWICH TOWNSHIP.<br><a href="#">Memo: TruePointe TIF - Pdf</a>                      | 110 - 134 |
| 23-13 | DECLARING THE IMPROVEMENTS TO THE EDWARDS FARM SITE TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; AND ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS.<br><a href="#">Memo: Edwards Farm TIF - Pdf</a>  | 135 - 140 |
| 23-14 | AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH TRUEMAN BOULEVARD, LLC.<br><a href="#">Memo: TruePointe Development Agreement - Pdf</a>   | 141 - 162 |

**B. Resolutions**

- |         |   |           |
|---------|---|-----------|
| 23-R-46 | AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH FORSEE POWER, INC. TO LOCATE ITS OPERATIONS TO HILLIARD.<br><a href="#">Memo: Forsee Power, Inc. Economic Development Agreement - Pdf</a>                   | 163 - 172 |
| 23-R-47 | APPROVING GMP AMENDMENT #4 FOR THE RECREATION AND WELLNESS CAMPUS AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS TO APPROVE GMP AMENDMENT #4.<br><a href="#">Memo: Authorizing GMP #4 for the Recreation and Wellness Campus - Pdf</a> | 173 - 178 |
| 23-R-48 | AUTHORIZING A FEE AMENDMENT TO THE CONTRACT WITH PRIME AE GROUP, LLC.<br><a href="#">Memo: Amendment to Contract with Prime AE Group - Pdf</a>  | 179 - 181 |



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23-R-49 AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS TO LEASE CAPTIAL VEHICLES AND EQUIPMENT FROM ENTERPRISE FLEET MANAGEMENT THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM 182 - 229

[Memo: Enterprise Lease Agreements and Fleet Audit - Pdf](#)

23-R-50 APPROVING CHANGES TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR +/-17.593 ACRES AT 4381 DAVIDSON ROAD LOCATED ON THE WEST SIDE OF I-270 SOUTH OF DAVIDSON ROAD KNOWN AS ADVANCED DRAINAGE SYSTEMS AS PART OF SUBAREA C2 OF THE ANSMIL PLANNED UNIT DEVELOPMENT ("PUD") PLAN AND TEXT FOR MODIFIED FENCE STANDARDS 230 - 255

[Memo: PUD Modification - Ansmil PUD, Subarea C2 - Advanced Drainage Systems - Pdf](#)

23-R-51 AUTHORIZING THE CONDITIONAL USE FOR TRUCKING AND HEAVY EQUIPMENT REPAIR AND OUTDOOR STORAGE ACCESSORY TO A PERMITTED USE EXCEEDING TEN PERCENT OF THE TOTAL AREA OF THE LOT OR PARCEL AT 3810 LACON ROAD WITHIN THE M-1, RESTRICTED INDUSTRIAL DISTRICT. 256 - 271

[Memo: Authorizing Conditional Use - 3810 Lacon Road - Pdf](#)

23-R-52 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR CIP S-33, THE 2023 SANITARY SEWER CLEANING AND CLOSED-CIRCUIT TELEVISIONING (CCTV) PROGRAM, PART 1; AND AUTHORIZING THE EXPENDITURE OF FUNDS. 272 - 275

[Memo: 2023 Sanitary Sewer Cleaning and CCTV Program, Part 1 \(CIP S-33\) - Pdf](#)

- 11. **President's Communication**
- 12. **Staff Reports**
- 13. **City Manager Updates**
- 14. **Items for Council Discussion**
- Adjournment**



## City Council Regular Meeting Minutes - May 22, 2023

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### CALL TO ORDER

The meeting was called to order by President Omar Tarazi at 7:02 PM.

### INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation - Father Brown, St. Brendan's Catholic Church

The Pledge of Allegiance to the Flag of the United States of America - Vice President Vermillion

### ROLL CALL

#### Council Members Present:

President Omar Tarazi, Vice President Cynthia Vermillion, Mr. Les Carrier, Ms. Tina Cottone, Ms. Peggy Hale, and Mr. Pete Marsh

#### Excused:

Mr. Andy Teater

#### Staff Members Present:

City Manager Michelle Crandall, Law Director Phillip Hartmann, Assistant City Manager Dan Ralley, Deputy Chief of Police Ron Clark, City Engineer Clark Rausch, Chief People Officer & Human Resources Director Colleen Lemmon, Planning Director John Talentino, Planning Manager Carson Combs, Staff Attorney Kelly Clodfelder, and Clerk of Council Diane Werbrich

### APPROVAL OF MINUTES

President Tarazi asked if there were any changes or corrections to the 05082023 Regular meeting minutes. Hearing none, the minutes were approved as submitted.

### COMMISSION AND BOARD REPORTS

**Board of Zoning Appeals** - Ms. Hale reported Council will be hearing about Resolute Lacrosse, LLC later in this meeting.

**Destination Hilliard** - No report.

**Environmental Sustainability Commission** - No report.

**MORPC** - No report.

**Planning & Zoning Commission** - Ms. Hale reported that Council will hear about some changes at the 3637 Lacon Road property and Resolute Lacrosse, LLC.

**Public Arts Commission** - No report.

**Recreation and Parks Advisory Committee** - No report.

**Shade Tree Commission** - No report.

**Aging in Place Committee** - Ms. Cottone reported the Committee held focus groups sessions a week and half ago, which went really great. At the Tuesday evening session, 19 people attended and 14 attended the Wednesday morning session. She stated the Committee collected a lot of good information/input and the participants were engaged and offered great conversations. Ms. Cottone commented that Ms. Crandall was a wonderful facilitator.

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

### RECOGNITION AND SPECIAL GUESTS

Vice President Vermillion read a proclamation for Pride Month and announced the 3<sup>rd</sup> Annual Pride Event will be June 10, 2023, at Hilliard Station Park.

**CHANGES TO THE AGENDA - NONE**

**CONSENT AGENDA**

President Tarazi asked if any member of the Council would like to move any Consent Agenda items to the Regular agenda for discussion. No one requested an item be moved.

Vice President Vermillion, seconded by Mr. Carrier, moved to approve the items on the Consent Agenda by Voice Vote.

**TRFO Liquor License – 4144 Main Street**

**23-R-35 APPROVING RE-APPOINTMENTS TO THE CITY'S AGE-IN-PLACE ADVISORY COMMITTEE.**

**23-R-36 REAPPOINTING MEMBERS OF THE BOARD OF TRUSTEES OF THE HICKORY CHASE NEW COMMUNITY AUTHORITY.**

**23-R-37 ACCEPTING UTILITY EASEMENTS AND SANITARY SEWER PUBLIC IMPROVEMENTS FOR THE UPPER VUE FLATS APARTMENTS.**

STATUS:	Carried 6-0
MOVER:	Vice President Vermillion
SECONDER:	Mr. Carrier
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, and Marsh
ABSENT:	Teater

**PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)**

Laticia Barker, 4677 Prestige Lane, addressed Council regarding Pride Month.

Jon Osmundson, 5061 Mengel Lane, addressed Council regarding Pride Month.

Deborah Mitchell, 5785 Heritage Lake Drive, Heritage Lakes HOA member, addressed Council on connectivity to the new wellness campus, additional traffic and street parking on Heritage Lakes Drive.

**BUSINESS OF THE COUNCIL**

**A. ORDINANCES**

**SECOND READINGS/PUBLIC HEARINGS**

**23-07 AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH ADVANCED DRAINAGE SYSTEMS, INC; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS; AND AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF FUNDS.**

No one in attendance spoke for or against ORD 23-08 during the Public Hearing.

STATUS:	Carried 6-0
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, and Marsh
ABSENT:	Teater

23-07 passed and will take effect at the earliest time allowable by law.

**FIRST READINGS**

**23-08 AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS; AND THE APPROPRIATION AND EXPENDITURE OF FUNDS.**

Ms. Crandall explained this authorizes the transfer of funds from the General Fund to the Capital Fund. She noted the City received two insurance settlements totaling \$44,278.25. Ms. Crandall mentioned the memo states that this settlement is for one vehicle but it is actually for one marked and one unmarked police vehicle that were both

totalled in 2022. The Police Department would like to move forward with this transfer of funds to allow them to purchase one vehicle at a cost not to exceed \$40,000.00.

Ms. Hale stated the settlement is for approximately \$44,000.00 and asked why HPD cannot use the full settlement to purchase a vehicle. Ms. Crandall replied that HPD have looked at the cost of a vehicle and that is the cost one would be. The rest of the money would be available in that fund and could be reappropriated next year toward other vehicle purchases.

<b>STATUS:</b> First Reading 6-0 <b>SPONSOR:</b> Ms. Hale <b>SECONDER:</b> Ms. Cottone <b>ABSENT:</b> Teater The second reading/public hearing for Ordinance 23-08 will be held June 12, 2023.
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**23-09 AMENDING THE AUTHORIZATION OF THE EXPENDITURE OF FUNDS FOR THE CLOVER GROFF RUN STREAM RESTORATION, PHASE 2, CIP ST-38.**

Mr. Rausch reported this ordinance regards the second phase of the Clover Groff Stream Restoration Project, which was funded in the 2023 Capital Improvement Budget and through a Clean Ohio grant to a maximum amount of \$594,000.00. He explained the Capital Improvement Budget only included the local share of those dollars because they assumed the Clean Ohio grant funds could be paid directly to the contractor. The auditors have ruled the City did need to have all of the funds on hand for this project so this ordinance appropriates the remainder of the funds for the contract. The City will be reimbursed up to the maximum amount of \$594,000.00.

Mr. Carrier asked if the City appropriated the full amount. Mr. Rausch replied the City appropriated just the local share. Mr. Carrier asked if there would be any money left over when the project is completed. Mr. Rausch replied the funds Council is considering this evening would be reimbursed from the grant.

<b>STATUS:</b> First Reading 6-0 <b>SPONSOR:</b> Vice President Vermillion <b>SECONDER:</b> Mr. Marsh <b>ABSENT:</b> Teater The second reading/public hearing for Ordinance 23-09 will be held June 12, 2023.
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**B. RESOLUTIONS**

**23-R-38 APPOINTING A MEMBER TO THE CITY'S PERSONNEL REVIEW BOARD.**

Ms. Lemmon reported there is a current vacancy on the City's Personnel Review Board (PRB). The vacancy was posted and the City received a few interested candidates. Interviews were held and due to the extensive public sector human resource experience, staff is recommending Ms. Angela Harris be appointed to fill this vacancy. She stated the PRB meets on an as needed basis and is required per the Charter.

<b>STATUS:</b> Carried 6-0 <b>MOVER:</b> Ms. Hale <b>SECONDER:</b> Ms. Cottone <b>AYES:</b> Tarazi, Vermillion, Carrier, Cottone, Hale, and Marsh <b>ABSENT:</b> Teater 23-R-38 passed and will take effect at the earliest time allowable by law.
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**23-R-39 AUTHORIZING THE ACCEPTANCE AND SUBSEQUENT RECONVEYANCE OF A 21.665 ± ACRE PARCEL OWNED BY TRUEMAN BOULEVARD LLC AND 6.061 ± ACRE PARCEL OWNED BY RRIHQ LLC BY QUIT CLAIM DEED**

Ms. Clodfelder explained the legislation before Council is for the TruePointe Development and in order to move forward with a Tax Increment Financing (TIF) scheme in the future to reimburse the developer for certain public improvements that will be made and for the City to declare that those public improvements are serving a public purpose. With this type of TIF that is contemplated, the City has to be in the chain of title for the property and is what this legislation authorizes by the conveyance of the two parcels to the City and then the reconveyance of those parcels back to the developer before the passage of the ordinance regarding the actual TIF.



Vice President Vermillion asked why they made that a requirement. Ms. Clodfelder replied in the section of the Ohio Revised Code (ORC) this is one type of TIF that can be used and is called an Urban Redevelopment TIF and she is unsure of the reason why the State legislature put that in but is something that she can look into. She noted she will relay Council's questions to Mr. Meadows, who may be the one to respond.

Ms. Hale clarified the developer is going to give the parcels to the City and the City will in turn give them back to the developer so that City's name is in the title chain. Ms. Clodfelder agreed and said it will be recorded by Quit Claim Deed. The City will hold it for a day and then reconvey back to the developer. Ms. Hale then asked if the developer makes improvements would those improvements be given back to the City in the future. Ms. Clodfelder replied yes, the public improvements to include some of the street, sanitary sewer or water line improvements. Ms. Hale asked if a parking structure would come back to the City. Ms. Clodfelder replied she is unaware of that.

Mr. Carrier asked if there is a deal with the Township and the schools on this. He clarified if everything is lined up on this, why would Council do this if it is not lined up. Ms. Crandall replied there are several steps and documents that have to be part of this process and this is another instance of moving forward at some risk but there really is no risk since the City is conveying the property back.

<b>STATUS:</b>	<b>Carried 6-0</b>
<b>MOVER:</b>	Vice President Vermillion
<b>SECONDER:</b>	Ms. Cottone
<b>AYES:</b>	Tarazi, Vermillion, Carrier, Cottone, Hale, and Marsh
<b>ABSENT:</b>	Teater
23-R-39 passed and will take effect at the earliest time allowable by law.	

**23-R-40 AUTHORIZING THE CONDITIONAL USE FOR ATHLETIC FIELDS AT 6287 COSGRAY ROAD WITHIN THE HILLIARD RECREATION & WELLNESS CENTER PUD.**

[23-R-40 Conditional Use - 6287 Cosgray Road](#)

Mr. Talentino reported in April 2023, Council adopted a resolution creating a Planned Unit Development (PUD) plan for the overall site of the wellness campus. He added prior to that the Big Darby Accord Panel reviewed the plans and forwarded a positive recommendation. Subarea 2 is where the proposed soccer fields are located and is the subject of this conditional use. Mr. Talentino explained the reason for the conditional use is in the Darby Accord Manual which recommends athletic fields and playgrounds be conditional uses. (See attached presentation) Mr. Talentino mentioned that there are some natural open space requirements for this subarea and the proposal is showing approximately 27 acres of natural open space. The overall PUD requires 50 percent open space with at least 22 percent natural open space but this will probably be significantly greater than 22 percent if you look at the entire PUD. He reported the turf fields will have 6, 80-foot light fixtures above the ground and the parking lot lights will be 25 feet above the ground. The field lights will be LED-type and there are restrictions on how much light trespass there can be on adjacent properties. The Planning Commission recommended favorably on this conditional use.

Vice President Vermillion asked where the connection Ms. Mitchell spoke about during the public portion of the meeting is located. Mr. Talentino replied the regional path runs along the eastern side and along the entire southern property boundary and will connect to the path along Alton Darby Creek Road. The potential connection Ms. Mitchell mentioned connects to the north side of the sidewalk on Heritage Lakes Drive, which requires an easement from the golf course property owner and there are a number of steps that have to happen for that. If it does not happen, this connection will be done with the road construction. There will be connection offsite to the south and to the north through the Cosgray Road extension all of the way to the recreation and wellness center building and Scioto Darby and Cosgray Roads. Vice President Vermillion asked if the neighborhood would be connected to the site with the far western path. Mr. Talentino agreed and said that will be in the public right-of-way and will connect to Heritage Lakes Drive. Vice President Vermillion then asked what determines if the City wants to do the other connection or not. Mr. Talentino replied that connection would require an easement from the property owner and he believes discussions are already taking place with the HOA and the neighbors. He mentioned the neighbor that is closest to this potential path was in favor of it so there is clearly a difference of opinion regarding connections. Generally, the City likes to make more connections, if possible, but are also sympathetic to impacts that might be there. Mr. Talentino continued even without that path connection, if someone wanted to park on Heritage Lakes Drive the City would still have to deal with that in terms of impact. Currently the road is 16 feet wide in each direction and an on street parking space is 8 feet wide so there may be room to get through but can look at further restrictions on that. He added not putting a path in because of the potential

parking problems for patrons coming to that field will not deter people from parking on Heritage Lakes Drive and crossing over to the park just because there is not a paved path but is always a concern no matter what happens.

Mr. Carrier asked what is being planned for the back edge of the soccer fields, trees or mounding and trees. Mr. Talentino replied right now there is a combination of mounding and trees. He mentioned there are considerable mounds with grade change in portions of the golf course as well but there is a heavy tree row along most of the southern property boundary. The plan is to get as many trees between the fields and the path or the path and the property line. Mr. Carrier asked if it could be fenced later, if needed. Mr. Talentino agreed and stated there will be fencing around the two turf fields but currently there is not fencing proposed for the other fields. Mr. Carrier then asked if the current fields to the north on the western side will still be utilized. Mr. Talentino replied the western fields on the north end will still be used for games and practices. Mr. Carrier stated he wants to ensure the homeowners in Heritage Lakes are comfortable with whatever is done on the south side. He suggested staff meet with them to make sure they are good because there will be a lot of activity which may require netting of some sort to stop the ball from going over. Mr. Talentino commented that there are nets proposed but not for the smaller fields. He mentioned that staff will continue to have conversations with the homeowners throughout the process and as needs arise.

<b>STATUS:</b>	<b>Carried 6-0</b>
<b>MOVER:</b>	Mr. Carrier
<b>SECONDER:</b>	Ms. Hale
<b>AYES:</b>	Tarazi, Vermillion, Carrier, Cottone, Hale, and Marsh
<b>ABSENT:</b>	Teater
23-R-40 passed and will take effect at the earliest time allowable by law.	

**23-R-41 AUTHORIZING THE CONDITIONAL USE FOR BUILDING MATERIAL AND LUMBER SUPPLY AND OUTDOOR STORAGE ACCESSORY TO A PERMITTED USE EXCEEDING TEN PERCENT OF THE TOTAL AREA OF THE LOT OR PARCEL AT 3637 LACON ROAD WITHIN THE M-1, RESTRICTED INDUSTRIAL DISTRICT.**

[23-R-41 Conditional Use - 3637 Lacon Road](#)

Mr. Combs stated this request is for two conditional uses within the M-1 Restricted Industrial District located at 3637 Lacon Road. The first is for building material and lumber supplies and the second is for outdoor storage that exceeds the ten percent maximum. (See attached presentation) Mr. Combs reported the site plan was approved by the Planning and Zoning Commission (P&Z) and the development would include a significant landscape buffer along Edgewyn. The Commission recommends approval with the six conditions listed (see attached)

Mr. Carrier asked if new sidewalks will replace the ones being removed. Mr. Combs replied it is his understanding that they are not ripping out any of the sidewalks and are going to remove a significant portion of the parking lot to help provide for the buffer, He continued the one curb cut on the western edge would be removed as part of that so the number of curb cuts would be reduced overall on the street. Mr. Carrier stated the sidewalks will stay intact. Mr. Combs replied the sidewalks are intended to be maintained.

<b>STATUS:</b>	<b>Carried 6-0</b>
<b>MOVER:</b>	Ms. Hale
<b>SECONDER:</b>	Vice President Vermillion
<b>AYES:</b>	Tarazi, Vermillion, Carrier, Cottone, Hale, and Marsh
<b>ABSENT:</b>	Teater
23-R-41 passed and will take effect at the earliest time allowable by law.	

**23-R-42 AUTHORIZING THE CONDITIONAL USE FOR INDOOR COMMERCIAL RECREATION AT 4000 PARKWAY LANE WITHIN THE B-4, I-270 CORRIDOR DISTRICT.**

[23-R-42 Conditional Use - 4000 Parkway Lane](#)

Mr. Combs reported this conditional use is for indoor recreation at the former Sports Imports located at 4000 Parkway Lane. (See attached presentation) He stated the site would be maintained as is currently and this conditional use is for approximately 8,000 square feet of the indoor space to be used for weight training and individualized lacrosse/soccer training. The applicant did receive approval from the P&Z to reduce the parking with a variance from 69 to 29 spaces which would accommodate the cap set by the Commission. Mr. Combs mentioned that based on their parking needs, 26 spaces would be needed. The Board of Zoning Appeals (BZA)

approved 29 spaces. The P&Z approved this with the five conditions listed (see attached) and the BZA approved it with three additional conditions which are based on the conditional use being approved this evening.

Vice President Vermillion asked why the BZA thought 29 spaces was sufficient. Mr. Combs replied that based on what the applicant demonstrated was their need for that specific space and the fact they are not looking to have events or games played at that location but is intended to be an individualized small group training area. He continued staff originally requested a cap of 20 people but P&Z felt that 40 people was appropriate. Vice President Vermillion asked where the 69 parking spaces came from. Mr. Combs replied 69 spaces is what the Zoning Code would require based on the Building Code occupancy of 167 but because the P&Z caps the use of that space at 40, they do not need 69 spaces. For that reason, the BZA approved the variance to reduce that number with the limitations to be placed on the conditional use of that space.

<b>STATUS:</b>	<b>Carried 6-0</b>
<b>MOVER:</b>	Ms. Hale
<b>SECONDER:</b>	Vice President Vermillion
<b>AYES:</b>	Tarazi, Vermillion, Carrier, Cottone, Hale, and Marsh
<b>ABSENT:</b>	Teater
23-R-42 passed and will take effect at the earliest time allowable by law.	

**PRESIDENT'S COMMUNICATION**

President Tarazi reminded residents that City Offices will be closed Monday, May 29, 2023, in observance of Memorial Day.

**CITY MANAGER UPDATES - NONE.**

**STAFF REPORTS - NONE.**

**ITEMS FOR COUNCIL DISCUSSION**

Vice President Vermillion stated that she noticed the sign went up on Cosgray Road and Woodview Court announcing that it will be closed starting June 5, 2023, and she assumes the traffic will be routed through Hoffman Farms Road. She asked if there is a plan to keep the speeds down in that neighborhood. Ms. Crandall replied the City can monitor to see if that cut through traffic results in some challenges.

Mr. Carrier with the support of President Tarazi requested legislation be prepared for first reading at the June 12, 2023, Regular meeting pursuant to Council Rule 4.03 regarding amending the Charter to change the Law Director position from being an appointed position to serve at the pleasure of the City Manager to an elected position. He asked if Mr. Hartmann is going to approve the legislation as to form. Mr. Hartmann replied either he or Ms. Clodfelder will and send it to Council for review.

President Tarazi asked procedurally is the Law Director or the Clerk the parliamentarian. Mr. Hartmann replied it is generally a team effort. He noted in going into Roberts Rules of Order it is very hard to be applicable to a seven member body and is a different realm but he and Ms. Werbrich rely on each other. President Tarazi asked if Ms. Werbrich is interested in parliamentarian training. Ms. Werbrich replied that she has already taken the steps to look into the process, but it is a long process to get that certification. Council agreed to support Ms. Werbrich's professional development.

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

<b>STATUS:</b>	<b>Carried 6-0</b>
<b>MOVER:</b>	Mr. Carrier
<b>SECONDER:</b>	Ms. Hale
<b>AYES:</b>	Tarazi, Vermillion, Carrier, Cottone, Hale, and Marsh
<b>ABSENT:</b>	Teater

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**ADJOURNMENT – 7:54 PM**

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Omar Tarazi, President  
City Council

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Diane Werbrich, MMC  
Clerk of Council

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



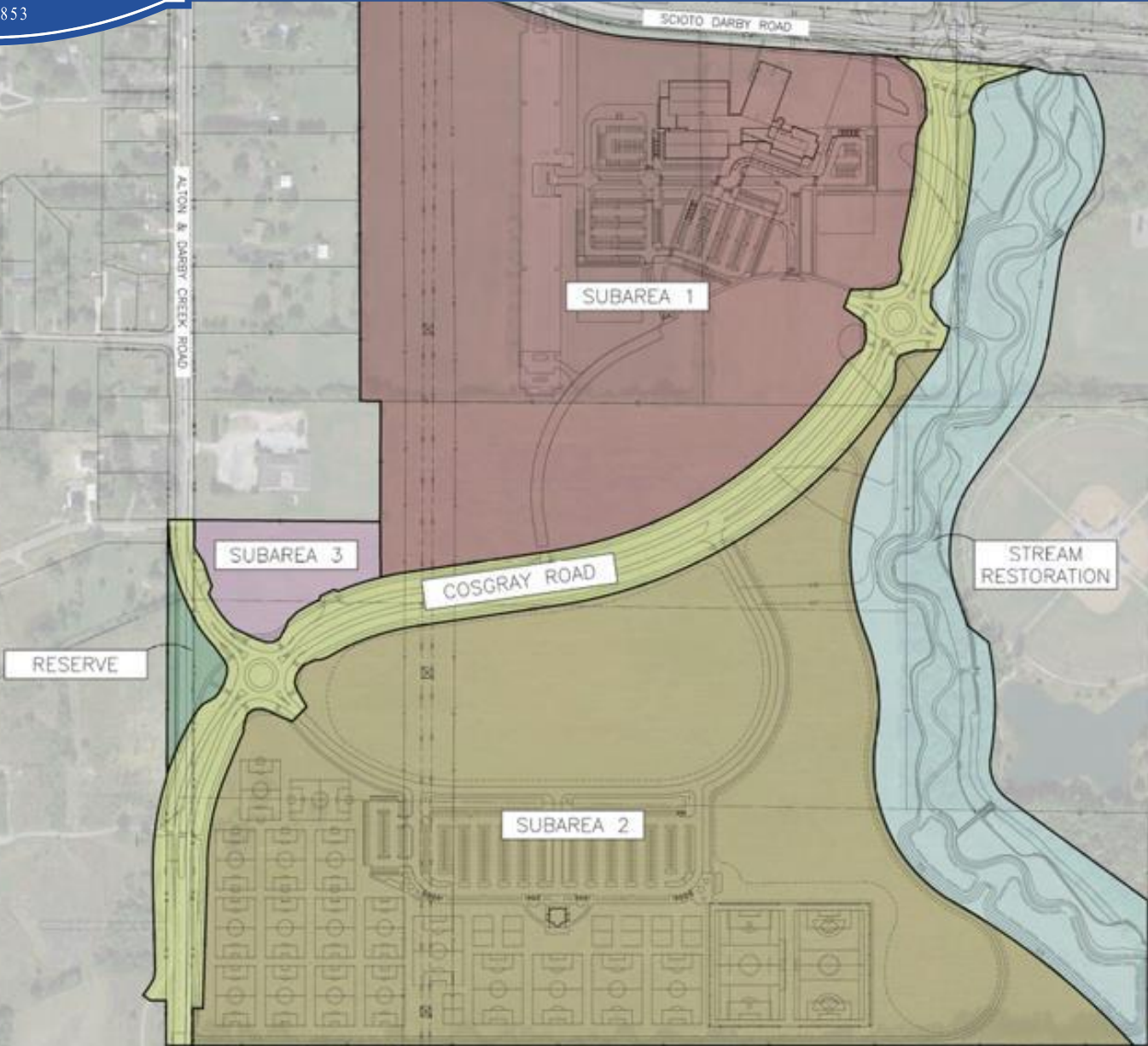
# Resolution 23-R-40

# HILLIARD REC & WELLNESS ATHLETIC FIELDS

## 6287 Cosgray Road

**ALTON DARBY ROAD**





**SITE DATA TABLE**

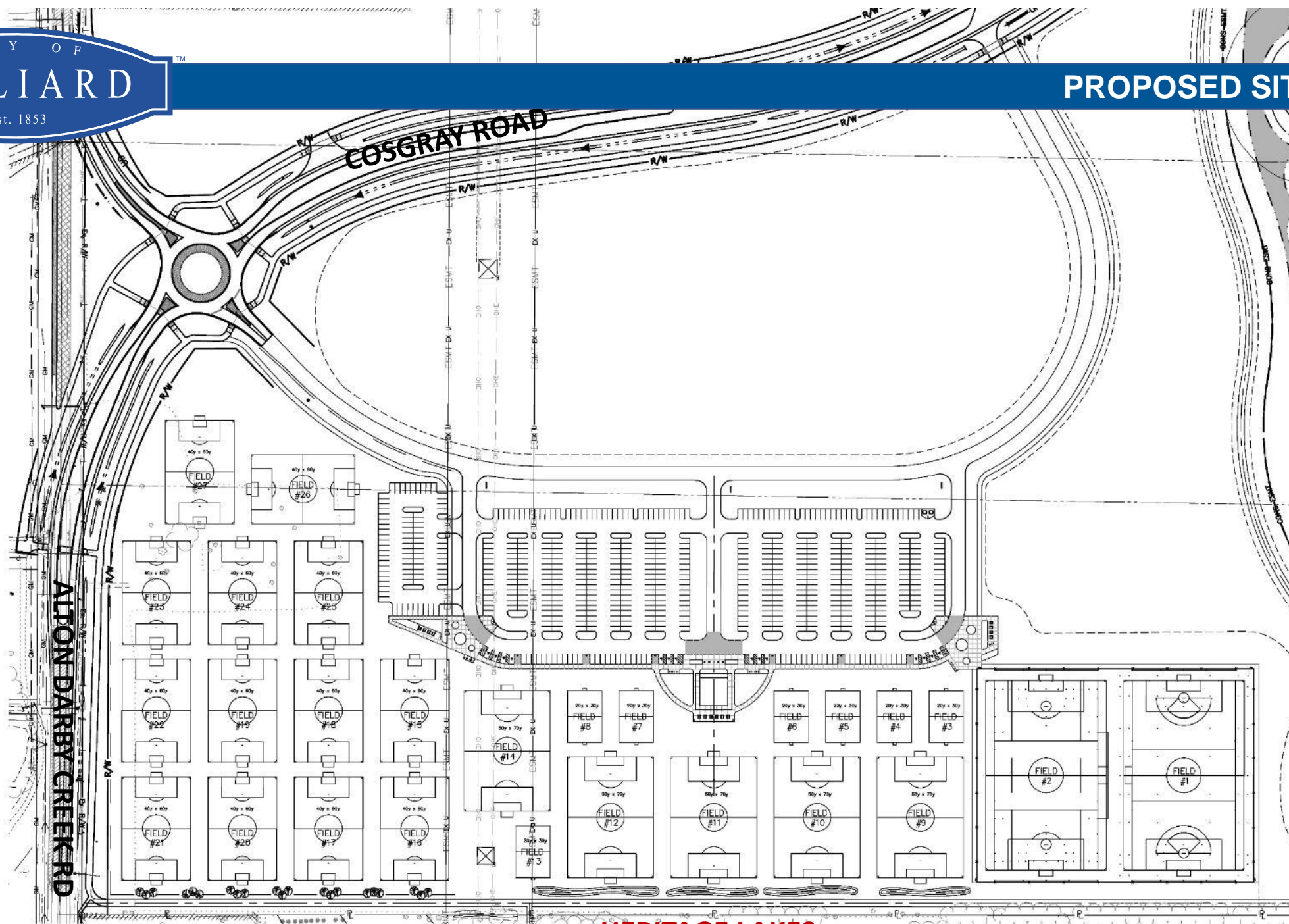
<b>DEVELOPED AREAS:</b>		
SITE AREA (GROSS)	166.42 ac.	
ROADWAYS AND RIGHTS-OF-WAY	17.09 ac.	
SITE AREA (NET OF RIGHTS-OF-WAY)	149.34 ac.	
RESIDENTIAL LAND USE	N/A	
NON-RESIDENTIAL LAND USE	149.34 ac.	
<b>OPEN SPACE CONSISTS OF:</b>		
STREAM CORRIDOR PROTECTION ZONE AREA	23.22 ac.	
ACTIVE RECREATION AREA	33.88 ac.	
STORMWATER MANAGEMENT FACILITIES AREA	0.23 ac. mfl.	
OTHER AREA	25.66 ac. mfl.	
<b>OPEN SPACE TOTAL</b>	<b>83.21 ac. mfl.</b>	
<b>MINIMUM OPEN SPACE CALCULATIONS:</b>		
<b>AREA:</b>	<b>DIVIDED BY:</b>	<b>RFR</b>
OPEN SPACE TOTAL	SITE AREA GROSS	30
SCFZ AREA	SITE AREA NET RIGHTS-OF-WAY	34
ACTIVE RECREATION AREA	SITE AREA NET RIGHTS-OF-WAY	18
STORMWATER MANAGEMENT AREA	SITE AREA NET RIGHTS-OF-WAY	23
SCFZ AREA	SITE AREA GROSS	14
ACTIVE RECREATION AREA	SITE AREA GROSS	30

**SUBAREA ACREAGE**

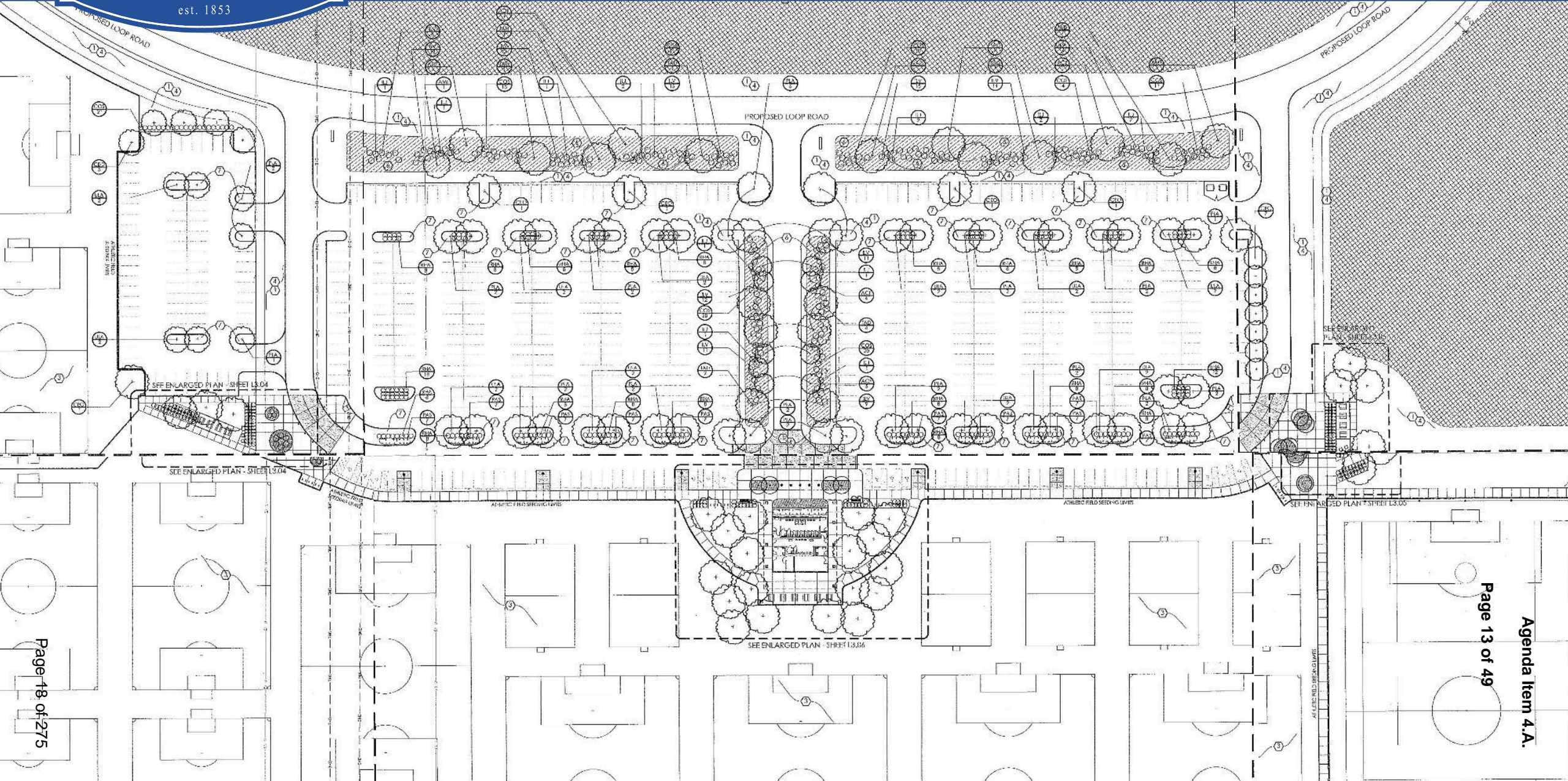
SUBAREA 1	+/- 53.09
SUBAREA 2	+/- 67.77
SUBAREA 3	+/- 3.32
RESERVE	+/- 1.26
COSGRAY ROAD	+/- 17.06 ac.
STREAM RESTORATION	+/- 23.92 ac.

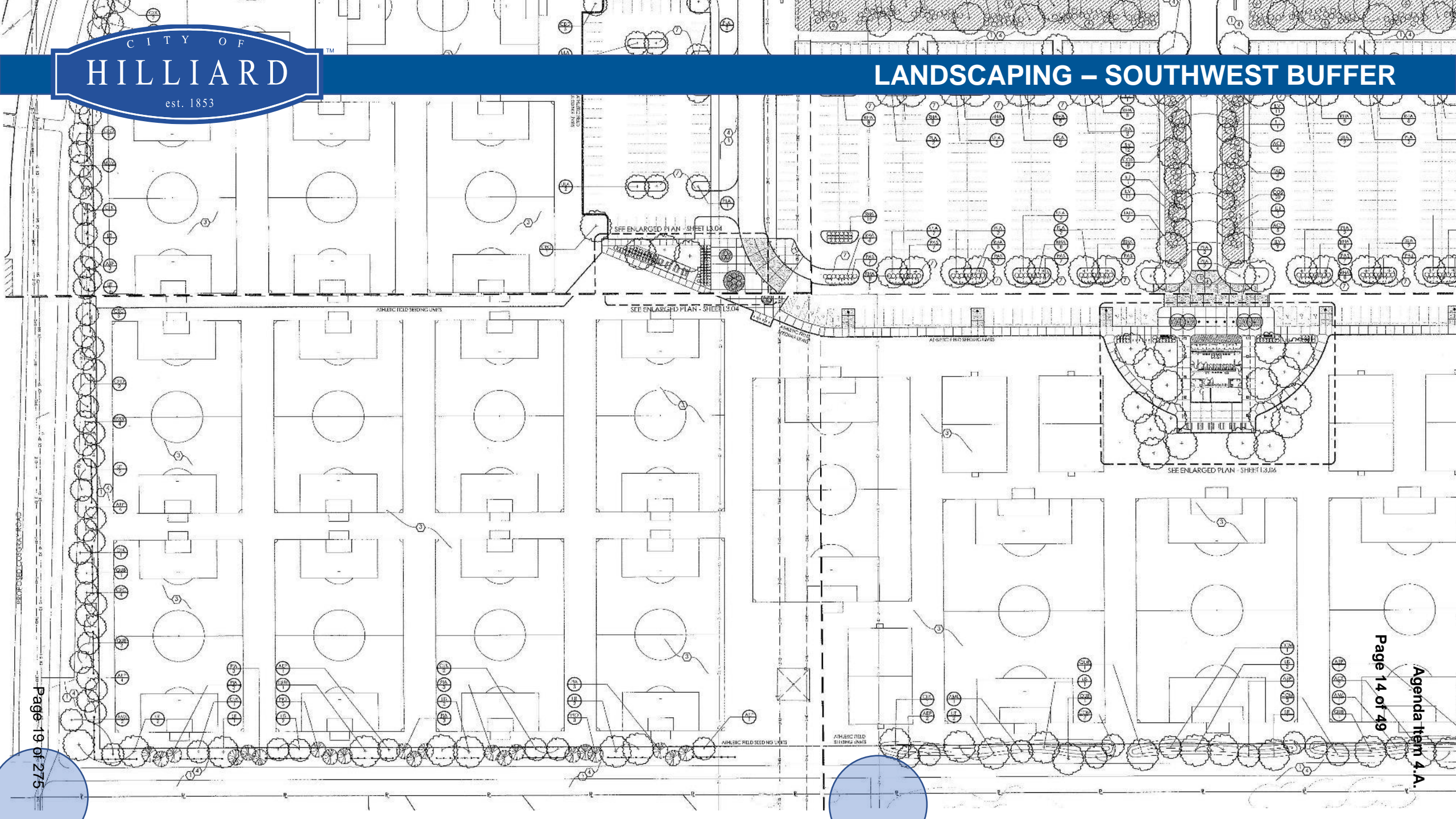


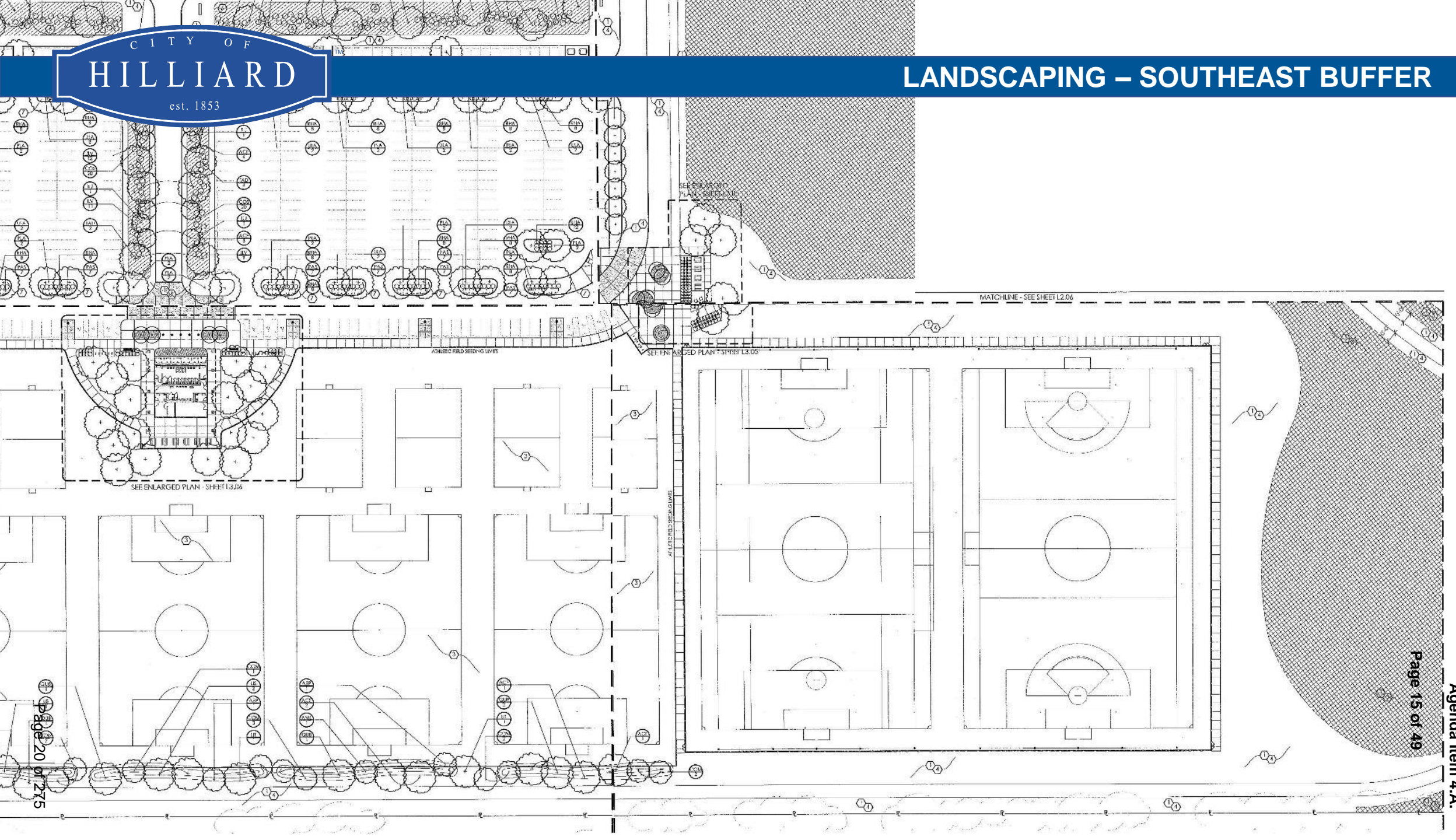




**HERITAGE LAKES**







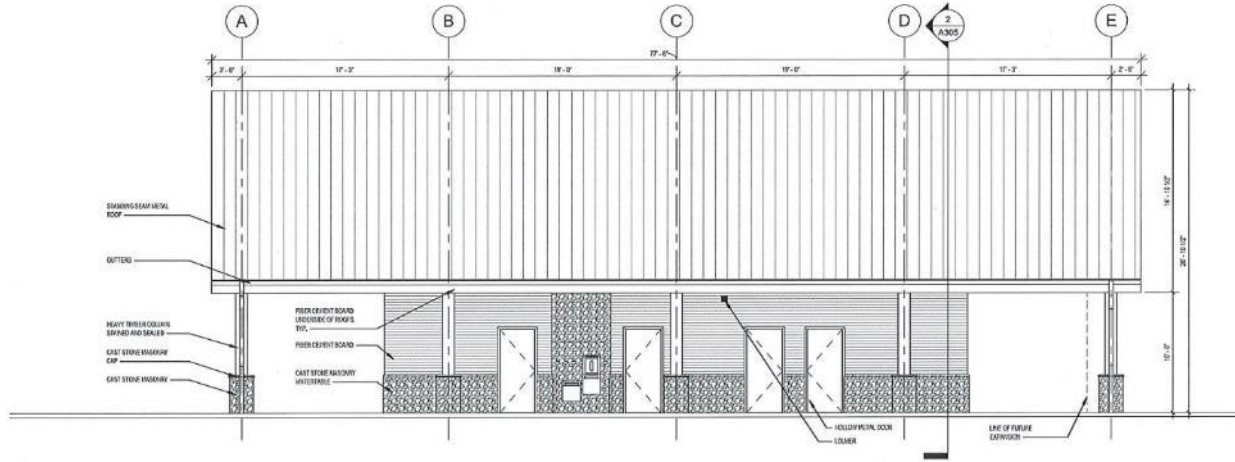
MATCHLINE - SEE SHEET L2.04

SEE ENLARGED PLAN - SHEET L3.04

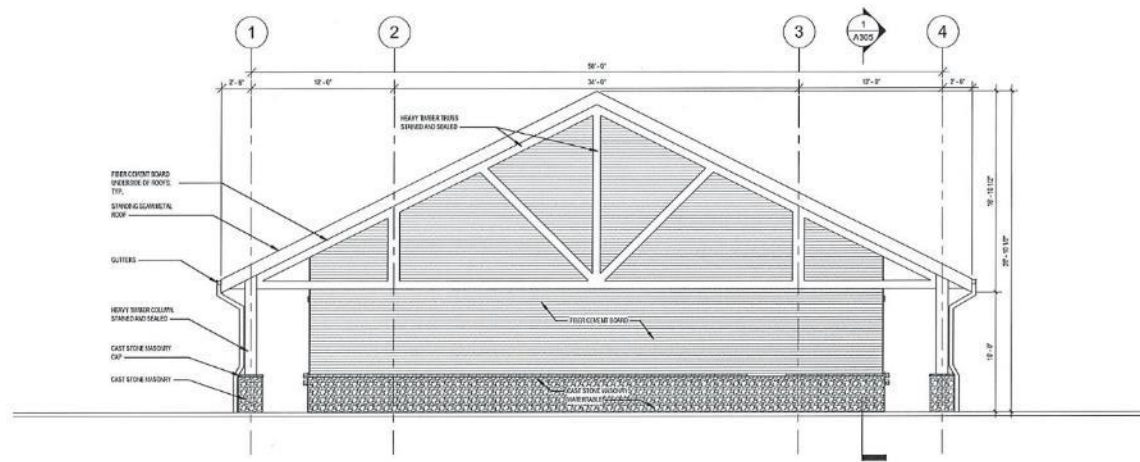
ATLERO RD SEEING LINES

SEE ENLARGED PLAN - SHEET L3.05

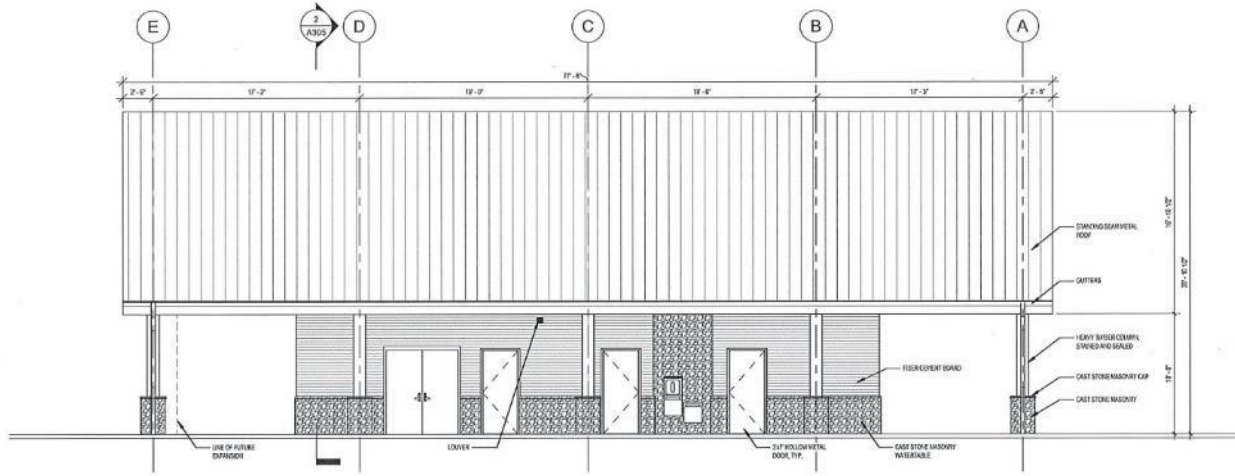
ATLERO RD SEEING LINES



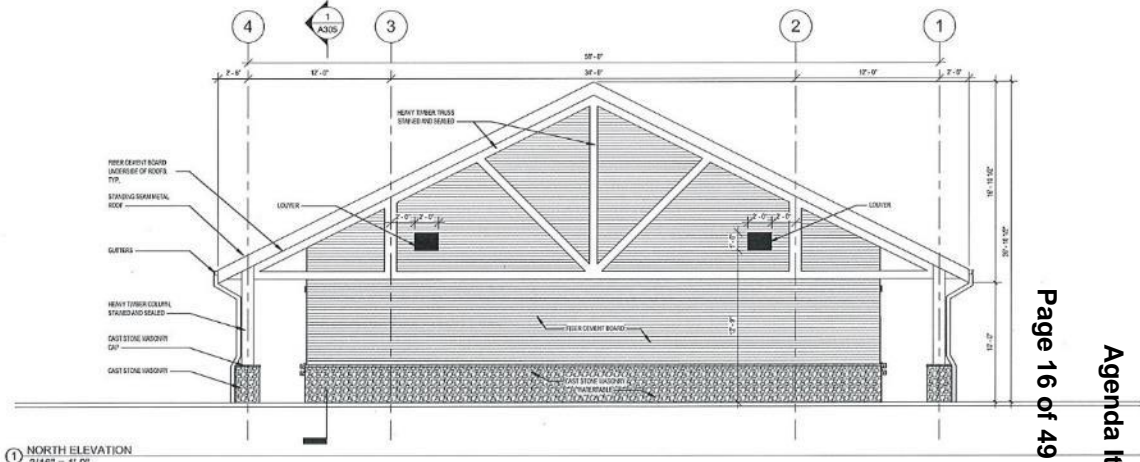
2 WEST ELEVATION  
 3/16" = 1'-0"



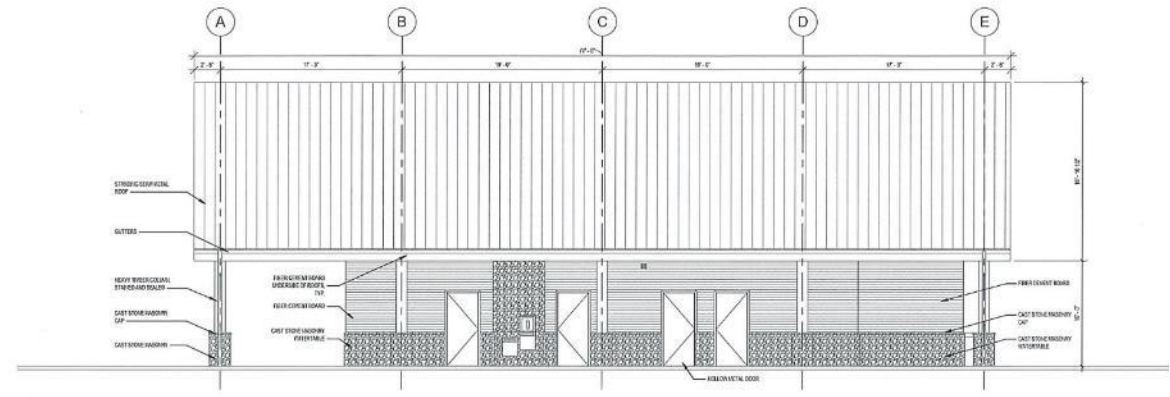
2 SOUTH ELEVATION  
 3/16" = 1'-0"



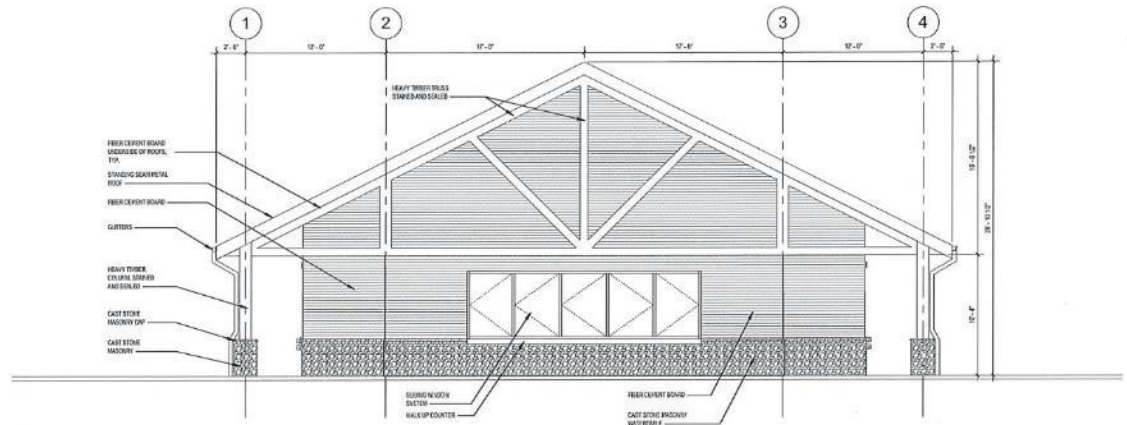
2 EAST ELEVATION  
 3/16" = 1'-0"



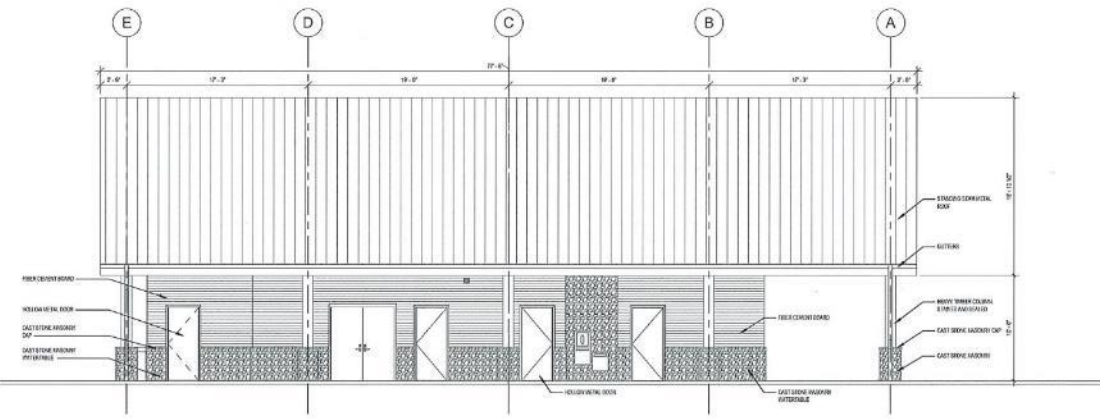
1 NORTH ELEVATION  
 3/16" = 1'-0"



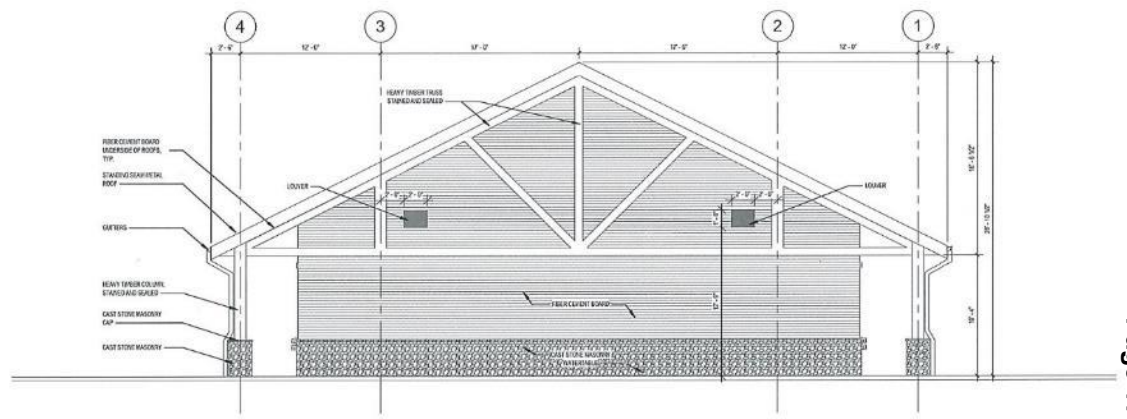
② WEST ELEVATION ADD ALT  
 3/16" = 1'-0"

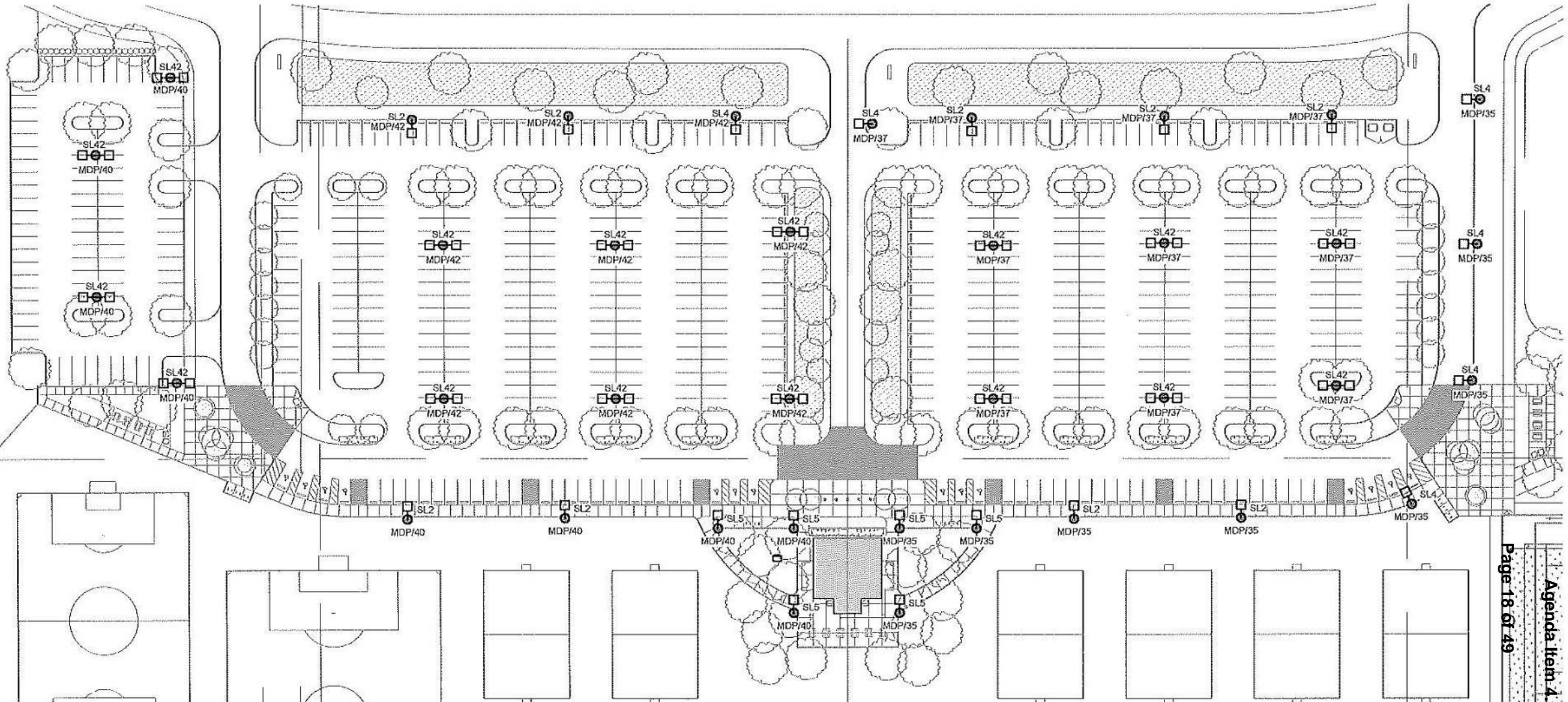


① SOUTH ELEVATION ADD ALT  
 3/16" = 1'-0"



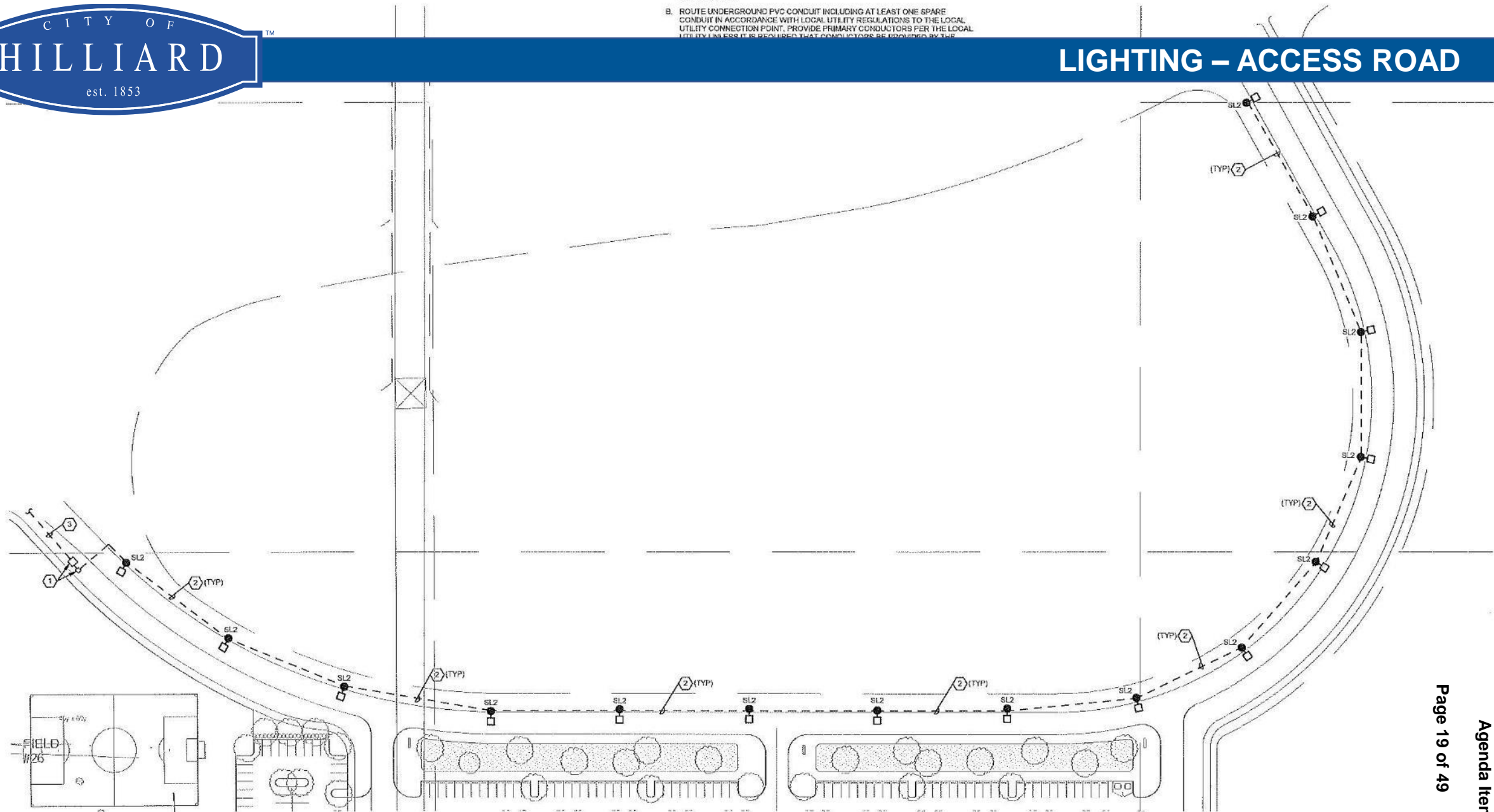
① EAST ELEVATION ADD ALT  
 3/16" = 1'-0"





PAD LOCATION  
 B. ROUTE UNDERGROUND PVC CONDUIT INCLUDING AT LEAST ONE SPARE CONDUIT IN ACCORDANCE WITH LOCAL UTILITY REGULATIONS TO THE LOCAL UTILITY CONNECTION POINT. PROVIDE PRIMARY CONDUCTORS PER THE LOCAL UTILITY UNLESS IT IS REQUIRED THAT CONDUCTORS BE PROVIDED BY THE

**LIGHTING – ACCESS ROAD**



**1** LOOP ROAD ELECTRICAL/LIGHTING PLAN  
 SCALE: 1" = 60'-0"











050-010764

050-006380

050-007024

050-007025

050-007026

050-007027

050-007028

050-007029

050-007030

050-007031

050-007032

050-007033

050-007034

050-007035

050-007036

050-007037

Page 23 of 49  
Agenda Item 4.A

050-007040

050-007048

050-007049

050-007871

050-007050

050-007052

**Approval with Conditions:**

- 1) That not less than 27 acres of natural open space will be provided within Subarea 2;
- 2) That light trespass onto any residential property shall be not more than 0.3 footcandles when measured at grade 10 feet beyond the property line; and
- 3) That the site complies with the provisions of the Hilliard Storm Water Design Manual and the Ohio EPA Construction General Permit.

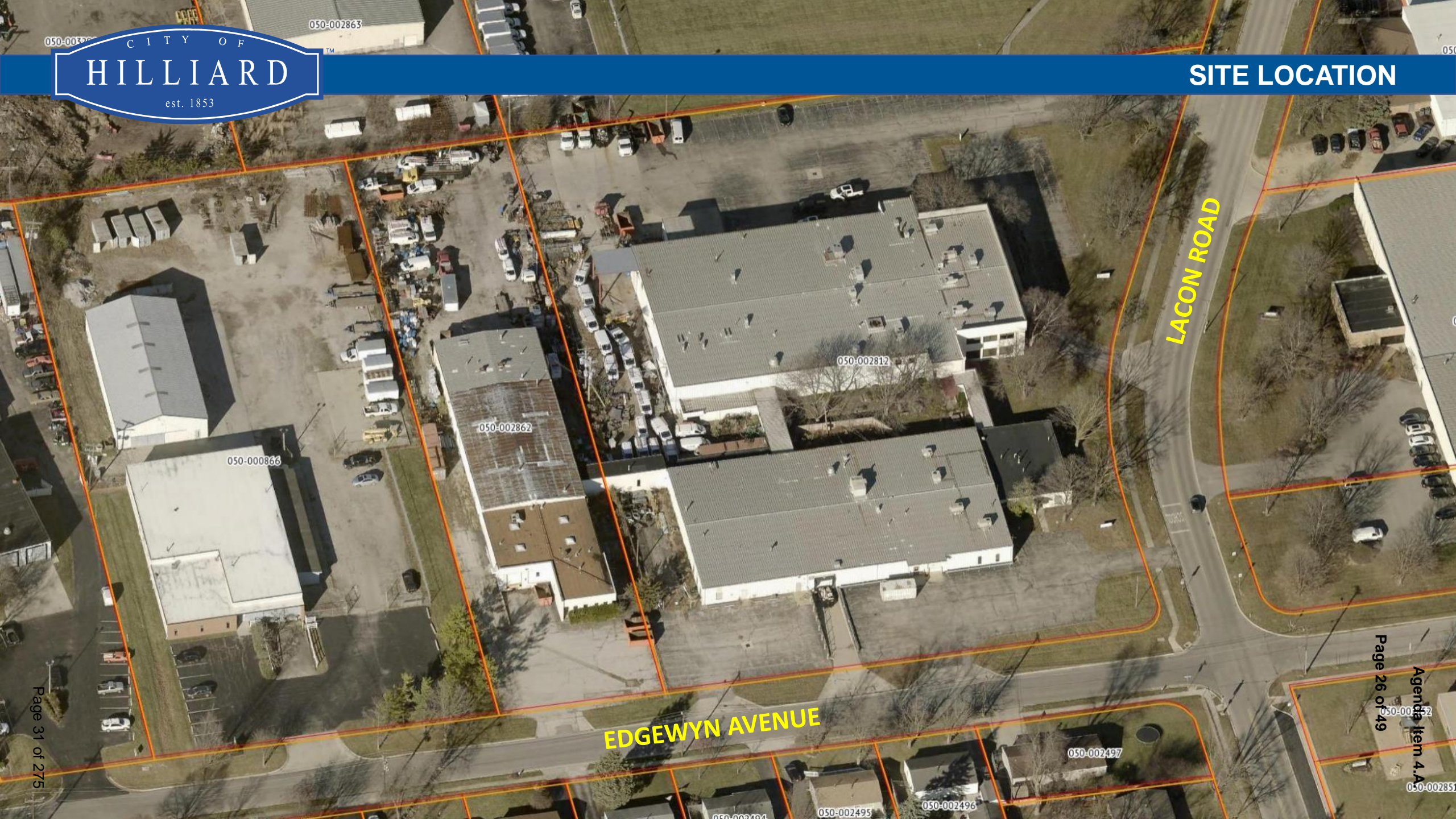


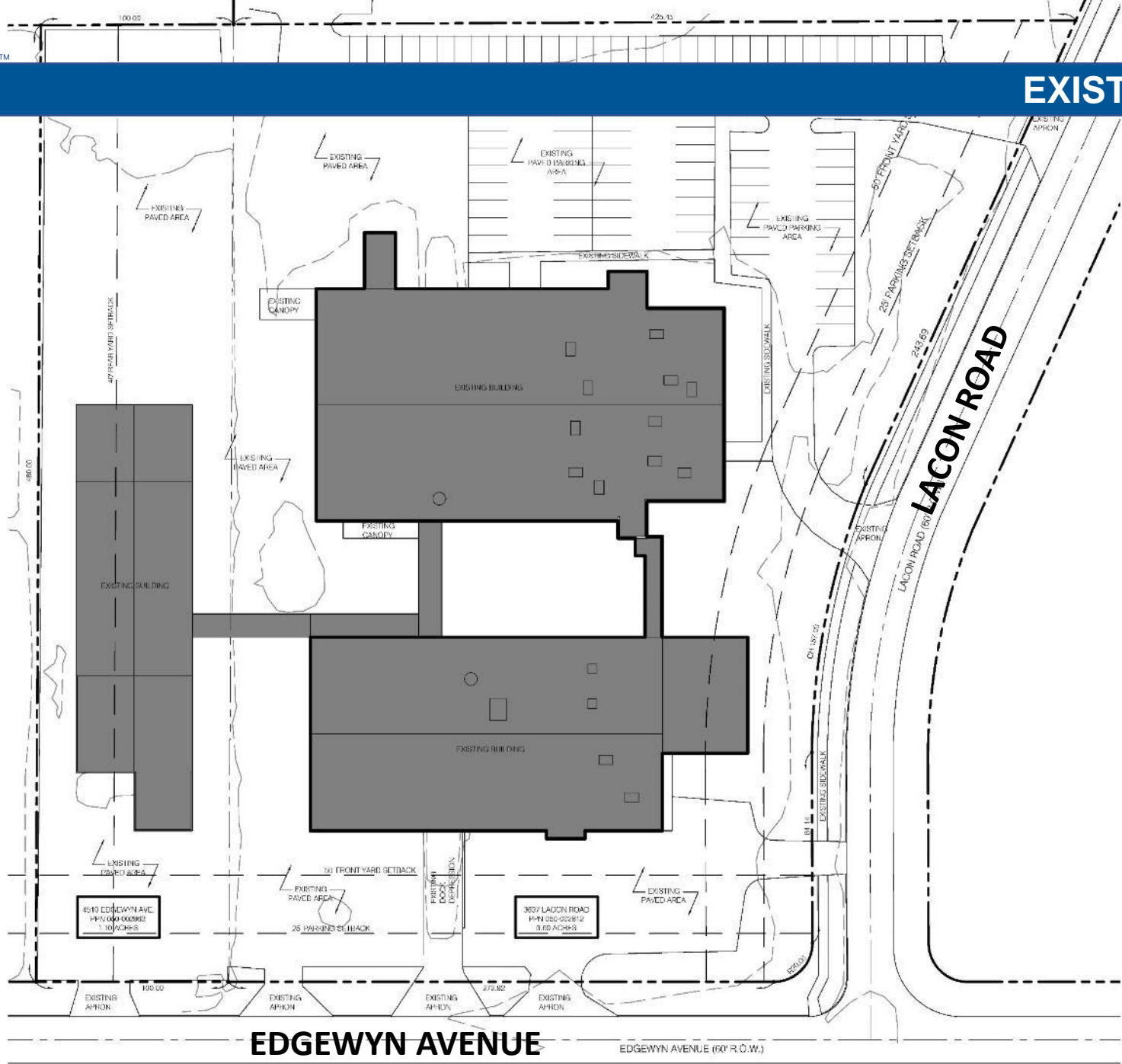
# Resolution 23-R-41

## 3637LAC PROPERTY LLC

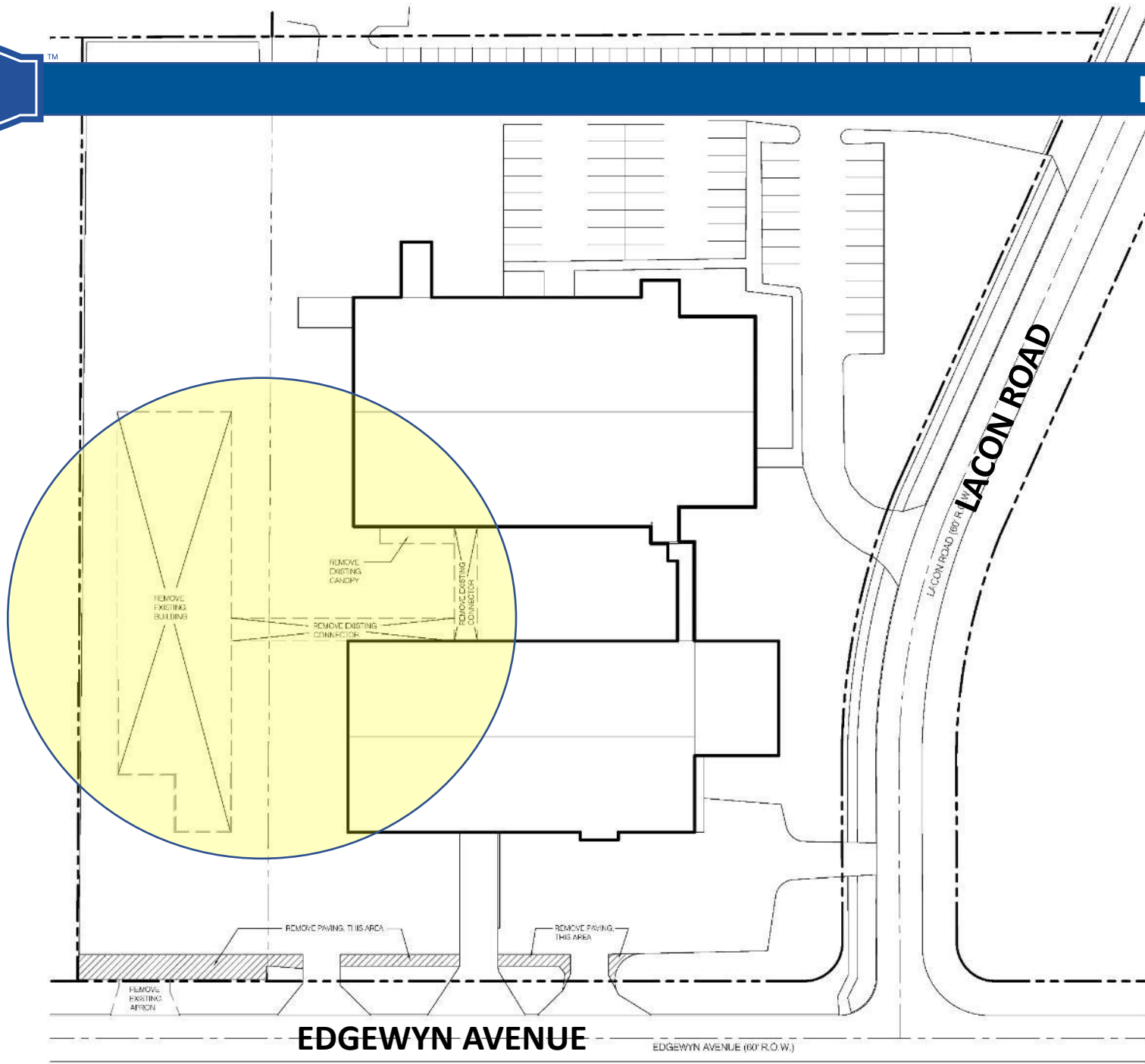
### 3637 Lacon Road













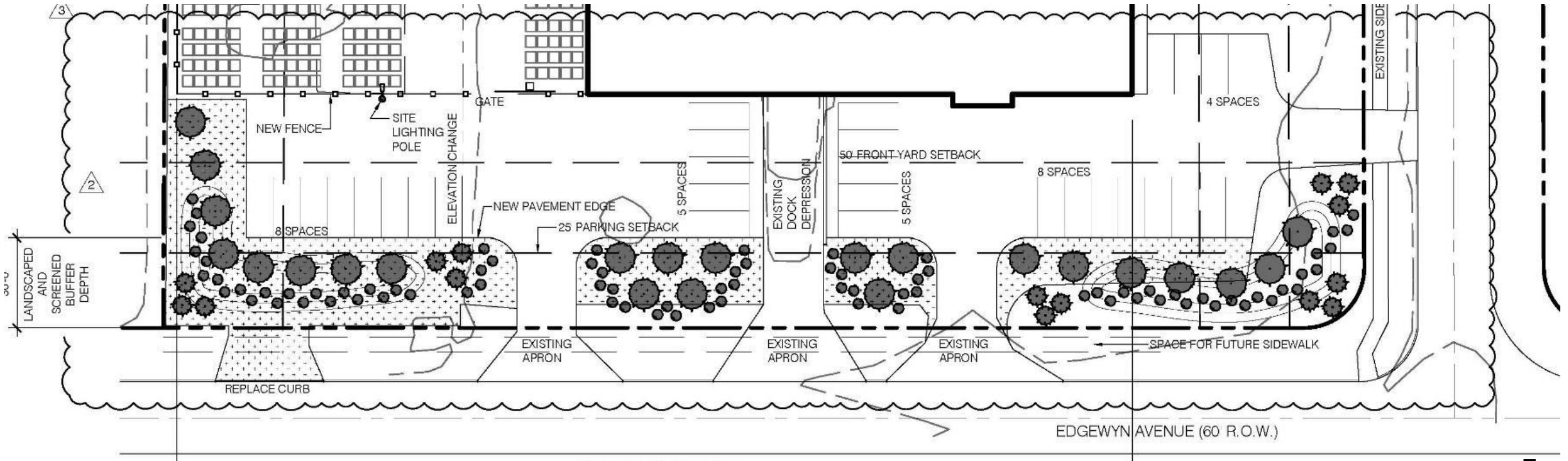














## **Approval with Conditions:**

- 1) That the western curbcut on Edgewyn Avenue is removed and that improvements are provided according to the revised site plan;
- 2) That no outdoor storage is permitted higher than the height of fencing and no storage of loose materials (such as sand or gravel or hazardous materials) are permitted to be stored as required by Section 1123.17(c);
- 3) That a revised lighting plan (including photometrics and details) and a tree preservation/replacement plan that complies with Code are submitted as part of the civil plan review;
- 4) That final details specifications for the color and thickness/durability of the proposed fence screening is provided, subject to staff approval; and
- 5) That the southern curbcut on Lacon Road be repaired with concrete, subject to approval by the City Engineer.



Resolution 23-R-42

# DUNLOP HOLDINGS LLC PROPERTY

## 4000 Parkway Lane

Wendy's

Tim Hortons

LYMAN DRIVE

**SPORTS IMPORTS**

050-002266

Sheetz

PARKWAY LANE



**PARKWAY LANE**

**LYMAN DRIVE**



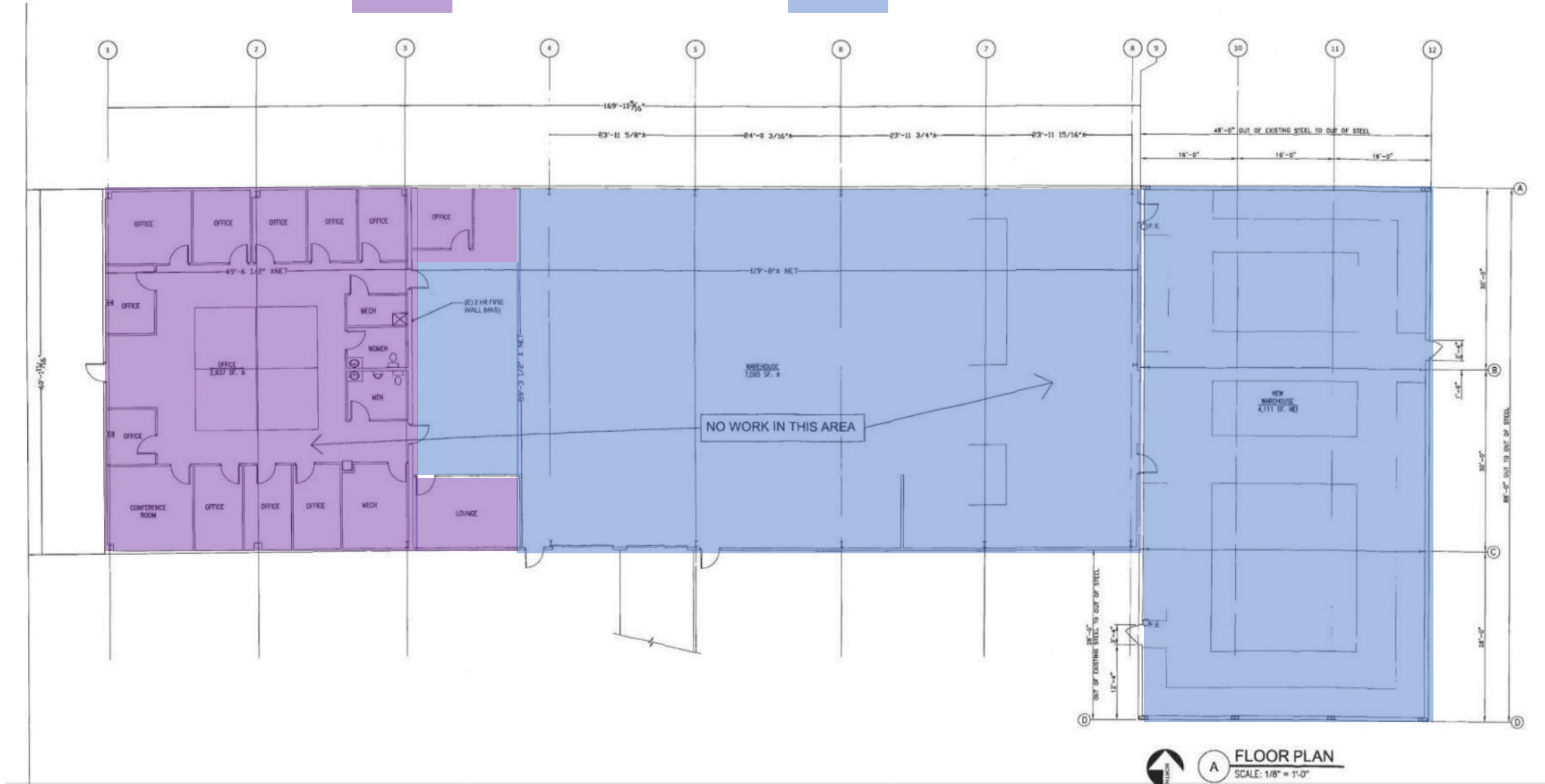




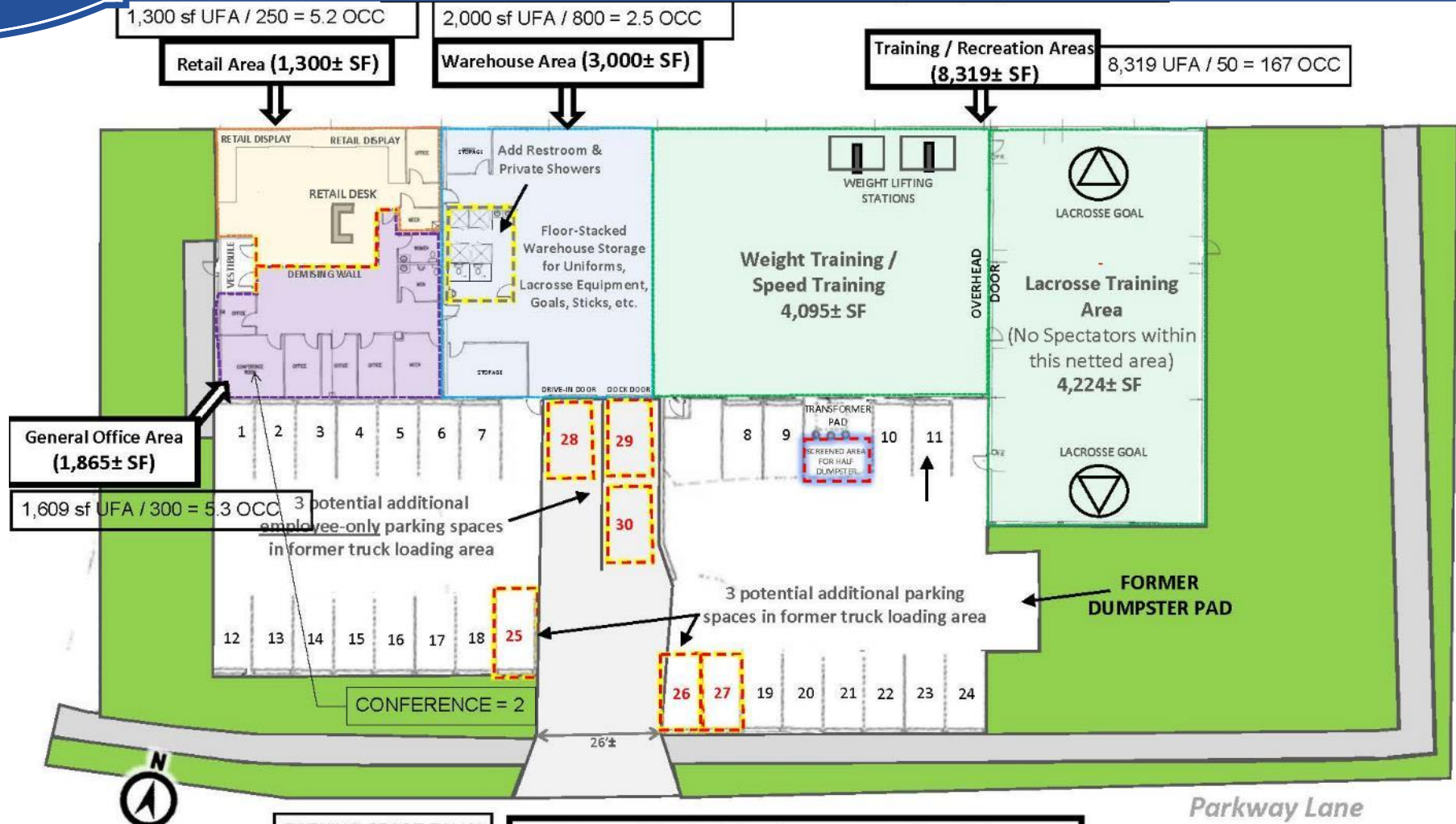
**OFFICE**



**WAREHOUSE**



**A FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"



**PARKING SPACE TALLY ASSUMING 'A' USE**

+ 5.2
+ 5.3
+ 2
+ 2.5
+ 167/3 = 56
<b>= 71 PARKS</b>

**Automobile Parking (no semi-trucks will be used)**

- 24 Existing Spaces
- 30+ Potential Spaces by using 6 already-paved, underutilized, existing parking areas

The information contained herein has been obtained from sources we deem reliable. We have no reason to doubt its accuracy, but we do not guarantee it.



**Resolute Lacrosse, LLC**

**Estimated Auto Parking Spaces Needed at 4000 Parkway Lane, Hilliard, OH**

<u>WEEKDAY SCHEDULE</u>		
<u>WEEKDAY - DAYTIME (8:00 AM to 4:00 PM)</u>		
Area of Facility	Time	Cars
Office Space	8:00 AM - 3:00 PM	7
Training / Recreation Space	8:00 AM - 3:00 PM	0 - Space will not be used
Possible Retail	11:00 AM - 7:00 PM	3 (1 Employee & 2 reserved parking spots for customers)
		<b>TOTAL ESTIMATED PARKING SPOTS USED: <u>10 to 12</u></b>

<u>WEEKDAY - EVENINGS (3:00 PM to 10:00 PM)</u>		
Area of Facility	Time	Cars
Office Space	3:00 PM - 10:00 PM	0 - No office workers in evening
Training / Recreation Space	4:00 PM - 10:00 PM	10 - 11 per session with a 15 minute transitional period between groups
Possible Retail	11:00 AM - 7:00 PM	3 (1 Employee & 2 reserved parking spots for customers)
		<b>TOTAL ESTIMATED PARKING SPOTS USED: <u>10 to 13</u></b>

<b>WEEKEND SCHEDULE</b>		
<b>WEEKEND - ALL DAY (8:00 AM to 10:00 PM)</b>		
<b>Area of Facility</b>	<b>Time</b>	<b>Cars</b>
Office Space	N/A - Closed	0 - No office workers on weekends
Training / Recreation Space	8:00 AM - 10:00 PM	10 - 11 per session with a 15 minute transitional period between groups
Possible Retail	11:00 AM - 7:00 PM Saturday	3 (1 Employee & 2 reserved parking spots for customers)
	12:00 PM - 5:00 PM Sunday	3 (1 Employee & 2 reserved parking spots for customers)
		<b>TOTAL ESTIMATED PARKING SPOTS USED: 10 to 13</b>

<b>Weekday Training Space Schedule w/ Transition Times</b>	<b>Weekend Training Space Schedule w/ Transition Times</b>
<b>TIME: 4:00 PM - 10:45 PM</b>	<b>TIME: 8:00 AM - 10:00 PM</b>
4:00 to 5:00 - Training Session	8:00 to 9:00 - Training Session
5:00 to 5:15 - Transitional Time	9:00 to 9:15 - Transitional Time
5:15 to 6:15 - Training Session	9:15 to 10:15 - Training Session
6:30 to 6:45 - Transitional Time	10:15 to 10:30 - Transitional Time
6:45 to 7:45 - Training Session	10:30 to 11:30 - Training Session
7:45 to 8:00 - Transitional Time	11:30 to 11:45 - Transitional Time
8:00 to 9:00 - Training Session	11:45 to 12:45 - Training Session
9:00 to 9:15 - Transitional Time	12:45 to 1:00 - Transitional Time
9:15 to 10:15 - Training Session	1:00 to 2:00 - Training Session
10:15 to 10:45 - Clean Up and Close	2:00 to 2:15 - Transitional Time
	2:15 to 3:15 - Training Session
	3:15 to 3:30 - Transitional Time
	3:30 to 4:30 - Training Session
	4:30 to 4:45 - Transitional Time
	4:45 to 5:45 - Training Session
	5:45 to 6:00 - Transitional Time
	6:00 to 7:00 - Training Session
	7:00 to 7:15 - Transitional Time
	7:15 to 8:15 - Training Session
	8:15 to 8:30 - Transitional Time
	8:30 to 9:30 - Training Session
	9:30 to 10:00 - Clean Up and Close

Building Space	Parking Requirement	Square footage	Spaces Required
Office	1 per 300 sf UFA	1,609 sf UFA	5.36
Retail	1 per 250 sf UFA	1,300 sf UFA	5.20
Warehouse/Storage	1 per 800 sf UFA	2,000 sf UFA	2.50
Training/Recreation	1 per 3 persons per max occupancy	8,319 sf (167 occupancy*)	55.67
			<b>68.73 (69 spaces)</b>

Proposed training area has occupancy level of 167 based on assembly uses in the Building Code

Site can accommodate 29 spaces

Building Space	Parking Requirement	Square footage	Spaces Required
Office	1 per 300 sf UFA	1,609 sf UFA	5.36
Retail	1 per 250 sf UFA	1,300 sf UFA	5.20
Warehouse/Storage	1 per 800 sf UFA	2,000 sf UFA	2.50
Training/Recreation	1 per 3 persons per max occupancy	8,319 sf (167 occupancy*)	55.67
			<b>68.73 (69 spaces)</b>

Office, Retail and Storage uses require a total of **13.06 on-site parking spaces.**

For the conditional use, the training area would have a maximum posted capacity of 40 persons, requiring **13.33 on-site parking spaces.**

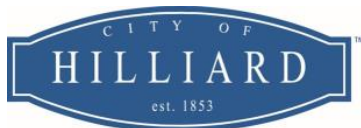
Board of Zoning Appeals approved a variance to reduce required parking from 69 spaces to 29 spaces.

## **Approval with Conditions:**

- 1) That a parking variance is obtained from the Board of Zoning Appeals concerning the proposed conditional use;
- 2) That the indoor commercial recreation area is limited to general sports and athletic training and that no matches/events are permitted;
- 3) That the 8,319-square foot indoor commercial recreation space (including weight/speed training and lacrosse/soccer training) is limited to a maximum of 40 persons;
- 4) That the existing dumpster pad on the south side of the building is screened per Code and that the required fence permit is obtained prior to installation;
- 5) That should the proposed use create traffic congestion issues within the public right-of-way, the conditional use approval may be reconsidered by City Council.

## **Approval with Conditions:**

- 1) That the applicant adhere to all conditions set forth by the Planning and Zoning Commission and City Council as part of the conditional use application for “Indoor Commercial Recreation” (PZ-23-16 / 23-R-36);
- 2) That this variance apply only if City Council approves the Conditional Use request for “Indoor Commercial Recreation;” and
- 3) That this parking variance terminates with a change in use, with a change in the scope or intensity of the indoor recreation use or if for whatever reason the conditional use approval is revoked.



City Council  
**Special Meeting Minutes - June 14, 2023**

Real People. Real Possibilities.™

**CALL TO ORDER**

The meeting was called to order by President Tarazi at 6:00 PM.

**ROLL CALL**

**Council Members Present:**

President Omar Tarazi, Vice President Cynthia Vermillion, Ms. Tina Cottone, and Mr. Andy Teater

**Excused:**

Mr. Les Carrier, Ms. Peggy Hale, and Mr. Pete Marsh

**Staff Members Present:**

City Manager Michelle Crandall, Law Director Phillip Hartmann, Assistant City Manager Dan Ralley, Chief of Police Michael Woods, City Engineer Clark Rausch, Community Relations Director David Ball, Transportation Program Engineer Roberta Barkhimer, and Clerk of Council Diane Werbrich

**Others Present: Rich Surace, Energy Alliance**

**BUSINESS OF THE COUNCIL**

**A. ORDINANCES**

**SECOND READINGS/PUBLIC HEARINGS**

**23-08 AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS; AND THE APPROPRIATION AND EXPENDITURE OF FUNDS.**

**STATUS:** Carried 4-0  
**AYES:** Tarazi, Vermillion, Cottone, and Teater  
**ABSENT:** Carrier, Hale, and Marsh  
 23-08 passed and will take effect at the earliest time allowable by law.

**23-09 AMENDING THE AUTHORIZATION OF THE EXPENDITURE OF FUNDS FOR THE CLOVER GROFF RUN STREAM RESTORATION, PHASE 2, CIP ST-38.**

**STATUS:** Carried 4-0  
**AYES:** Tarazi, Vermillion, Cottone, and Teater  
**ABSENT:** Carrier, Hale, and Marsh  
 23-09 passed and will take effect at the earliest time allowable by law.

**FIRST READINGS - NONE**

**B. RESOLUTIONS**

**23-R-43 APPOINTING MEMBERS TO THE CITY OF HILLIARD TAX INCENTIVE REVIEW COUNCIL.**

Ms. Crandall stated this legislation reappoints Mr. Carrier and appoints Deputy Finance Director Tantari to the Tax Incentive Review Council (TIRC). Ms. Cottone asked what the TIRC does. Ms. Crandall replied they review all Tax Incremental Financing (TIFs) and Community Reinvestment Areas (CRAs) the City has to ensure compliance with the Ohio Revised Code (ORC) or if there are challenges with the current payments or anything related to the financials. Ms. Cottone asked if the TIRC is ongoing. Ms. Crandall agreed and said they meet once or twice a year to review and do it within each community that have these set ups.

**STATUS:** Carried 4-0  
**MOVER:** Mr. Teater  
**SECONDER:** Vice President Vermillion  
**AYES:** Tarazi, Vermillion, Cottone, and Teater  
**ABSENT:** Carrier, Hale, and Marsh  
 23-R-43 passed and will take effect at the earliest time allowable by law.

**23-R-44 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DYNERGY ENERGY SERVICES (EAST), LLC FOR THE PROVISION OF COMPETITIVE RETAIL ELECTRIC AGGREGATION SERVICES AND ELECTIC POWER SUPPLY FOR ELIGIBLE CUSTOMERS WITHIN THE CITY OF HILLIARD.**

[Exhibit - Electric Aggregation Presentation](#)

Mr. Surace stated this was sent out to bid last month and three bids were received on May 31, 2023.

(See Mr. Surace's presentation - Attached)

Mr. Surace noted the prices listed in his presentation were given on May 31, 2023, and Dynergy provided updated prices this morning. The 7.09 Default - Renewable Rate, if this would have been executed this morning, went down to 6.92 and noted they will refresh those numbers tomorrow morning but will be in that range. He added the Optional Traditional Rate went from 6.73 down to 6.56. Mr. Surace reported the rates today are cheaper than two weeks ago which will offer great savings to the residents and guarantees lower summer bills than they have seen in the last couple of years.

Vice President Vermillion asked when the effective date of the rates is. Mr. Surace replied that because of timing, the rates would start on the September 2023 meter reading and appear on their October bill. He noted based on what term Council decides on and he believes Council should at least do 20-months but should consider 24-months. President Tarazi asked if Council is voting on one or the other. Ms. Crandall replied staff's recommendation is 24-months. President Tarazi clarified that the vote tonight is for the 24-month term. Ms. Cottone stated she likes the 24-months term.

Mr. Teater asked what the difference is between the default renewable rate and the optional (opt-in) traditional rate. Mr. Surace replied per Council's vote and legislation, the City's default program has to have the renewable energy component to it. He noted there are communities that give residents an opportunity to opt-in to the non-renewable. To put it in perspective, the "take" rates on that are low and in the City of Delaware, who closed last week, it was two percent. Mr. Surace reported it is an option communities like to use but typically they see approximately two percent take whatever the other option is.

Vice President Vermillion stated that for residents who may be deciding on the two, if they had a \$200.00 bill, how much would the difference be in their monthly bill between the renewable rate and brown energy rate. Mr. Surace replied that they would see a difference of roughly \$3.00 to \$4.00/month between the two.

President Tarazi explained this is only about power generation and is not about the transmission or delivery fees on their bills and those will remain as they were before. Mr. Surace agreed and stated the distribution and deliver fees would still get paid to AEP and residents would still call them for outages. He added this is only for the supply portion of the bill.

Vice President Vermillion commented that the 24-month rate makes sense to ensure that third summer is covered with this rate.

<b>STATUS:</b>	<b>Carried 4-0</b>
<b>MOVER:</b>	Vice President Vermillion
<b>SECONDER:</b>	Ms. Cottone
<b>AYES:</b>	Tarazi, Vermillion, Cottone, and Teater
<b>ABSENT:</b>	Carrier, Hale, and Marsh
23-R-44 passed and will take effect at the earliest time allowable by law.	

**23-R-45 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH RESOURCE INTERNATIONAL, INC. TO PROVIDE GENERAL ENGINEERING SERVICES AND AUTHORIZING AN EXPENDITURE.**

Ms. Barkhimer reported this legislation would allow the City Manager to enter into a Professional Services Agreement (PSA) with Resource International, Inc. to provide additional expertise for the City's annual maintenance programs throughout the City. She noted this contract would be eligible for a four-year annual extension for a total of five years. Ms. Barkhimer explained in January 2023, a Request for Proposal (RFP) was



issued to obtain a pavement specialist to look at different issues throughout the City. Ten proposals were received and based on several scoring criteria, staff selected Resource International, Inc. with a proposal of \$150,000.00 which is funded through the 2023 Capital Budget for the CIP T-121 Street Maintenance and Rehabilitation Program.

Vice President Vermillion asked if the flooding taking place in the Heritage Preserve area is due to faulty construction from the builder. Mr. Barkhimer replied that she cannot say for sure and is why they want to have Resource International, Inc. do some pavement cores and borings there to see what is going on because the pavement should not be failing in those neighborhoods. Vice President Vermillion asked if it is discovered that it was not adequate to begin with, what could the City do at that point. Ms. Barkhimer replied they recently revised their standard drawing for a pavement or pavement build up because the City is seeing this in some of the newer neighborhoods. She is unsure if it will be more of a review or inspection process when putting in newer neighborhoods. Vice President Vermillion asked if this is something legal will be looking at. Ms. Crandall replied the City has to see what the challenges are and once this is looked at a little further then they can look at the City's options with either recourse with the developer or if the City needs to go in and do something.

Ms. Cottone mentioned multiple problems were brought up before like the flooding and pavement and asked if there were more issues. Ms. Crandall replied that she believed that was it.

<b>STATUS:</b>	<b>Carried 4-0</b>
<b>MOVER:</b>	Vice President Vermillion
<b>SECONDER:</b>	Ms. Cottone
<b>AYES:</b>	Tarazi, Vermillion, Cottone, and Teater
<b>ABSENT:</b>	Carrier, Hale, and Marsh
23-R-45 passed and will take effect at the earliest time allowable by law.	

Vice President Vermillion, seconded by Ms. Cottone, moved to adjourn the Special Meeting by Voice Vote.

<b>MOVER:</b>	Vice President Vermillion
<b>SECONDER:</b>	Ms. Cottone
<b>AYES:</b>	Tarazi, Vermillion, Cottone, and Teater
<b>ABSENT:</b>	Carrier, Hale, and Marsh

**ADJOURNMENT**

\_\_\_\_\_  
Omar Tarazi, President  
City Council

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

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

# ENERGY ALLIANCES

**OHIO'S MOST TRUSTED  
ENERGY ADVISER.**



## City of Hilliard Electric Aggregation

June 12, 2023



# Electric Aggregation RFP

- Bids Received May 31<sup>st</sup>
- Criteria:
  - Competitive rate to AEP Ohio Default Rate
  - Ability to provide Renewable Energy Certificates (RECs)
  - Term between 12 and 24 months
  - Free and Easy Opt-Out & Opt-In
  - No Termination Fee
  - Ability to handle Net-Metered customer
- 3 Responses
  - One Discarded due to highest price
  - One Discarded due to lack of ability to handle net metered customers

# Aggregation Recommendation

## Supplier Recommendation: Dynegy Energy Services

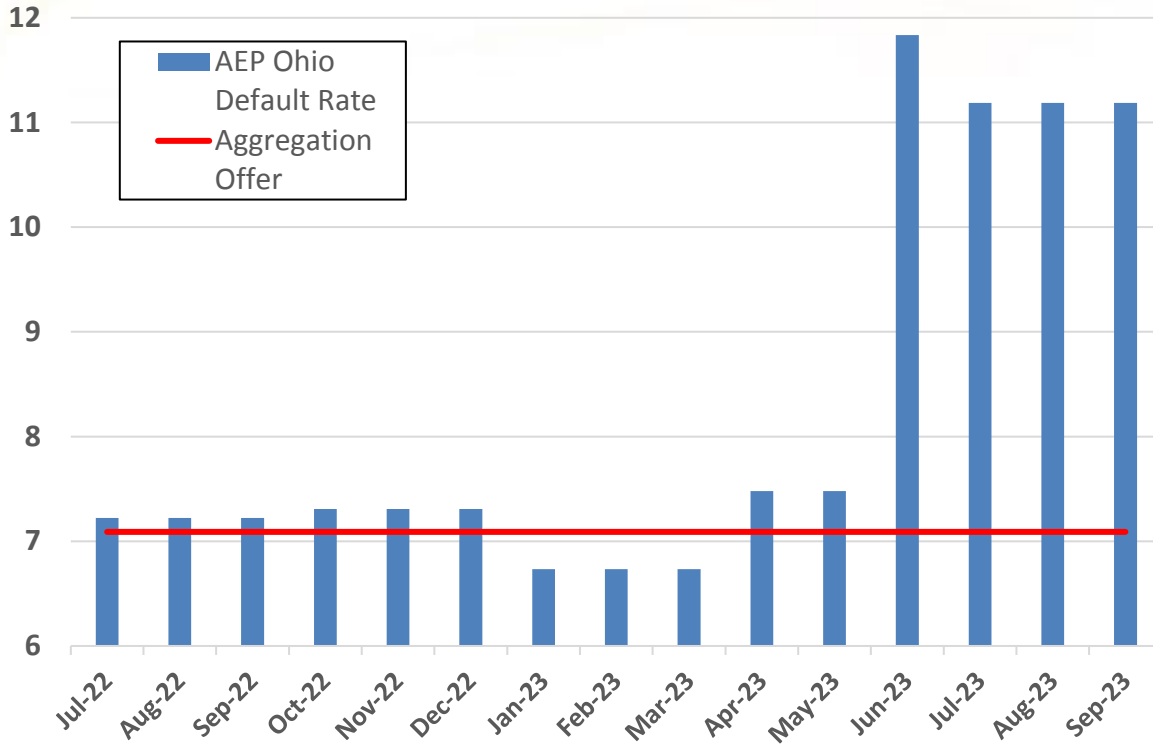
September 2023 Start (October 2023 Bill)			
Term (Months)	12	20	24
End Month	Sep-24	May-25	Sep-25
Default - Renewable Rate	6.79	6.88	7.09
Optional (Opt-In) Traditional Rate	6.45	6.53	6.73

Indicative Pricing as of 5/31/2023

- Recommend 24-month term

Why 24-month term...

# Aggregation Rate vs. AEP Ohio (¢ per kWh)



## 24-Month Offer Guarantees:

- Excluding 3 months, lowest rates since Summer 2022
- Lowest Summer Rates since 2021
- Investment in Renewable Energy Sources



# 2023 Property Reappraisal Overview



# Why does the Franklin County Auditor's office conduct reappraisals?

- ▶ All county Auditors in Ohio are **required by state law** to update the value of all properties by conducting a reappraisal every six years ([Ohio Revised Code section 5713.01](#)), with a Triennial Update at the 3-year midpoint between reappraisals.
- ▶ This is an effort to **accurately reflect property value changes** in the current real estate marketplace.
- ▶ **The Ohio Department of Taxation makes the final determination** as to whether updated property values determined by the Auditor are accurate and acceptable.
- ▶ County Auditors **may face legal action** if the Dept. of Taxation determines reappraisal values are inaccurate and not subsequently corrected.



# What happens during this process?

Data is collected from multiple sources to establish updated property values, including:

- ▶ **Recent home sales** in your neighborhood – this is one of the most significant factors.
- ▶ **Neighborhood data** such as infrastructure quality and proximity to community amenities and resources is another important measure used by appraisers in determining home value.
- ▶ A **visual exterior inspection** of the condition of your property relative to other properties in the neighborhood is conducted to determine **physical characteristics** such as age, condition, and recent home improvements which will also affect appraised value.

*All data collected is then aggregated to re-establish baseline Auditor property valuations and ensure each property value countywide aligns with the current housing market.*





# Visit the Know Your Home Value Website



YOUR HOME IS YOUR BIGGEST INVESTMENT.

Valuing it accurately is our top priority.



KYHV HOMEPAGE

CONTACT MICHAEL CALL (614)-525-HOME

## REAPPRAISAL

Home

Frequently Asked Questions

Preparing for Your Property Value Review

Misconceptions vs Realities

Neighborhood Delineations Map

Real Estate Glossary [PDF]

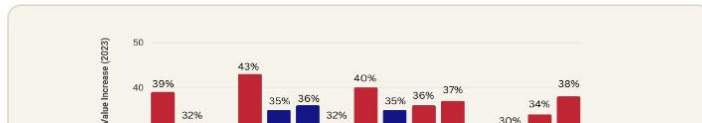
Reappraisal Guide [PDF]

Property Search

Welcome to the 2023 Know Your Home Value website. This website serves as your one-stop resource for everything you need to know about the 2023 countywide reappraisal process.

Ohio law requires County Auditors to update all property values countywide every three years to reflect recent changes in the real estate value marketplace. In 2023, Franklin County's property reappraisal involves a visual exterior inspection of each property.

Your Franklin County Auditor's office is here to serve you. If you have any questions or concerns, please contact Michael at (614) 525-HOME or at AuditorStinziano@franklincountyohio.gov.



## Coming Soon:

- Tentative Property Value – See the latest valuation of your property (August 2023)
- Compare My Home Value – An interactive GIS tool that allows you to compare your home to others across your neighborhood, your taxing district, and the county
- Property Tax Estimator – View an estimate of your property tax obligation based on your taxing district and your tentative property value
- Property Value Review Scheduling Portal – Schedule a meeting to discuss your property value assessment



- More information about the Franklin County 2023 Property Reappraisal can always be found at [www.franklincountyauditor.com/knowyourhomevalue](http://www.franklincountyauditor.com/knowyourhomevalue).

# What can I expect, and when?

August 2023:

Property owners notified by FCAO online *and* via mail about new tentative property valuation

August 2023:

Property owners who disagree with their tentative value may schedule time to speak virtually or in-person with a member of the FCAO appraisal team at a **property value review session** to educate the Auditor's office about what they feel their value should be

September 2023:

Individually scheduled 20-minute **property value review sessions** are held virtually and at physical locations throughout Franklin County

October 2023:

Final property value determinations are set by FCAO after tentative value property review meetings

December 2023:

Property owners who participated in a tentative value property review session are **notified by mail of final property values** for 2024 tax purposes



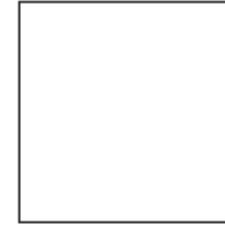
# What can I expect, and when?



**Official Auditor Updated  
Property Value Enclosed**

Information contained herein  
could affect your property taxes  
payable in 2024

**Franklin County Auditor**  
373 S. High St., 21st Floor  
Columbus, OH 43215



**OFFICIAL 2023 PROPERTY REAPPRAISAL INFORMATION**  
**FIRST CLASS MAIL**

Address 1

Address 2

Address 3

Address 4

Address 5

Arriving in  
mailboxes  
August 2023!

# What can I expect, and when?

## VALUE

**Proposed Tentative Value**

**\$XXX,XXX**

## WHAT HAPPENS NOW?

If you are satisfied that your tentative value is accurate, **STOP**.



There is nothing further you need to do! This value will be used to calculate your property taxes payable in 2024.

If you believe your tentative value is incorrect, or if you have questions, visit the Know Your Home Value website to:

- Review your property's information and its proposed tentative value.
- Submit documents showing evidence of an alternative valuation.
- Schedule a September Property Value Review to discuss your property's value with a member of the Franklin County Auditor's office appraisal team. Scheduling is open now through the month of September on the Know Your Home Value website.

SCAN FOR ADDITIONAL REAPPRAISAL INFORMATION



To learn more about the 2023 Property Reappraisal, visit [www.FranklinCountyAuditor.com/KnowYourHomeValue](http://www.FranklinCountyAuditor.com/KnowYourHomeValue) or call 614-525-3388



## HOW YOUR VALUE IS DETERMINED

- Physical property characteristics, including age, condition, and recent home improvements
- Recent sales prices of similar properties in your neighborhood
- Neighborhood data, including local infrastructure and proximity to amenities such as community centers, parks, medical and business facilities

## IMPACTING YOUR VALUE

A variety of factors are contributing to historic property value increases across Franklin County this year, including:

- **Lack of housing inventory**
- **Rapid and significant countywide population growth**
- **Outdated state laws**
- **Cuts to local government**
- **Outside investment in local property market**

## HOW DOES THIS VALUE IMPACT MY PROPERTY TAXES?

Despite potentially historic increases in property values this year, **taxes will not increase or decrease by the same percentage as property value.**

It is important to remember that taxes are established at the ballot box through your taxing district and are based on voter approval.

While any impact on taxes is not in the hands of the Franklin County Auditor, the Auditor's office has developed a publicly available Property Tax Estimator to help property owners understand how taxes may be affected by a property value change.

Please visit [www.FranklinCountyAuditor.com/KnowYourHomeValue](http://www.FranklinCountyAuditor.com/KnowYourHomeValue) or scan the QR code to find the property tax estimator and learn more about how your new valuation could affect your property taxes.

Arriving in  
mailboxes  
**August 2023!**

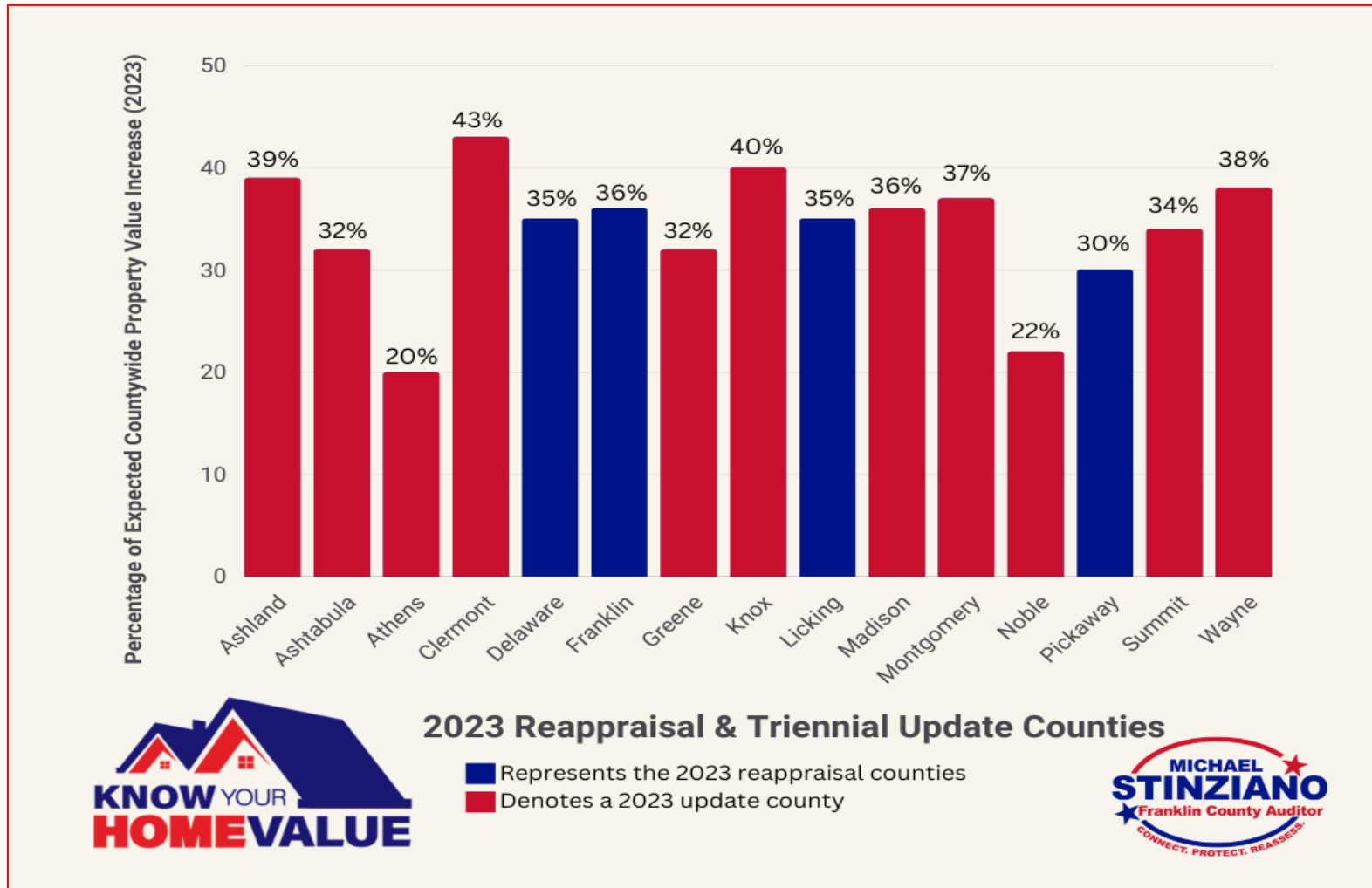
# How will my property value be affected?

- ▶ Most Franklin County property owners will see a **property value increase**.
- ▶ This is due to a “**perfect storm**” of factors driving up fair market property values countywide.
- ▶ Factors include:
  - Continuing **hot demand** for property in Franklin County/Competitive real estate market
  - Local **population growth**
  - Lack of sufficient **housing stock** to meet demand
  - **Outside investment** in local property market
  - Cuts to local government/**Outdated state laws**
  - **Timing** of statutorily-required sexennial property reappraisal
- ▶ **All these factors are combining** to increase the amount being paid in recent arms-length real estate transactions – recent arms-length sales are one of the most significant factors driving appraised value.

*While total number of **sales** in 2022 decreased when compared to 2021, property **values** in Franklin County have continued to increase over 33 of the past 36 months (as of 1/1/23).*



# Are other Ohio counties expecting value increases in 2023?



# Will the reappraisal affect my taxes?

- ▶ **Likely.** This process is not intended to increase or decrease taxes – however, it may affect property taxes.
- ▶ The Franklin County Auditor’s office is required by Ohio law to carry out the reappraisal and aims to complete the most **accurate and fair property assessment** possible.
- ▶ It is important to remember that taxes are established at the ballot box through your taxing district and are **based on voter approval.**
  - Property tax calculation: **\*35% of Auditor Property Value X Taxing District Rate = Total Property Tax**
    - ✓ *\*Note: Ohio law requires property owners to only pay taxes on 35% of a property’s full Auditor-appraised value. This is known as the “assessed” value.*
- ▶ The amount your taxes change is based on the value change of your property **in relation to other properties in your taxing district.**
- ▶ **There is not a 1:1 ratio between property value change and tax change** – A 20% increase in value does *not* necessarily correlate to a 20% increase in taxes, for example.



# Will the reappraisal affect my taxes?

<u>If this...</u>	<u>Then this...</u>
Your value <u>increases at the same rate</u> as the average increase in your taxing district	<i>Minimal increase in taxes</i>
Your value change <u>decreases more</u> than the average in your taxing district	<i>Small decrease in taxes</i>
Your value <u>decreases</u> , but the <u>average in your taxing district increases</u>	<i>Moderate decrease in taxes</i>
Your value <u>increases</u> , but <u>less than the average</u> in your taxing district	<i>Small increase in taxes</i>
Your value <u>increases more than average</u> <u>increases</u> in your taxing district	<i>Moderate increase in taxes</i>





# Where does the additional tax money go?

- ▶ Most property value increases **don't result in much higher overall taxes** collected by political subdivisions
- ▶ When values go up, **tax rates generally go down to maintain the same taxes collected**
  - ▶ *This is due to **tax equalization**, as laid out in Ohio House Bill 920*

## ▶ After the Franklin County 2020 Triennial Update:

- ▶ **Property values: ↑ 20%**
- ▶ **Property taxes (All taxing authorities): ↑ 6.96%**
  - ▶ *\*Received by County, schools, cities, townships, villages, etc. altogether\**
- ▶ **Property taxes (Franklin County only): ↑ 2.57%**
  - ▶ *\*Received by County not including schools, cities, townships, villages, etc.\**



# Where does the additional tax money go?

- ▶ Any additional taxes that *are* collected after a change in property values go toward **the same things taxing entities would normally spend tax money on**
- ▶ **Each taxing entity makes their own decisions on how to spend additional revenue**
- ▶ **Examples:**
  - ▶ *Covering increased cost of staffing and materials*
  - ▶ *Physical infrastructure/buildings*
  - ▶ *Increasing services*
  - ▶ *Reducing/avoiding increasing any fees for services*
  - ▶ *Changing what voted levies a subdivision may need to seek in the future*



# Where does the additional tax money go?

► You can **contact your local elected officials** including school boards, county commissioners, city councils, and township trustees **for more information on how they spend their budget.**

► You can also **visit the Franklin County Auditor’s office property search page** to search for your property and find a breakdown of where your tax money goes

► *Navigate to [www.franklincountyauditor.com](http://www.franklincountyauditor.com) and look for “Property Search” under the Real Estate tab*



## TAX DISTRIBUTION

Property Class	R - Residential
Land Use	510 - ONE-FAMILY DWLG ON PLATTED LOT
Tax District	600 - COLUMBUS-WESTERVILLE CSD
School District	2514 - WESTERVILLE CSD
Township	
Vocational School	
City/Village	COLUMBUS CITY
Library	WESTERVILLE PUBLIC LIBRARY
Other	

## CURRENT YEAR DISTRIBUTION

County	Amount	Percentage
General Fund	93.02	2.02%
Children’s Services	226.86	4.92%
Alcohol, Drug & Mental Health	149.51	3.24%
FCBDD	326.88	7.09%
Metro Parks	56.94	1.24%
Columbus Zoo	32.57	0.71%
Senior Options	84.79	1.84%
Columbus State	33.99	0.74%
School District	3,308.75	71.82%
School District (TIF)	0.00	0.00%
Township	0.00	0.00%
Township (TIF)	0.00	0.00%
Park District	0.00	0.00%
Vocational School	0.00	0.00%
Vocational School (TIF)	0.00	0.00%
City/Village	198.70	4.31%
City/Village (TIF)	0.00	0.00%
Library	95.43	2.07%
<b>Net Annual Tax</b>	<b>4,607.44</b>	



# How can I help ensure accurate valuations?

- ▶ **1. Check your property's data for accuracy** by visiting the Franklin County Auditor's office property search page, available under the "Real Estate" tab at [www.franklincountyauditor.com](http://www.franklincountyauditor.com), and notify the office if you spot any errors.
- ▶ **2. If you feel your tentative value is inaccurate upon receipt in August 2023, participate in a property value review session** in September 2023 to educate our team about what you feel the true value of your property is.



# Where can I find additional information?

► Additional information about the Franklin County 2023 Property Reappraisal can always be found at [www.franklincountyauditor.com/knowyourhomevalue](http://www.franklincountyauditor.com/knowyourhomevalue).



SCAN FOR ADDITIONAL REAPPRAISAL INFORMATION



► In addition to information about the reappraisal, a variety of tools will be added to the site throughout 2023 to assist property owners with navigating the reappraisal process, including:

- Interactive “**Compare My Home Value**” **GIS Mapping/Neighborhood Data** tool (available August 2023)
- **2024 Property Tax Estimator** tool (available August 2023)
- **Property Value Review scheduling portal** (available August 2023)



# What else can I find on the Know Your Home Value website?

## Frequently Asked Questions

Click the + for answers to the most common questions that we get.

### 1. What is the 2023 Property Reappraisal? -

The 2023 property reappraisal is a process required by Ohio state law through which a County Auditor updates the value of all properties in their county in an effort to accurately reflect property valuations since the last statutory update period. This valuation process includes individual exterior review of every property in addition to sales and general market conditions and is designed to ensure updated, fair, and equitable values. By reviewing individual property characteristics and basing values on appropriate sales that have occurred for similar properties in the same neighborhood, the Auditor can ensure property valuations reflect the current market and help ensure that similar properties are valued in a similar manner.

The state of Ohio Department of Taxation office establishes the final valuations and rates for all residential and commercial properties throughout Franklin County.

### 2. What is the role of the Franklin County Auditor in conducting the reappraisal? +

### 3. How will the 2023 Property Reappraisal impact my property taxes? +

### 4. What options exist to assist people with property tax changes related to the reappraisal? +

### 5. How is a reappraisal conducted? +

### 6. What information is considered in arriving at my new tentative value? +

### 7. What does the Auditor's office deem an improvement? +

### 8. How do sales of similar properties in my neighborhood affect my value? +

## Participating in a Property Value Review Meeting: What you need to know

Property Value Review meetings offer you the opportunity to meet with an Auditor appraisal department member to provide additional information about your property that could impact the final value the Auditor office establishes.

Before scheduling your Informal Value Review meeting, you may want to consider the following:

- Review the 2023 tentative market value and ask yourself, "Is this a price at which I could reasonably be expected and able to sell my property?" "Is it too high?" "Is it too low?"
- Review the Franklin County Auditor's office website to verify that all of the property data in reference to your property is accurate. Your property information can be found using the tabs on the left-hand side of your property's summary page.
- Review the Franklin County Auditor's office website for sale prices of homes in your neighborhood. This information can be found by searching for your property on the Auditor website, then clicking on "Neighborhood Sales" on the upper-right hand corner of the property's summary page. Determining which properties are most like yours will provide a stronger indication of what the marketplace has determined your property's value should be.
- If desired, you may check with local real estate agents about property values in your neighborhood. Verify what price they might put on your property if you were putting it on the market this year.

*If you disagree with the 2023 tentative market value, you may schedule a property value review – either virtually or in-person. Please provide supporting documentation for your filing of an alternative valuation either electronically or in hard copy form.*

Potential recommended supporting documentation to bring to your property value review may include:

- Documents from a private appraisal/professional opinion of value.
- Any evidence of **detrimental** property conditions (Photos of the damage).
- Any evidence of sales of comparable properties in the last year that are considered "arms-length" transactions. (Please note that the Auditor's office does not utilize Short Sales, Foreclosure Sales, Sheriff Sales, or any other type of distressed transactions.)
- If you have recently had your property for sale, evidence of any listings or offers that were made.
- A copy of the conveyance form and/or the final purchase agreement if you recently purchased your property
- If your property is a rental property, please bring evidence of the rental amount.

The more information that you are able to provide to the Auditor appraisal department, the better.

Please note that you will not receive a final determination of value at the conclusion of your property value review hearing - the final determination will occur in December. The Auditor's office must review the information shared and may potentially seek additional information about your property prior to providing the proposed final value to the Ohio Department of Taxation for final approval.

After final approval by the state, you will be notified by mail of your final valuation determination in December 2023. The final value will be used to calculate your property tax bills beginning in 2024.

## FREQUENTLY ASKED QUESTIONS

Learn about what the Triennial Update and Informal Reviews are, and how they can affect your property taxes.

## PREPARING FOR YOUR PROPERTY VALUE REVIEW

Here is what you will need to do before you schedule a review and what you will need to bring with you.

## MISCONCEPTIONS VS. REALITIES

There are a few misconceptions out there about the appraisal process and this should help clear those up.

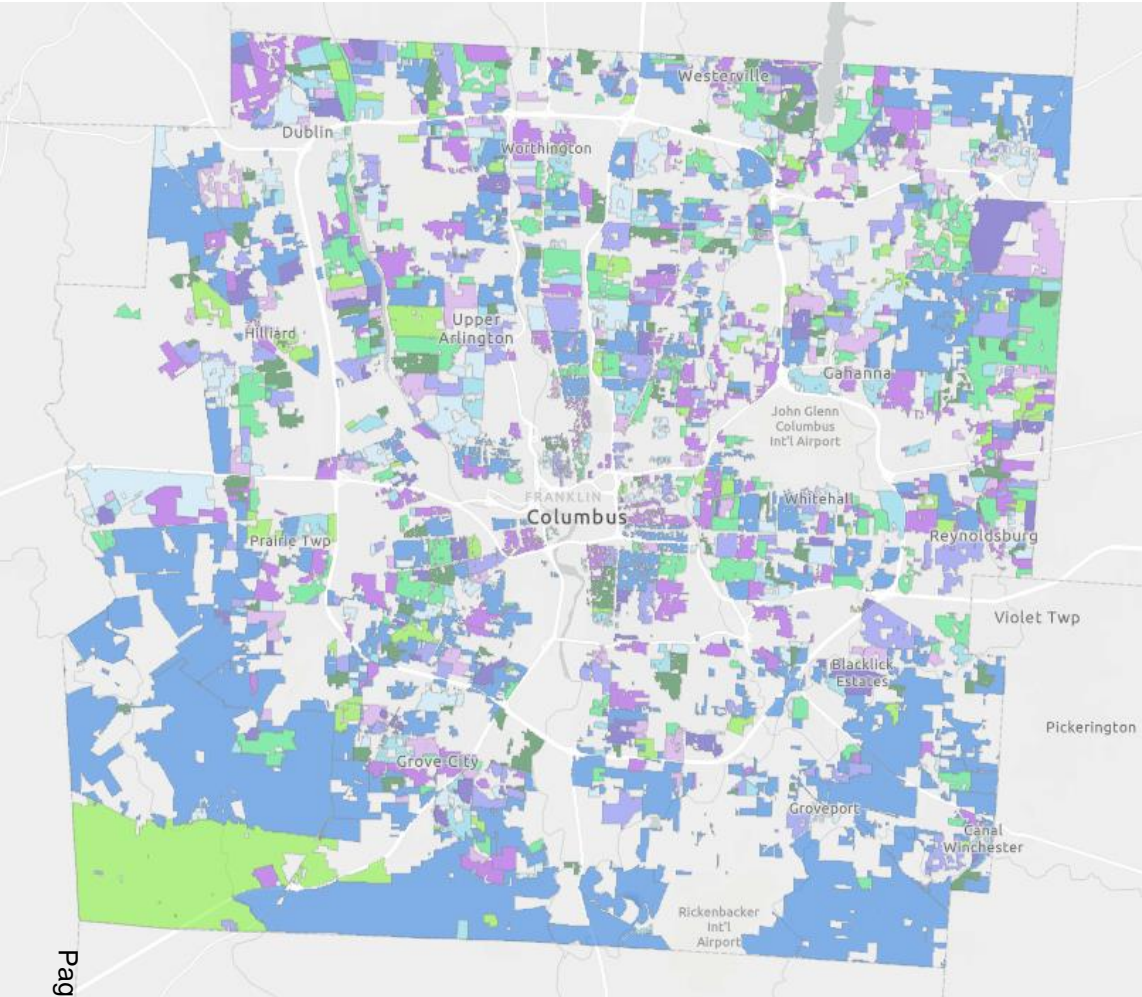
## REAL ESTATE GLOSSARY [PDF]

Glossary of common terms used in real estate valuation and property tax.

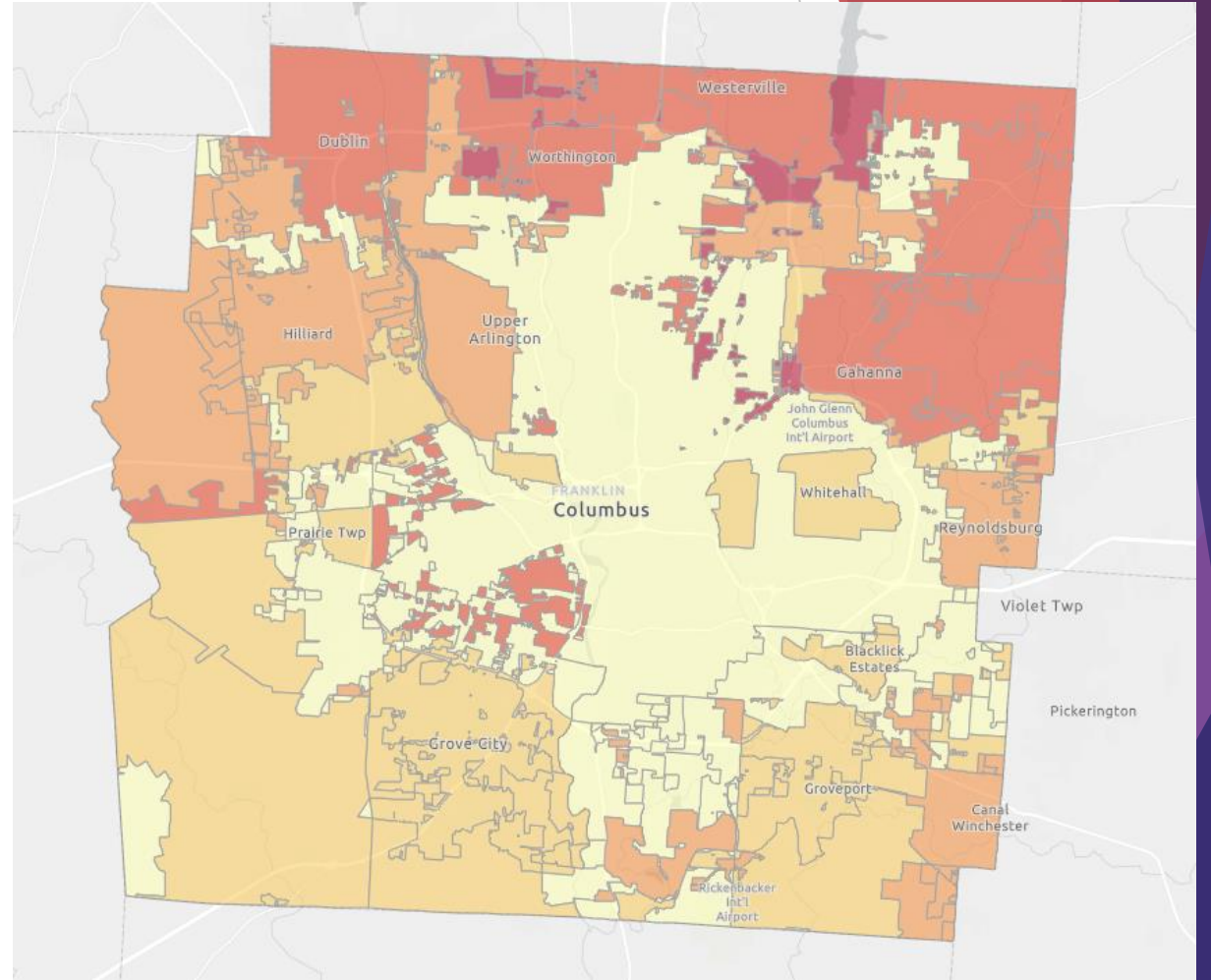


# Know Your Home Value Website

2023 Updated Neighborhood Delineations



2022 Effective Residential Tax Rates



# What else can I find on the Know Your Home Value website?





# What else can I find on the Know Your Home Value website?

## Request a speaker to learn more?

Click the link below to request a member of the Auditor's office to speak to your neighborhood or group about the 2023 Property Reappraisal. Please include your name, the name of your group, desired dates/times, and your contact information.

[REQUEST A SPEAKER](#) 



# Confused? Concerned? Here's who to contact:

Franklin County residents are encouraged to contact the Auditor's office at any time with questions about the reappraisal, property taxes, or any other issues with which Michael or a member of the office may be of assistance, either by email at [AuditorStinziano@franklincountyohio.gov](mailto:AuditorStinziano@franklincountyohio.gov) or phone at 614-525-HOME (4663).

Additionally, property owners concerned about a post-reappraisal change in taxes can find more information and resources regarding programs designed to assist with property taxes below:

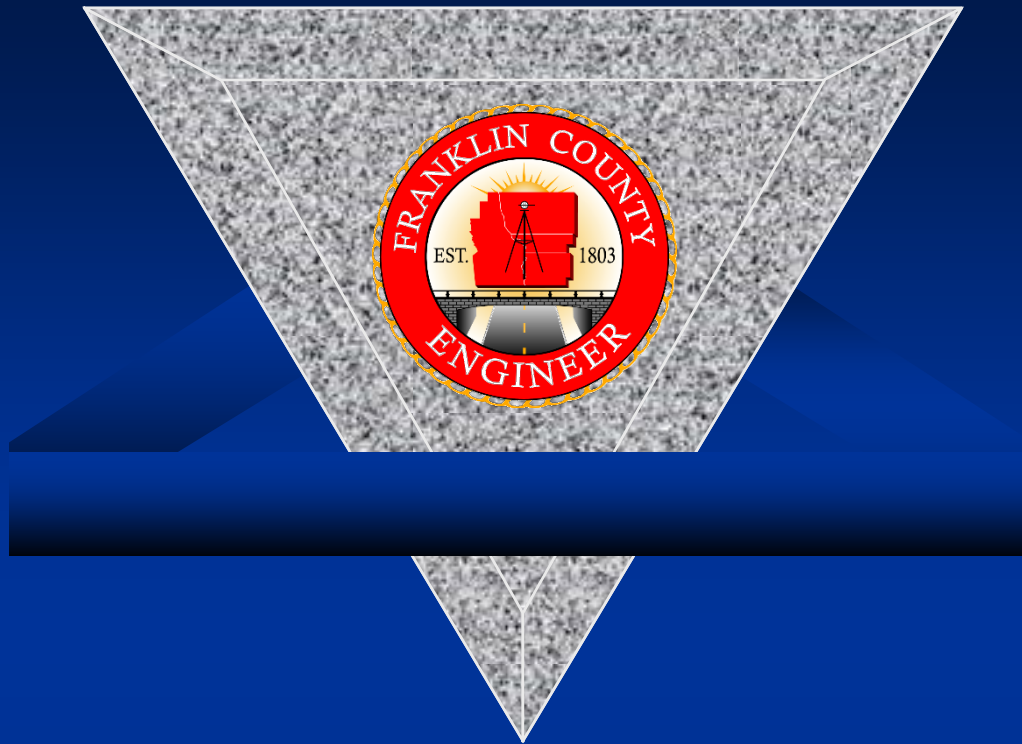
- [Franklin County Property Tax Assistance Program](#)
- [Franklin County Auditor Tax Reduction programs](#)
- [Franklin County Treasurer STAR Program](#)





Thank you!





# Franklin County Fairgrounds Training Pad

**Brad Foster, P.E., P.S.**  
**Chief Deputy Engineer of Operations**



# Partners



Franklin County

**BOARD OF  
COMMISSIONERS**

Service. Progress. Excellence.





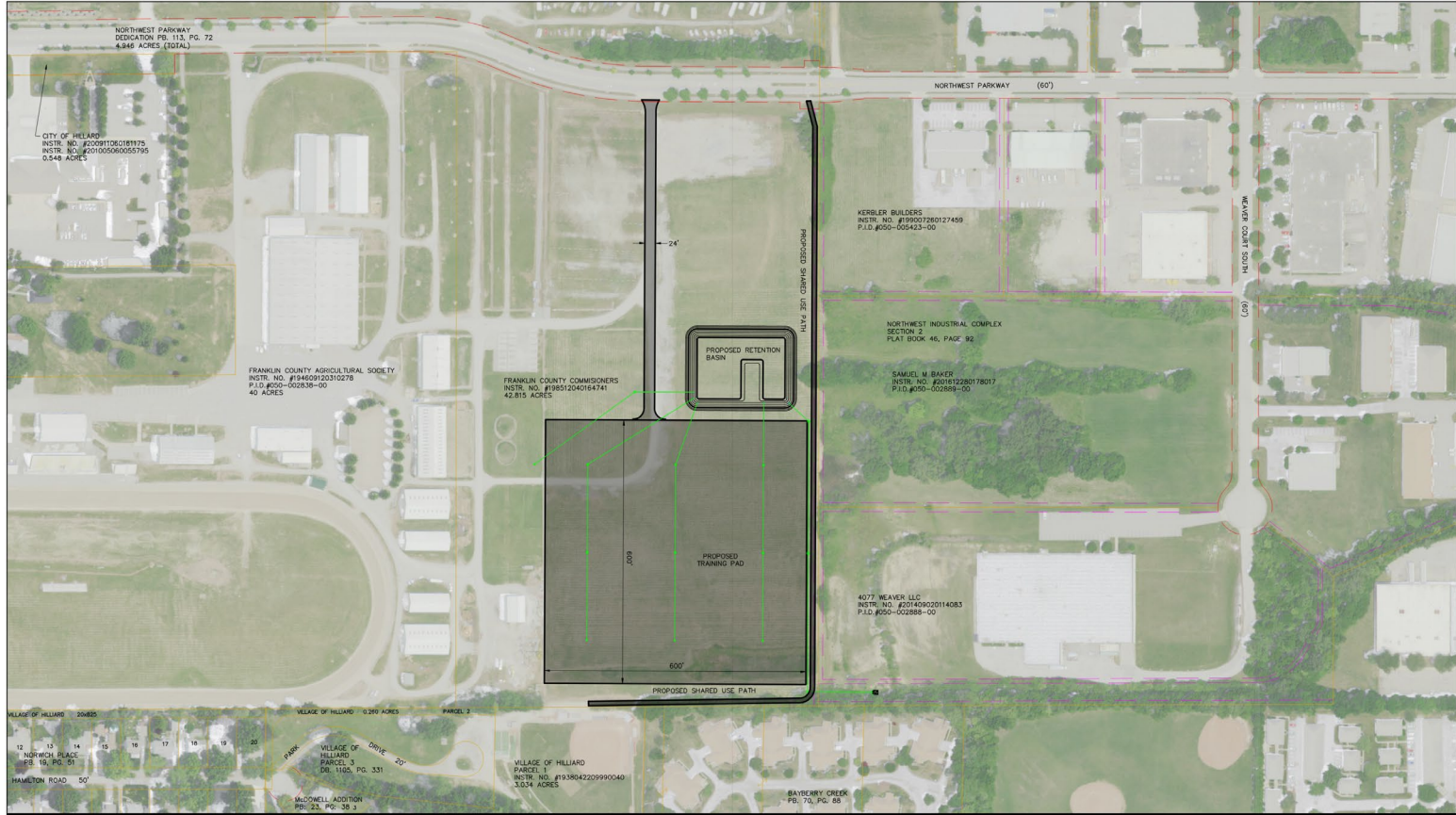
# Benefits

- ✔ **Increased Skill** Our employees would benefit from maneuverability, accident-avoidance techniques, driver awareness training, and general vehicle capability education.
- ✔ **Reduce Accidents** With education and practice our drivers will reduce the number of accidents they have. In the past when we conducted in person, behind the wheel training, we reduced our accidents by 21%.
- ✔ **Cost Reduction** With less accidents comes less cost, both in vehicle repairs and employee injuries.
- ✔ **Collaboration** with other agencies. Some of the training is important for many different agencies. We could potentially invite multiple groups to the same training and share the time of the trained instructors. If a class has the capacity for 10 and FC only has 7 students we could invite 3 from other agencies to participate in the training.
- ✔ **Beginner Drivers** The space could be used for parents with young drivers to train. They need safe spaces to practice, and this would allow them that space.
- ✔ **Driver Education** We have spoken previously with Dom Tiberi with Maria's Message about the importance of focusing on the road. His Foundation is driven to share the message of not being distracted when driving. He has wanted to partner with this project for some time now.
- ✔ **Patrol Training** We have many tools at our disposal to stop dangerous drivers, but we need space to train the staff on how to deploy those tools. Stop sticks, Star Chase, Pit maneuvers, and many more. Training in these tools provides us the capacity to stop dangerous drivers quicker and reduce the potential for accidents with others.



# Site Plan

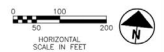
Source: 1:\Planning Design Projects\Franklin County Sheriff Training Pad\04-20 (04-20) 04 Sheriff\Franklin County Fairgrounds Driving Pad Exhibit.dwg  
Date: 04/20/2023 11:58am



**FRANKLIN COUNTY ENGINEER**  
 CORNELL R. ROBERTSON, P.E., P.S.  
**FRANKLIN COUNTY FAIRGROUNDS TRAINING PAD**  
 CITY OF HILLIARD

**LEGEND**

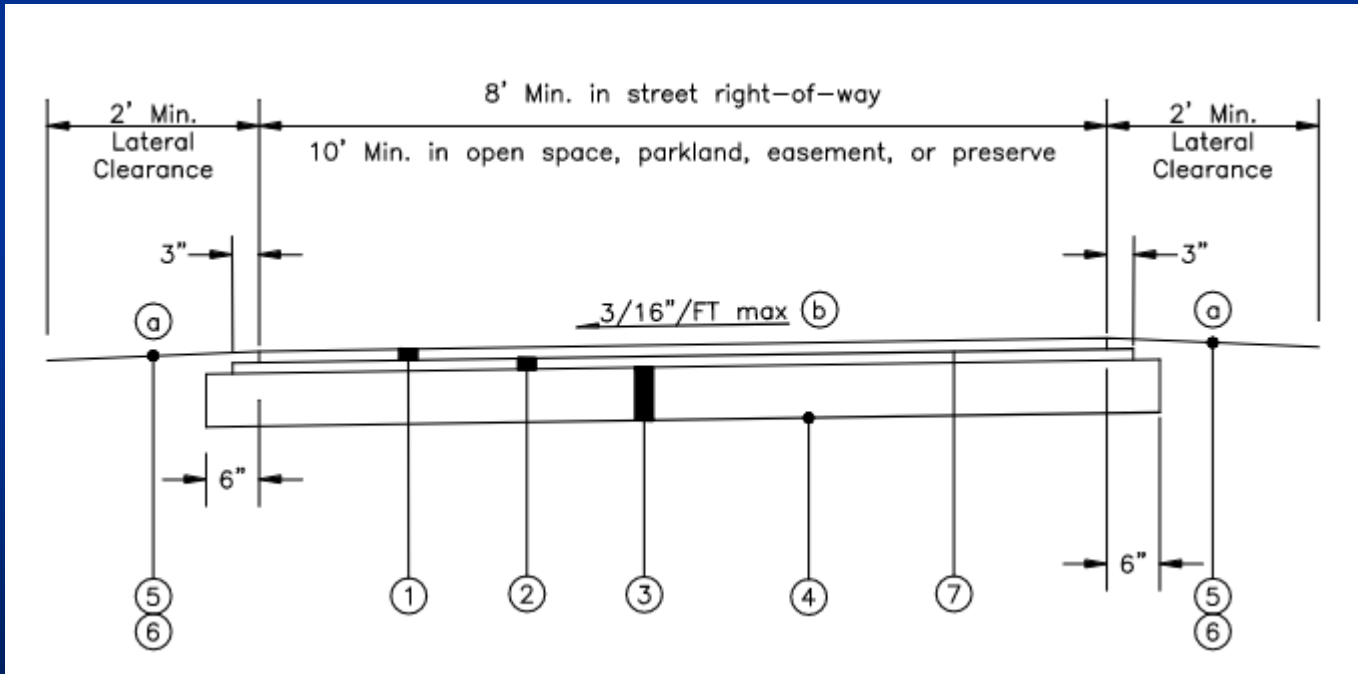
RIGHT OF WAY	---
PROPERTY LINE	---
EASEMENT LINE	---
PROPOSED STORM SEWER LINE	---
PROPOSED IMPROVEMENT	---





# Shared Use Path

- 10' proposed shared-use path will connect Hamilton Park to Northwest Parkway



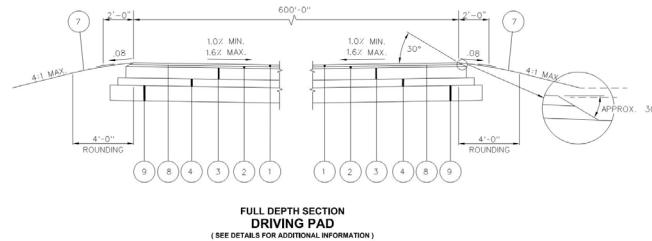
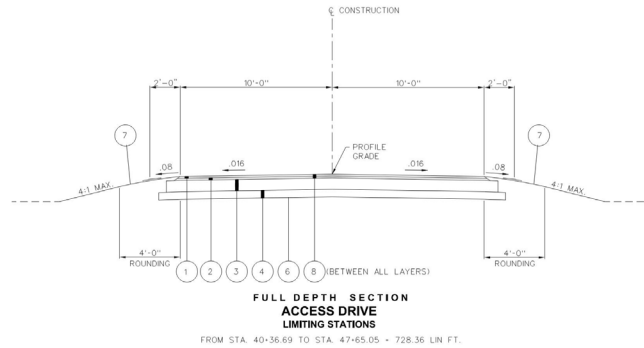






# Driving Pad Plan-Typical Section

DRAWING: T:\Agency Design Projects\Franklin County Sheriff Training Pad\20 (448)\04 Sheet\Franklin County Fairgrounds Driving Pad Typical Sections.dwg  
DATE: 05/20/2025 10:15am



- |        |   |          |   |   |          |   |
|--------|---|----------|---|---|----------|---|
| LEGEND | ① | ITEM 441 | 1-1/2" ASPHALT CONCRETE, SURFACE COURSE, TYPE 1, (448), PG64-22, WITH SAFETY EDGE | ⑧ | ITEM 407 | NON-TRACKING TACK COAT                            |
|        | ② | ITEM 441 | 1-3/4" ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 2, (448), WITH SAFETY EDGE     | ⑨ | ITEM 206 | CEMENT STABILIZED SUBGRADE, 12 INCHES DEEP (MIN.) |
|        | ③ | ITEM 301 | 9" ASPHALT CONCRETE BASE  |   |          |   |
|        | ④ | ITEM 304 | 6" AGGREGATE BASE   |   |          |   |
|        | ⑤ | ITEM 605 | 4" PIPE UNDERDRAIN  |   |          |   |
|        | ⑥ | ITEM 204 | SUBGRADE COMPACTION   |   |          |   |
|        | ⑦ | ITEM 659 | SEEDING AND MULCHING  |   |          |   |

## TYPICAL SECTIONS



**FRANKLIN COUNTY ENGINEER**  
CORNELL R. ROBERTSON, P.E., P.S.  
**FRANKLIN COUNTY FAIRGROUNDS TRAINING PAD**  
CITY OF HILLIARD



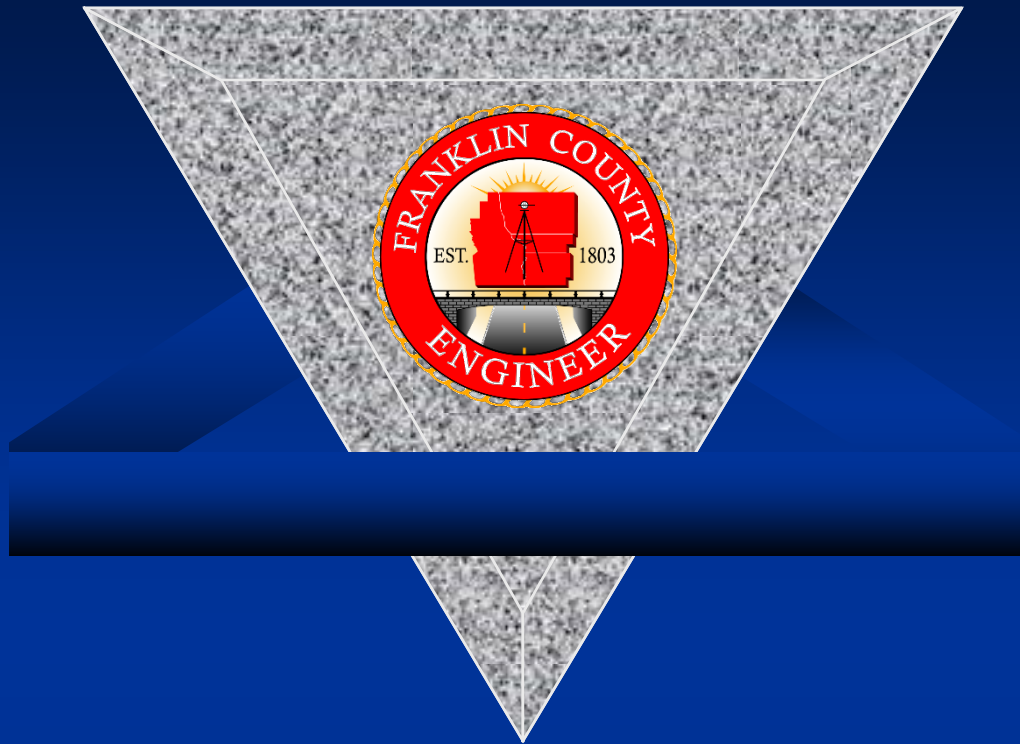
# Zoning Compliance

- ✔ 1115.02 Government facilities are conditional uses in the S-1 zoning district. Conditional uses require a level B site plan reviewed by Planning and Zoning Commission 1131.02(b)
- ✔ 1125.04(h) Requires tree survey prior to any clearing.
- ✔ 1125.04(i) Requires all trees 6” or greater in diameter to be replaced.
- ✔ 1125.05(b) Vehicular Use Areas 10’ wide landscaping area with 2 trees and 30 shrubs per 100 feet for non-residential.
- ✔ 1125.05(c) requires interior landscaping within the parking area
- ✔ 1125.06 Buffering and Screening on the south and east side of the property.
- ✔ 1127.04(b)(10) limits light fixtures adjacent to the residential properties to a maximum of 20 feet. All other areas shall not exceed 35 feet in height.



# Environmental

- ✓ Site will comply with stormwater quantity and quality.
- ✓ Noise
- ✓ Lighting



# Franklin County Fairgrounds Training Pad

**Brad Foster, P.E., P.S.**  
**Chief Deputy Engineer of Operations**  
**[bfoster@franklincountyengineer.org](mailto:bfoster@franklincountyengineer.org)**



# FC FAIRGROUNDS TRAINING PAD

---

4951 Northwest Parkway



CITY OF HILLIARD  
INSTR. NO. #200911060161175  
INSTR. NO. #201005060055795  
0.548 ACRES

FRANKLIN COUNTY AGRICULTURAL SOCIETY  
INSTR. NO. #194609120310278  
P.I.D.#050-002838-00  
40 ACRES

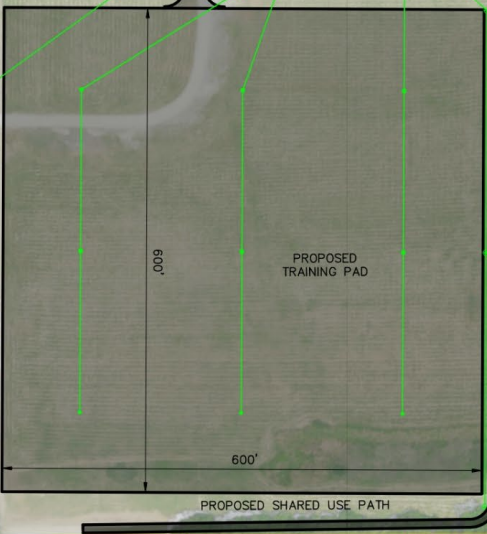
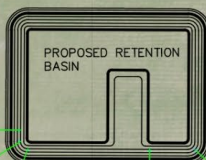
FRANKLIN COUNTY COMMISSIONERS  
INSTR. NO. #198512040164741  
42.815 ACRES

KERBLER BUILDERS  
INSTR. NO. #199007260127459  
P.I.D.#050-005423-00

NORTHWEST INDUSTRIAL COMPLEX  
SECTION 2  
PLAT BOOK 46, PAGE 92

SAMUEL M. BAKER  
INSTR. NO. #201612280178017  
P.I.D.#050-002889-00

4077 WEAVER LLC  
INSTR. NO. #201409020114083  
P.I.D.#050-002888-00



24'

PROPOSED SHARED USE PATH

PROPOSED SHARED USE PATH

WEAVER COURT SOUTH (90')

OF HILLIARD 20x825  
13  
RWICH PL  
19, PG. 51  
ON ROAD 50'

VILLAGE OF HILLIARD 0.260 ACRES PARCEL 2

PARK  
VILLAGE OF HILLIARD  
PARCEL 3  
DB. 1105, PG. 331  
DRIVE 20'

VILLAGE OF HILLIARD  
PARCEL 1  
INSTR. NO. #1938042209990040  
3.034 ACRES



Sheetz

TARGET

INTERSTATE 270

TRUEMAN BOULEVARD





Sheetz

TARGET

INTERSTATE 270

TRUEMAN BOULEVARD

CITY OF HILLIARD  
INSTR. NO. #200911060161175  
INSTR. NO. #201005060055795  
0.548 ACRES

**§1125.05(c)**  
**Interior landscape  
peninsulas/islands required  
throughout the vehicular use area  
with required trees & shrubs**

**§1125.05(b)**  
**10-foot-wide landscape buffer  
2 trees/30 shrubs per 100 LF**

**§1125.05(b)**  
**10-foot-wide landscape buffer  
2 trees/30 shrubs per 100 LF**

**§1125.05(b) and §1125.06**  
**10-foot-wide landscape buffer  
6 trees/30 shrubs per 100 LF  
4-foot-tall screening height required**

**§1125.05(b)**  
**10-foot-wide landscape buffer  
2 trees/30 shrubs per 100 LF**

**§1125.05(b) and §1125.06**  
**25-foot-wide landscape buffer  
7 trees/30 shrubs per 100 LF  
6-foot-tall screening height required**

CITY OF HILLIARD  
INSTR. NO. #200911060161175  
INSTR. NO. #201005060055795  
0.548 ACRES

FRANKLIN COUNTY AGRICULTURAL SOCIETY  
INSTR. NO. #194609120310278  
P.I.D.#050-002838-00  
40 ACRES

FRANKLIN COUNTY COMMISSIONERS  
INSTR. NO. #198512040164741  
42.815 ACRES

KERBLER BUILDERS  
INSTR. NO. #1990072601  
P.I.D.#050-005423-00

NORTHWEST IND  
SECTION 2  
PLAT BOOK 46,

SAMUEL M. BA  
INSTR. NO. #2  
P.I.D.#050-00

4077 WEAVER LLC  
INSTR. NO. #2014090201  
P.I.D.#050-002888-00

VILLAGE OF HILLIARD 0.260 ACRES

PARCEL 2

VILLAGE OF HILLIARD  
PARCEL 3  
DB. 1105, PG. 331

VILLAGE OF HILLIARD  
PARCEL 1  
INSTR. NO. #1938042209990040  
3.034 ACRES

- ✓ Conditional Use approval required for "Government Offices, Buildings & Facilities"
- ✓ Site Lighting per Code (max 20-foot height with maximum lighting level of 0.3 footcandles 10 feet onto adjacent property)
- ✓ Tree Preservation (tree survey and replacement inches on-site)
- ✓ Stormwater management requirements per Hilliard Design Manual
- ✓ Access easement for path accessible to public

- 1) The proposed use will be consistent with the intent and purposes of the Zoning Code and the Comprehensive Plan;
- 2) The proposed use complies with all applicable requirements of the Code, except as specifically altered in the approved conditional use;
- 3) The proposed use will be compatible with the character of the general vicinity;
- 4) The proposed use and layout will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. Due consideration will be given to the location and height of proposed buildings and structures, location and type of proposed fences or walls, location and screening of parking areas and the location and type of proposed landscaping.
- 5) The area and proposed use will be adequately served by essential public facilities and services.....Dedication of said public infrastructure may be required.
- 6) The proposed use will not involve uses, activities, processes, materials, equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the zoning district.
- 7) The location and scale of the use, the nature and intensity of the proposed operations, the site layout and the relation of the proposed use to surrounding streets will not cause undue traffic congestion or hazards.....Peak hour volumes, turning movements, existing street capacity, driveway spacing, sight distances and pedestrian traffic shall all be considered.

**Conditions may be added to achieve the following:**

- 1) Ensure public services and facilities affected by the proposed use or activity will be capable of accommodating increased service and facility loads necessitated by the proposed use.
- 2) Ensure that the use is compatible with adjacent conforming land uses and activities.
- 3) Protect natural resources; the health, safety and welfare; and the social and economic well-being of those who will use the land or activity under consideration, the resident, business owners and landowners immediately adjacent to the proposed use or activity, and the community as a whole.
- 4) Relate to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
- 5) Meet the purpose of the zoning code, be in compliance with the standards established in the code for the land use or activity under consideration and be in compliance with the zoning district standards.

CONDITIONAL USE  
(Planning  
Commission)

CONDITIONAL USE  
(City Council)

LEVEL "B" SITE  
PLAN  
(Planning  
Commission)

VARIANCES  
(Board of Zoning  
Appeals)

CIVIL PLAN  
REVIEW

ZONING  
CERTIFICATE

Agenda Item 6.B.



Ordinance: 23-10

Passed:  
Effective:

**PROVIDING FOR AN AMENDMENT TO SECTIONS 5.01 AND 5.04 OF THE CITY'S CHARTER, AUTHORIZING THE LAW DIRECTOR TO MAKE ARRANGEMENTS WITH THE FRANKLIN COUNTY BOARD OF ELECTIONS, AND DIRECTING THE CLERK OF COUNCIL TO DELIVER A CERTIFIED COPY OF THIS ORDINANCE TO THE FRANKLIN COUNTY BOARD OF ELECTIONS FOR PLACEMENT OF THE QUESTION OF THE CHARTER AMENDMENTS UPON THE BALLOT AT THE NOVEMBER 7, 2023, MUNICIPAL ELECTION FOR APPROVAL BY THE CITY'S ELECTORATE.**

**WHEREAS**, the Charter of the City of Hilliard was approved by the voters on June 2, 1981; and

**WHEREAS**, amendments to the Charter have been made from time to time, pursuant to Article XII, Section 12.06, the last amendment having been made in November 2019; and

**WHEREAS**, it is the desire of the Council of the City that amendments to Sections 5.01 and 5.04, as set forth on Exhibit "A" attached hereto and made a part hereof, be placed before the electorate of the City for approval at the Municipal Election held on November 7, 2023.

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

**SECTION 1.** The question of the amendment to the current Sections 5.01 and 5.04 of the Charter of the City of Hilliard, Ohio, as set forth on Exhibit "A", **attached** hereto and made a part hereof, be submitted as a single ballot question to the qualified electors of the City at the Municipal Election to be held on November 7, 2023, at the regular places and times of voting in the City.

**SECTION 2.** The ballot for said election shall conform to the election laws of the State of Ohio, and shall: (a) be entitled "City of Hilliard Charter Amendment Ballot" and shall be worded as follows: "Shall the Charter of the City of Hilliard be amended as set forth in Ordinance No. 23-\_\_ of the City of Hilliard, Ohio by amending Sections 5.01 and 5.04 of the Charter to provide that the City's Law Director shall be elected in a non-partisan election"; and (b) contain a statement that a majority affirmative vote is necessary for passage and approval of the amendment to Sections 5.01 and 5.04 as proposed herein.

**SECTION 3.** The Law Director is hereby authorized and directed to make such arrangements with the Board of Elections of Franklin County as are necessary for giving notice of said election and for placing the question on the ballot, and for printing the text of the proposed amendment for posting at polling places. In the event that either the Board of Elections of Franklin County or the Ohio Secretary of State determine that the ballot language must read differently than the language set forth in Section 2 above or that the reference to the proposed amended charter language should change for presentation on the ballot, then the Director of Law, upon approval of the City Council President, may make such changes sufficient to permit the issue to be placed on the November 7, 2023 ballot; provided that the proposed change must be presented upon the ballot as a single ballot issue.

**SECTION 4.** The Clerk of Council is directed to certify a copy of this Ordinance to the Board of Elections of Franklin County and to either cause the publication of the full text of the proposed amendment to the Charter as set forth above, once a week for not less than two consecutive weeks in a newspaper of general circulation within the City, with the first publication being at least fifteen days prior to the election, or to mail a copy of the proposed charter amendment to each elector whose name appears upon the poll or registration books of the last regular or general election held within the City, not less than thirty days

prior to the election in accordance with Section 9 of Article XVIII, Ohio Constitution and Ohio Revised Code §731.211.

**SECTION 5.** This Ordinance shall be in effect from and after the earliest time provided for by law.

**ATTEST:**

**SIGNED:**

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

\_\_\_\_\_  
President of Council

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Philip K. Hartmann  
Director of Law

**CERTIFICATE OF THE CLERK**

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance: **23-10** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

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



## Exhibit A

## 5.01 ADMINISTRATIVE DEPARTMENTS.

The City shall have a Department of Finance, a Department of Public Service, and a Department of Law. ~~The Directors thereof shall be appointed by the City Manager and shall serve at the pleasure of the City Manager.~~ The City Manager shall appoint the Director of the Department of Finance and the Department of Public Service and they shall serve at the pleasure of the City Manager. Council shall by the passage of legislation provide for the organization thereof. The Council may create additional departments or divisions of departments, abolish existing departments or divisions of departments and combine departments and divisions as it may deem necessary; provided that the Departments of Finance and Law may not be abolished or combined with any other department. Council may authorize the City Manager to be the head of any one or more departments, except the Departments of Law and Finance, and may authorize one person to be the head of two or more such departments. All other Directors shall be appointed by the City Manager and shall serve at the pleasure of the City Manager.

## 5.04 DIRECTOR OF LAW

(A) Commencing with the regular election held in November 2024, the City Law Director shall be elected in a non-partisan election otherwise as provided herein, shall assume office on the first day of January following the election, and shall serve for a term of four (4) years.

(B) In the event the office of Law Director becomes vacant, City Council shall appoint a qualified person to serve as Law Director for the remainder of the unexpired term. The salary of the City Law Director shall be in such amount as may be fixed by the Council. No change of salary may be made to take effect during the term of such officer and any determination of the amount of such compensation may be made by the Council only by ordinance. The City Law Director shall appoint Assistant City Law Directors and other employees as the Council may authorize. Such assistants and employees shall perform such duties as may be required by the Law Director, and shall receive compensation in an amount to be determined by the Law Director as authorized by the Council. Such assistants and employees shall hold office at the pleasure of the City Law Director.

(C) The Director of Law shall be the prosecuting attorney and legal counsel for the City, and subject to the direction of Council, shall represent the City in all proceedings in court or before any administrative board or body. The Law Director shall serve the Council, the City Manager, the administrative officers, departments and boards and commissions as legal counsel; and shall perform all duties as now or hereafter are imposed by ordinance or resolution of Council. No person shall act as Director of Law unless duly admitted to the practice of law in the State of Ohio. The Law Director shall sign all legislation and contracts "approved as to form" by his/her signature thereon. Council may from time to time provide for such assistants to the Director of Law as it shall deem necessary and ~~neither the Director of Law, nor~~ any assistant(s) shall not be required to reside in the Municipality. Any conflicts of interest that arise in the Law Director's duties shall be brought to the attention of the City Manager and resolved through the appointment of one or more assistants or special counsel as required to avoid ethical conflicts of interest. Nothing in this Section shall be interpreted to prohibit the Law Director from entering into contracts for outside legal counsel as he/she deems necessary to fulfill the functions of the Department, provided sufficient funds are appropriated by City Council. The Director of Law shall not be required to represent any school district or any other unit of government, other than the City.



City Council

Real People. Real Possibilities.

<b>Subject:</b>	Amending Section 161.31 of the City's Codified Ordinances
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	Colleen Lemmon, Chief People Officer & Human Resources Director, Human Resources
<b>Meeting Date:</b>	June 26, 2023

**Executive Summary**

Currently, non-union employees have a life insurance benefit of \$75,000. Staff is recommending for Council to approve the benefit to increase to \$100,000. Increasing the benefit to \$100,000 would allow the non-union employees to have the same life insurance benefit of employees whose positions fall under the FOP, OLC and USW contracts.

**Staff Recommendation**

Staff is recommending the life insurance benefit to be increased to \$100,000 for non-union staff. The financial impact would be small and the change would provide consistency for all full-time employees.

**Background**

Full-time employees receive a life insurance benefit. Currently, non-union employees have a life insurance benefit of \$75,000. Our life insurance carrier is able to increase the cost of the benefit, without increasing the rate.

**Financial Impacts**

There would be a small financial increase for the City with the increase. Our current life insurance carrier will be able to increase the benefit without an additional rate increases. However, since the benefit is factored in to the monthly premium, the City would see a small increase to our monthly premiums. We are estimating to see an increase of \$5,000 per year.

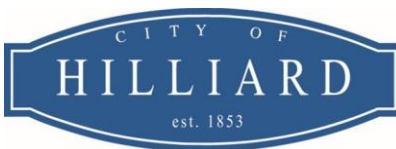
Also, employees are required to pay taxes on the life insurance benefits over \$50,000. However, the increases would be minimal.

**Expected Benefits**

Increasing the benefit to \$100,000 would allow the non-union employees to have the same life insurance benefit as existing employees whose positions fall under the FOP, OLC and USW contracts.

**Attachments**

[Ordinance No. 23-11 \(Life Insurance\) - Pdf](#)



Ordinance: 23-11

Passed:  
Effective:

**APPROVING AN AMENDMENT TO SECTION 161.31 OF THE CITY'S CODIFIED ORDINANCES REGARDING LIFE INSURANCE.**

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

**WHEREAS**, the City finds it necessary to amend certain language in Code Section 161.31 to increase the life insurance benefit to \$100,00; and

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

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

**SECTION 1.** City Council finds that amending the language in Section 161.31, as identified in Exhibit "A", attached hereto and incorporated herein, is in the City's best interest, The changed to Section 161.31, as shown in track changes in the attached Exhibit "A" are approved and shall be incorporated in to the City's Codified Ordinances.

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

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

**ATTEST:**

**SIGNED:**

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

\_\_\_\_\_  
President of Council

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Philip K. Hartmann  
Director of Law

**CERTIFICATE OF THE CLERK**

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance: **23-11** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

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

- **161.31 - HOSPITALIZATION, SURGICAL, MAJOR MEDICAL, PRESCRIPTION DRUG CARD, DENTAL, VISION AND LIFE INSURANCE.**

(a) The City shall provide health care insurance coverage, including hospitalization, surgical, major medical, prescription drug coverage, dental and vision insurance for each eligible full-time employee of the City (including the City Manager and department directors), a collective bargaining agreement or employee contract ("Covered Employee"), as set forth in the Plan Document and Summary Plan Description for the City for each Covered Employee, as such Plan Document may be updated and amended as required by law or as authorized by the City Manager from time to time (the "City's Plan Document"). The City shall pay for the cost of coverage for Covered Employees and their dependents, if such coverage is requested, which shall be subject to the Covered Employees' contribution amounts set forth in subsection (c) below, with deductibles, coinsurance and out-of-pocket limitations as established in the City's Plan Document.

(b) The City shall provide health care insurance coverage, including hospitalization, surgical, major medical, prescription drug coverage, dental and vision insurance as set forth in the City's Plan Document for:

(1) Eligible full-time employees; and

(2) Members of City Council.

The City shall pay for the cost of coverage for those listed in (1) and (2) above and their dependents, if such coverage is requested, which shall be subject to the contribution amounts set forth in subsection (c) below, with deductibles, coinsurance and out of pocket limitations as established in the City's Plan Document. In addition, Council members electing coverage shall have their annual compensation reduced by \$1,000 as required by Ordinance No. 05-65, effective December 28, 2005, or as amended thereafter.

(c) All Covered Employees, as described in subsections (b)(1) and (2) shall pay a monthly contribution to the City for such benefits. The monthly contribution shall be set by the City Manager, following consultation with the Finance Director and Human Resources Director, and shall be an amount equal to a percentage of the amount designated for the City by the City's third-party administrator as the annual "COBRA" premium for individual coverage and family coverage. Contribution amounts shall be paid by Covered Employees through payroll deduction in either one installment or two installments monthly, as may be established by the City Manager. The City's Plan Document shall be amended to include any updated contribution amounts as those amounts are established.

(d) The City's Plan Document contains all benefit levels, payment terms and requirements for eligible employees and officials of the City. A copy of the City's Plan Document shall be kept current and maintained on file in the office of the Clerk of Council. The Human Resources Director shall provide all employees and City Council members who receive health insurance benefits with a copy of any changes made to the Plan Document.

(e) The City shall provide term life insurance in the amount of ~~one hundred seventy-five~~ thousand dollars ~~(\$100,000) (\$75,000)~~ for each non-bargaining unit full-time employee, unless authorized otherwise by legislative action of Hilliard City Council.

( [Ord. No. 21-02](#), § 1(Exh. A), 2-22-21; [Ord. No. 21-40](#), § 3(Exh. B), 11-22-21.)



City Council

Real People. Real Possibilities.

<b>Subject:</b>	TruePointe TIF
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	David Meadows, Economic Development Director, Economic Development Department
<b>Meeting Date:</b>	June 26, 2023

**Executive Summary**

This legislation would create a Tax Increment Financing district location on the west side of Truman Boulevard.

**Staff Recommendation**

Staff recommends approval of this legislation.

**Background**

The City and Equity LLC, an Ohio limited liability company (the “Developer”) expect to enter into a Development Agreement (the “Development Agreement”) to facilitate the development of a highly dense, mixed-use development on approximately 30 acres located to the west of Truman Boulevard in the City of Hilliard (the “Project Site”), including approximately 360 for-rent residential units, 115,000 square feet of class A office space, 135,000 square feet of medical office space, 40,000 square feet of retail space, a 100 key hotel, 1,350 parking spaces in structured parking facilities and related site improvements (collectively, the “Project”).

Ohio Revised Code (“R.C.”) Sections 5709.41, 5709.42 and 5709.43 (collectively, the “TIF Act”) and to facilitate redevelopment of the Project Site and the Project, this Council has determined to (i) create an “incentive district” inclusive of all Parcels pursuant to Article 12.10 of the City’s Charter and establish a tax increment financing program with respect to the real property within the Project Site; (ii) declare 100% of the increase in assessed value of each Parcel subsequent to the acquisition of that property by the City (which increase in assessed value is also hereinafter referred to as the “Improvement” as defined in the TIF Act) to be a public purpose and exempt from real property taxation for a period of 30 years, with the tax exemption commencing for each Parcel in the year an Improvement due to a new building appears on the tax list and duplicate for that Parcel (e.g. separate 30 year exemptions for each Parcel); (iii) require the owner of each such parcel to make service payments in lieu of taxes; (iv) establish an urban redevelopment tax increment equivalent fund for the deposit of those service payments and specify the purposes for which money in that fund will be expended, and (v) provide for the distribution of an applicable portion of such service payments of certain costs of the Project and revenue sharing payments to the Hilliard City School District (the “School District”) and the Tolles Career & Technical Center (the “Career Center”).

The Hilliard City Charter requires consent from both the Hilliard City School District and Norwich Township for any TIF District. The school district authorized the TIF and Revenue Sharing Agreement on June 12, 2023 and Norwich Township is considering the project at its special meeting on June 29, 2023.

**Financial Impacts**

The TIF is expected to generate \$97 million in net service payments to fund public infrastructure, \$18 million in new school revenue and more than \$6.4 million to Norwich Township over the life of the TIF.

**Expected Benefits**

This project will lead to the construction of 115,000 square feet of class A office space, 135,000 square feet of medical office space, 40,000 square feet of retail space, a 100 key hotel, 1,350 parking spaces in structured parking facilities.

**Attachments**

[Ordinance No. 23-12 \(TruePointe TIF\) - Pdf](#)



Ordinance: 23-12

Passed:  
Effective:

**DECLARING THE IMPROVEMENTS TO THE TRUEPOINT DEVELOPMENT SITE TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; AUTHORIZING THE USE OF SERVICE PAYMENTS TO PAY URBAN REDEVELOPMENT COSTS; ESTABLISHING A TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND AUTHORIZING REVENUE SHARING AGREEMENTS WITH THE HILLIARD CITY SCHOOL DISTRICT AND NORWICH TOWNSHIP.**

**WHEREAS**, the City and Equity LLC, an Ohio limited liability company (the “Developer”) expect to enter into a Development Agreement (the “Development Agreement”) to facilitate the development of a highly dense, mixed-use development on approximately 30 acres located to the west of Trueman Boulevard in the City of Hilliard (the “Project Site”), including approximately 360 for-rent residential units, 115,000 square feet of class A office space, 135,000 square feet of medical office space, 40,000 square feet of retail space, a 100 key hotel, 1,350 parking spaces in structured parking facilities and related site improvements (collectively, the “Project”); and

**WHEREAS**, Ohio Revised Code (“R.C.”) Sections 5709.41, 5709.42 and 5709.43 (collectively, the “TIF Act”) and to facilitate redevelopment of the Project Site and the Project, this Council has determined to (i) create an “incentive district” inclusive of all Parcels pursuant to Article 12.10 of the City’s Charter and establish a tax increment financing program with respect to the real property within the Project Site; (ii) declare 100% of the increase in assessed value of each Parcel subsequent to the acquisition of that property by the City (which increase in assessed value is also hereinafter referred to as the “Improvement” as defined in the TIF Act) to be a public purpose and exempt from real property taxation for a period of 30 years, with the tax exemption commencing for each Parcel in the year an Improvement due to a new building appears on the tax list and duplicate for that Parcel (e.g. separate 30 year exemptions for each Parcel); (iii) require the owner of each such parcel to make service payments in lieu of taxes; (iv) establish an urban redevelopment tax increment equivalent fund for the deposit of those service payments and specify the purposes for which money in that fund will be expended, and (v) provide for the distribution of an applicable portion of such service payments of certain costs of the Project and revenue sharing payments to the Hilliard City School District (the “School District”) and the Tolles Career & Technical Center (the “Career Center”); and

**WHEREAS**, as required by the TIF Act, the City acquired fee title to the Parcels (as defined in Section 1) prior to enacting this ordinance and has or will transfer title to the Parcels to Trueman Boulevard LLC, a Delaware limited liability company, and RRIHQ LLC, an Ohio limited liability company (together with their designees, collectively, the “Companies”), or its designee, for redevelopment; and

**WHEREAS**, the Project Site is located within the boundaries of the School District and the Career Center, and the City has delivered notice of this ordinance to the board of education of each such district in accordance with R.C. Sections 5709.41 and 5709.83, or the board of education has waived such notice; and

**WHEREAS**, Article 12.10 of the City Charter provides that the School District and Norwich Township must approve of any “incentive district” created by the City pursuant to Revised Code Section 5709.41 including the construction of one or more “Dwelling Units” (as defined in the City’s Charter); and

**WHEREAS**, on \_\_\_\_\_, 2023, the Board of Trustees of Norwich Township has adopted a resolution granting its approval of the “incentive district” containing the Project Site for purposes of Article 12.10 of the City’s Charter and authorized the Township to enter into a Revenue Sharing Agreement with the City (the “Township Revenue Sharing Agreement”); and

**WHEREAS**, on June 12, 2023, the Board of Education of the School District has adopted a resolution granting its approval of the “incentive district” containing the Project Site for purposes of Article 12.10 of the City’s Charter, approved the exemptions from taxation granted by this ordinance and authorized the School District entered into a Revenue Sharing Agreement with the City (the “School Revenue Sharing Agreement”);

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

**SECTION 1. Parcels**. The parcels of real property subject to the exemption granted by this ordinance are identified and depicted in Exhibit A attached hereto (each, as currently or subsequently configured, individually, a “Parcel” and collectively, the “Parcels”). This Council finds that the City acquired the Parcels while engaged in urban redevelopment within the meaning of the TIF Act.

**SECTION 2. Urban Redevelopment Costs**. Money deposited into the TIF Fund (as defined in Section 5) may be used to pay for or finance the costs of improvements to or on, or servicing, the Parcels or the Project, including but not limited to the acquisition of the Parcels, site preparation and construction of the Project, together with all necessary appurtenances and related costs, including but not limited to all costs enumerated in the Development Agreement or in R.C. Section 133.15(B), together with any other costs hereafter designated by ordinance (collectively, the “Urban Redevelopment Costs”).

**SECTION 3. Authorization of Tax Exemption**. This Council hereby creates an “incentive district” inclusive of all Parcels for purposes of Article 12.10 of the City’s Charter. This Council finds and determines that 100% of the increase in assessed value of each Parcel subsequent to the acquisition of that Parcel by the City (which increase in assessed value is hereinafter referred to as the “Improvement” as defined in R.C. Section 5709.41) is hereby declared to be a public purpose and will be exempt from taxation for a period commencing for each separate Parcel on the date an Improvement due to the construction of a new building on that Parcel first appears on the tax list and duplicate were it not for the exemption granted by this ordinance and ending on the earlier of (a) 30 years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act. It is the express intention of Council that each separate tax Parcel will have a separate 30-year exemption period. The exemption granted by this Section 3 is subordinate to any exemptions granted pursuant to ORC 3735.65 et. seq. (CRA abatements) or ORC 5709.61 et. seq. (Enterprise Zone abatements).

**SECTION 4. Service Payments and Property Tax Rollback Payments**. As provided in ORC 5709.42, the owner of each Parcel is hereby required to make service payments in lieu of taxes with respect to the Improvement allocable to each Parcel to the Franklin County Treasurer on or before the final dates for payment of real property taxes. The service payments in lieu of taxes will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3, including any penalties and interest (collectively, the “Service Payments”). The Service Payments, and any other payments with respect to the Improvement to each Parcel that are received in connection with the reduction required by ORC 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the “Property Tax Rollback Payments”), will be deposited and distributed in accordance with Section 6.

**SECTION 5. TIF Fund**. This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. Section 5709.43, the TruePointe Urban Redevelopment Tax Increment Equivalent Fund (the “TIF Fund”). The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 6 of this ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to R.C. Section 5709.42 shall be used solely for the purposes authorized in the TIF Act or this



ordinance. The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with R.C. Section 5709.43.

**SECTION 6. Distributions.** Pursuant to the TIF Act, the County Treasurer is requested to distribute the Service Payments and Property Tax Rollback Payments to the City for further deposit into the TIF Fund and shall be used to pay or reimburse the Urban Redevelopment Costs, including, without limitation, payment of reimbursements to the City's General Fund or other City funds, or payment of debt charges on any notes or bonds of the Finance Authority, the City or its designee and issued to pay or reimburse the Urban Redevelopment Costs, to make revenue sharing payments to the School District and the Career Center authorized pursuant to Section 7, and any other lawful purpose. All distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions.

**SECTION 7. School Revenue Sharing Agreement and Payments.** The form of School Revenue Sharing Agreement between the City and the School District attached as Exhibit "B", and incorporated herein, is hereby approved, together with any completions and changes thereto that are not substantially adverse to the City and are approved by the City Manager. The City Manager, for and in the name of the City, is hereby authorized to execute and deliver the Revenue Sharing Agreement in substantially that form, together with any such completions or changes. The approval of such completions and changes, and that such completions and changes are not substantially adverse to the City, shall be conclusively evidenced by the execution of the Revenue Sharing Agreement by the City Manager. This Council hereby further authorizes the making of Base Revenue Sharing Payments and Additional Revenue Sharing Payments to the School District pursuant to the terms of the School Revenue Sharing Agreement. This Council hereby further authorizes any compensation payments required to be made to the Career Center as required by law.

**SECTION 8. Township Revenue Sharing Agreement and Payments.** The form of Township Revenue Sharing Agreement between the City and Norwich Township attached as Exhibit "C", and incorporated herein, is hereby approved, together with any completions and changes thereto that are not substantially adverse to the City and are approved by the City Manager. The City Manager, for and in the name of the City, is hereby authorized to execute and deliver the Revenue Sharing Agreement in substantially that form, together with any such completions or changes. The approval of such completions and changes, and that such completions and changes are not substantially adverse to the City, shall be conclusively evidenced by the execution of the Revenue Sharing Agreement by the City Manager.

**SECTION 9. Further Authorizations.** This Council hereby authorizes and directs the City Manager, the City Finance Director, or other appropriate officers of the City, or other appropriate officers of the City to deliver a copy of this ordinance to the Director of Development of the State of Ohio and to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the City Manager, the City Finance Director, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this ordinance.

**SECTION 10. Open Meetings.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including R.C. Section 121.22.

**SECTION 11.** This Ordinance shall be in effect from and after the earliest time provided for by law.

SECTION 1.

SECTION 2.

SECTION 3.

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

ATTEST:

SIGNED:

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

\_\_\_\_\_  
President of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Philip K. Hartmann  
Director of Law

**CERTIFICATE OF THE CLERK**

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance: **23-12** passed by the Hilliard City Council on the of



IN TESTIMONY WHEREOF, witness my hand and official seal on the of

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

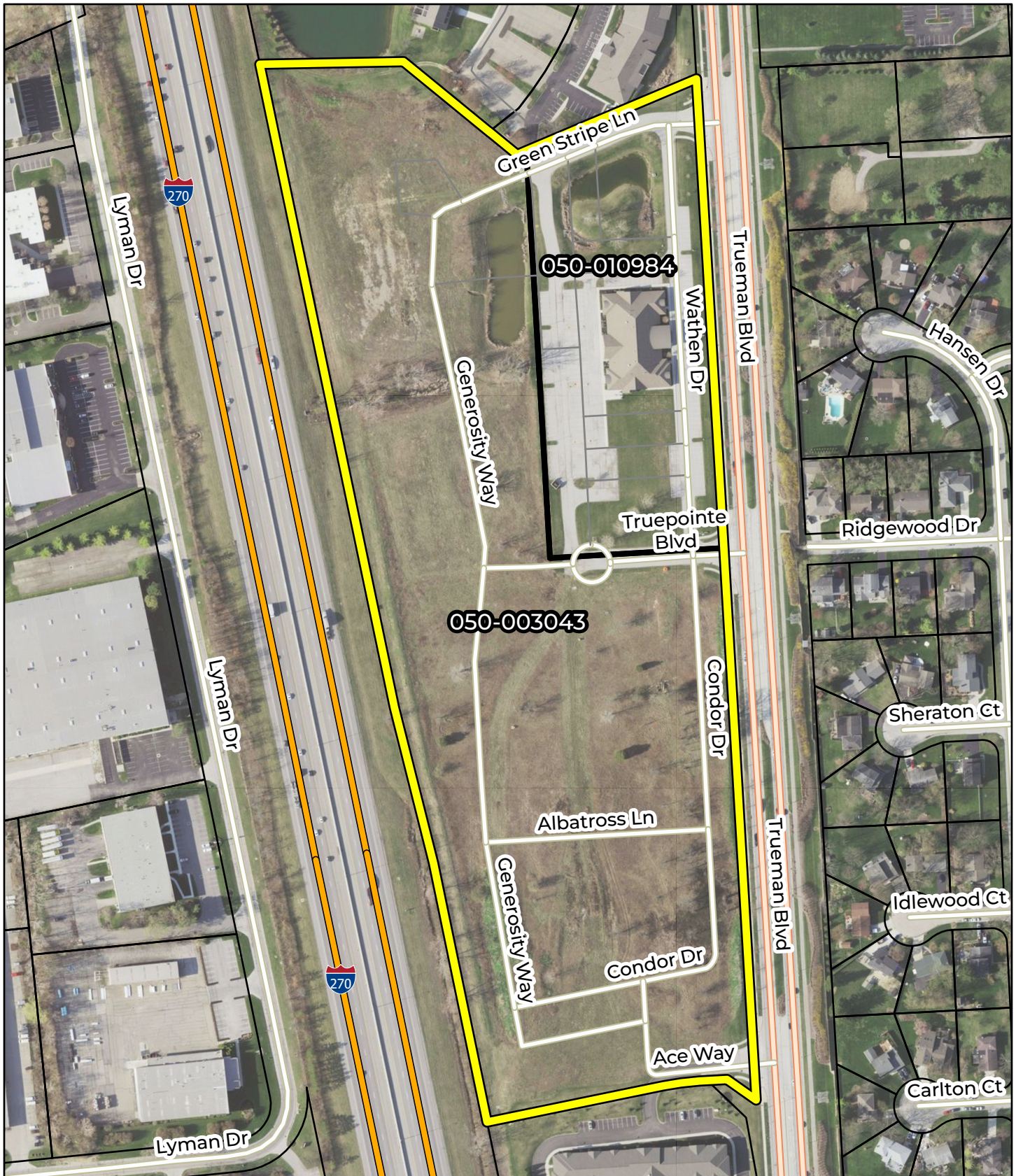
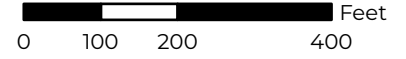


# TruePointe TIF Map



-  TIF Boundary
-  TIF Parcels

1 inch equals 250 ft



**SCHOOL REVENUE SHARING AGREEMENT  
(TruePointe Project)**

This School Revenue Sharing Agreement (this “**Agreement**”) is made and entered into as of [•], 2023, by and among the CITY OF HILLIARD, OHIO (the “City”), a municipal corporation organized and existing under the constitution, its Charter, and the laws of the State of Ohio with its principal offices at 3800 Municipal Way, Hilliard, Ohio 43026 and the HILLIARD CITY SCHOOL DISTRICT (the “**School District**”), a public school district with its principal offices located at 2140 Atlas Street, Columbus, Ohio 43228.

WITNESSETH:

WHEREAS, the City and Equity, LLC, an Ohio limited liability company, (the “**Developer**”), expect to enter into a Development Agreement for the development of a highly dense, mixed-use development on approximately 30 acres located to the west of Trueman Boulevard in the City of Hilliard as shown on Exhibit A attached hereto (the “**Project Site**”, with each separate tax parcel within the Project Site hereinafter referred to as a “**Parcel**”), including approximately 360 for-rent residential units, 115,000 square feet of class A office space, 135,000 square feet of medical office space, 40,000 square feet of retail space, a 100 key hotel, 1,350 parking spaces in structured parking facilities and related site improvements (collectively, the “**Project**”); and

WHEREAS, Ohio Revised Code Chapter 3735 authorizes the City, with the consent of its legislative authority, to grant real property tax exemptions on eligible new investments in the City; and

WHEREAS, City Council by Resolution No. 00-C-40 [certified on December 5, 2000][**City to confirm**], as amended by Resolution No. 06-R-11 on February 27, 2006 and as further amended by Resolution No. 10-R-36 on September 27, 2010 (collectively, the “**CRA Ordinance**”), creating the SOMA Community Reinvestment Area and the Director of Development of the State of Ohio determined that the aforementioned area designated in Resolution No. 00-C-40 contained the characteristics set forth in Revised Code Chapter 3735 in certification number 049-35476-01; and

WHEREAS, the City and the Developer desire to enter into a Community Reinvestment Area Agreement (the “**CRA Agreement**”) pursuant to Section 3735.671 of the Revised Code in order to grant a 15-year, 100% real property tax abatement for structure parking improvements on the Project Site (the “**CRA Exemptions**”); and

WHEREAS, pursuant to Revised Code Sections 5709.40 or 5709.41, .42, and .43 (together with related provisions of the Revised Code, the “**TIF Act**”) the Developer has requested that City Council adopt one or more ordinance that: (i) create an “incentive district” inclusive of all Parcels pursuant to Article 12.10 of the City’s Charter and establish a tax increment financing program with respect to the real property within the Project Site; (ii) declare 100% of the increase in

assessed value of each Parcel subsequent to the acquisition of that property by the City (which increase in assessed value is also hereinafter referred to as the “**Improvement**” as defined in the TIF Act) to be a public purpose and exempt from real property taxation for a period of 30 years, with the tax exemption commencing for each Parcel in the year an Improvement due to a new building appears on the tax list and duplicate for that Parcel (e.g. separate 30 year exemptions for each Parcel)(the “**TIF Exemptions**”); (iii) provide for service payments in lieu of taxes (the “**Service Payments**”) as obligations running with the land for each Parcel for the duration of the TIF Exemption; and (iv) authorize the payment from the Service Payments of certain costs of the Project and revenue sharing payments to the School District and the Tolles Career & Technical Center; and

WHEREAS, the TIF Act and Section 5709.82 of the Revised Code provides for the City and the School District to enter into agreements in order to compensate the School District for all or a portion of the real estate taxes that would have been paid to the School District if the Improvement to the Parcels had not been exempted from taxation by the CRA Exemptions and the TIF Exemptions; and

WHEREAS, on [•], 2023, the Board of Education of the School District has adopted a resolution granting its approval of this Agreement, the CRA Exemptions, the TIF Exemptions and CRA Agreement, and waived any further notice, approval or compensation requirements of Revised Code Sections 3735.671, 5709.40, 5709.41, 5709.82 and 5709.83 on the condition that the City execute and deliver this Agreement.

NOW THEREFORE, in consideration of the premises and covenants contained herein, the parties agree to the foregoing and as follows:

Section 1. School District Approval and Agreement. In consideration of the payments to be made to it under this Agreement, the School District waives all notices of, and approves each of the TIF Exemptions, the CRA Agreement and the CRA Exemptions upon the terms described herein, together with any ordinances or resolutions adopted by City Council to approve the TIF Exemptions, the CRA Agreement and the CRA Exemptions.

Section 2. Revenue Sharing Payments to School District. The parties agree that, as consideration for the School District’s agreements in Section 1, the City shall pay School District the Base Revenue Sharing Payments and the Additional Revenue Sharing Payments with respect to the TIF Exemptions, each as defined below. The School District shall not receive compensation or revenue sharing payments for taxes exempted pursuant to the CRA Exemptions. The TIF Exemptions will be subordinate to the CRA Exemptions.

- (a) Base Revenue Sharing Payments. The City shall pay to the School District the following amounts from Service Payments actually received by the City from a Parcel during the term of the TIF Exemption for that Parcel as follows (the “**Base Revenue Sharing Payments**”):
  - i. Commencing with the first (1<sup>st</sup>) tax year of the TIF Exemption for a Parcel, and through and including tenth (10<sup>th</sup>) tax year of the TIF Exemption for a Parcel, the City will pay to the School District twelve and one-half percent (12.5%) of

the Service Payments received by the City from that Parcel that are generated from School District property tax levies applicable to that Parcel.

- ii. Commencing with the eleventh (11<sup>th</sup>) tax year of the TIF Exemption for a Parcel, and through and including twentieth (20<sup>th</sup>) tax year of the TIF Exemption for a Parcel, the City will pay to the School District sixteen and sixty-seven hundredths percent (16.67%) of the Service Payments received by the City from that Parcel that are generated from School District property tax levies applicable to that Parcel.
  - iii. Commencing with the twenty-first (21<sup>st</sup>) tax year of the TIF Exemption for a Parcel, and through and including the thirtieth (30<sup>th</sup>) tax year of the TIF Exemption for a Parcel, the City will pay to the School District twenty-five percent (25%) of the Service Payments received by the City from that Parcel that are generated from School District property tax levies applicable to that Parcel.
- (b) Additional Revenue Sharing Payments. The City shall pay to the School District certain Additional Revenue Sharing Payments during the term of the TIF Exemption for any Parcel as follows (the “**Additional Revenue Sharing Payments**”):
- i. While any Bonds are outstanding, the City will pay to the School District (or cause the Bond trustee to pay to the School District) thirty percent (30%) of any Excess Service Payments, less the portion of the Excess Service Payments required to be paid to the Tolles Career & Technical Center .
  - ii. If no Bonds are outstanding, the City will pay to the School District (or cause the Bond trustee to pay to the School District), one hundred percent (100%) of the Service Payments received by the City.
  - iii. For purposes of the Additional Revenue Sharing Payments:
    - 1) “**Bonds**” mean bonds issued by the Columbus-Franklin County Finance Authority or other public bond issuer in a principal amount not to exceed \$53,740,000.
    - 2) “**Excess Service Payments**” shall mean any Service Payments remaining in the custody of the City or the Bond trustee on each December 15 after scheduled debt service and administrative costs on the Bonds have been paid and any required reserve funds for the Bonds have been funded or replenished in accordance with the requirements of the Bond documents. Excess Service Payments not paid to the School District shall be used to redeem Bonds in accordance with the requirements of the Bond documents.

Section 3. Timing of Payments. The City shall distribute the Base Revenue Sharing Payments to the School District on or before each June 15 and December 15 of the calendar year in which the City receives Service Payments for a Parcel . The City shall distribute (or cause the Bond trustee to distribute) the Additional Revenue Sharing Payments by December 31 of each year. The records of the City relating to the amount of any TIF Revenue Payment shall be made available to the School District for audit annually by the treasurer of the School District or by an independent auditor of the School District's choice and at its sole expense.

Section 4. Satisfaction of Revised Code 5709.82. The Base Revenue Sharing Payments and the Additional Revenue Sharing Payments satisfy the requirements of Revised Code Section 5709.82. The School District waives any and all other rights to compensation payments, income tax sharing or other payments under the Revised Code that may now or hereafter exist with respect to the TIF Exemptions or the CRA Exemptions.

Section 5. No Contest. The School District agrees that neither they nor anyone acting on its behalf shall file a complaint pursuant to Section 5715.19 of the Revised Code or otherwise seeking to increase the tax year 2022 or tax year 2023 market or assessed value of any of the Parcels from the value assigned thereto by the County Auditor.

Section 6. Sharing of Information. The City agrees to cooperate to share information with the School District as to its receipt of Service Payments upon request of the School District, subject to any restrictions imposed by law.

Section 7. Defaults. A party shall be in default of this Agreement if (a) the City fails to make any payment of the Base Revenue Sharing Payments or Additional Revenue Sharing Payments when due, and any such failure continues for thirty (30) days after receiving written notice of default from the other party; or (b) a party fails to perform any material obligation under this Agreement and such failure continues uncured for more than thirty (30) days after receiving a written notice of default from the other party. Any such default, which continues uncured beyond the thirty (30) day cure period above, shall constitute an “**Event of Default.**” Upon the occurrence of an Event of Default, beyond any applicable cure periods, and as long as the Event of Default is continuing, the other party may, at its sole option, proceed by appropriate court action to enforce the terms of this Agreement.

Section 8. Limitation of Liability. No party shall be liable for more than the sum of all payments owed by that party under this Agreement. In no event will any party be liable to another party under this Agreement for any indirect, reliance, exemplary, incidental, speculative, punitive, special, consequential or similar damages that may arise in connection with this Agreement. The maximum amount of Base Revenue Sharing Payments and Additional Revenue Sharing Payments shall not exceed the total real property taxes that the School District would have received absent the TIF Exemptions and CRA Exemptions (on a cumulative basis for the life of the TIF Exemptions and CRA Exemptions).

Section 9. Entire Agreement. This Agreement sets forth the entire agreement and understanding between the parties as to the subject matter contained herein and merges and supersedes all prior discussions, agreements, and undertakings of every kind between the parties with respect to the subject matter of this agreement.

Section 10. Notices. All payments and notices under this Agreement must be hand-delivered (with receipt acknowledged) or sent by the first-class U.S. mail, postage prepaid, and are deemed delivered when so delivered or mailed to the respective addresses first set forth above. Either party may change its address for receiving payments or notices by giving written notice of such change to the other party.

Section 11. Severability of Provisions. The invalidity of any provision of this Agreement shall not affect the other provisions of this Agreement, and this Agreement shall be construed in all respects as if any invalid portions were omitted.

Section 12. Amendment. This Agreement may be amended or modified by the parties only in writing, signed by both parties to this Agreement.

Section 13. Assignments. This Agreement is not transferable or assignable without the express, written approval of each party.

Section 14. Counterparts. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any party to this Agreement may execute this Agreement by signing any such counterpart. Electronically executed counterparts (such as DocuSign counterparts) or signatures transmitted or stored by facsimile or electronic means (such as .pdf counterparts) are deemed original signatures.

Section 15. Authorization. The undersigned represent and warrant that they are agents of their respective parties, duly authorized to execute this Agreement on behalf of said parties.

Section 16. Governing Law. This Agreement for all purposes shall be governed by and construed in accordance with the laws of the State of Ohio.

***Remainder of Page Intentionally Left Blank***

***Signature Page Follows***



IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and delivered on the date set forth above.

**CITY OF HILLIARD, OHIO**

By: \_\_\_\_\_  
City Manager

Approved as to legal form:

\_\_\_\_\_  
Law Director

**FINANCIAL OFFICER’S CERTIFICATE**

The undersigned, Director of Finance of the City of Hilliard, Ohio (the “City”), hereby certifies that amount required to be paid by the City during fiscal year 2023 under the foregoing Agreement has been lawfully appropriated for the purpose, and is in the treasury or in process of collection to the credit of an appropriate fund, free from any outstanding obligation or encumbrance.

\_\_\_\_\_  
Director of Finance

Dated: \_\_\_\_\_, 2023

**[Signature Page to School Revenue Sharing Agreement – TruePointe Project]**

**HILLIARD CITY SCHOOL DISTRICT**

By: \_\_\_\_\_  
Treasurer

By: \_\_\_\_\_  
President of the Board of Education

**[Signature Page to School Revenue Sharing Agreement – Truepointe Project]**

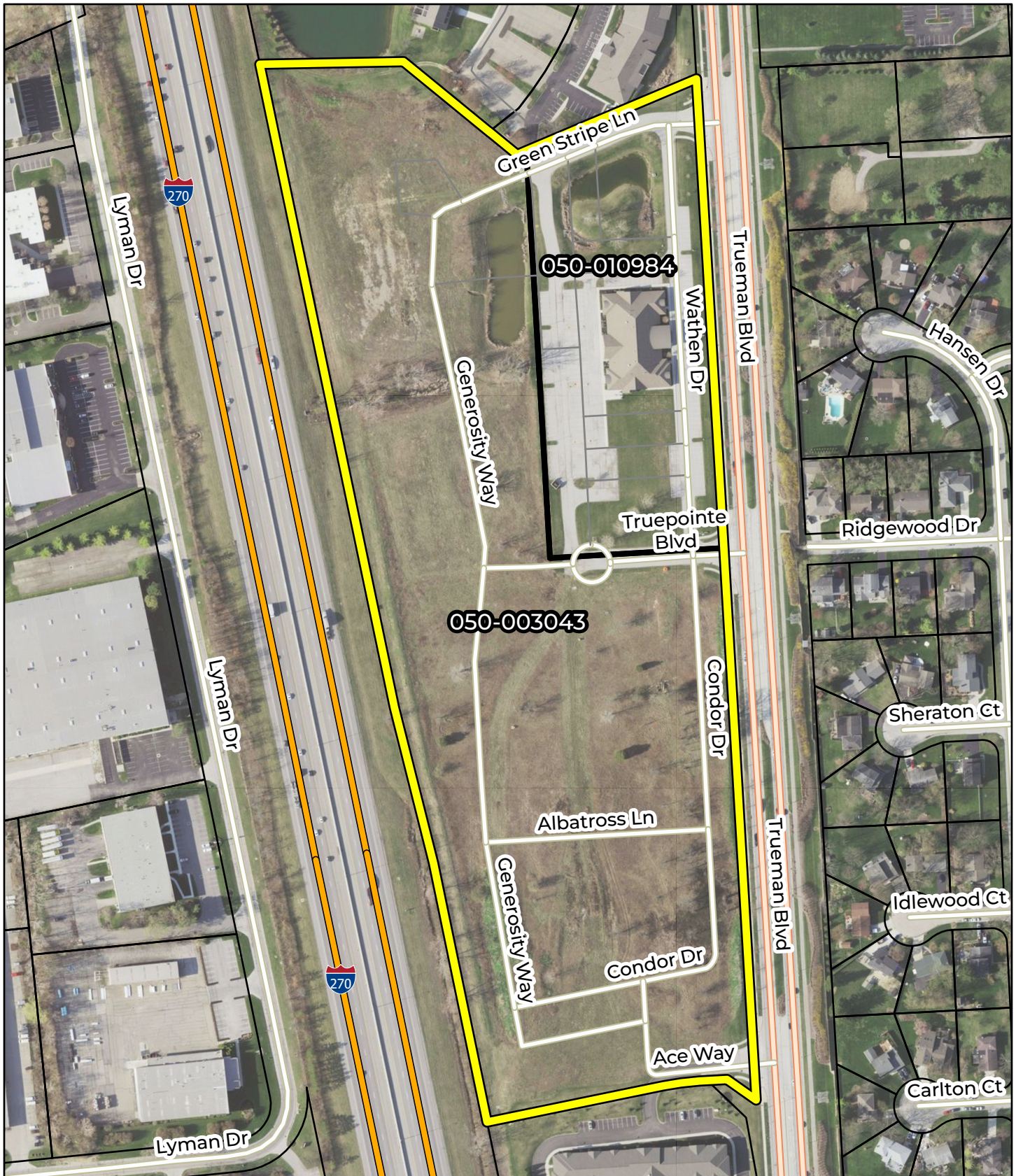
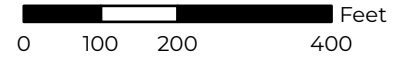


# TruePointe TIF Map



- TIF Boundary
- TIF Parcels

1 inch equals 250 ft



The Board of Education of the Hilliard City School District, Ohio, met in Regular session at Central Office Administration Building, 2140 Atlas St, Columbus, Ohio, commencing at 6:30 p.m. on June 12, 2023, with the following members present:

Mrs. Kara Crowley      Mrs. Nadia Long (Absent)

Mrs. Beth Murdoch      Mr. Brian Perry

Mr. Zach Vorst

The Treasurer advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Mr. Brian Perry moved the adoption of Resolution No: 83-23

**A RESOLUTION APPROVING CERTAIN REAL PROPERTY TAX EXEMPTIONS AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REVENUE SHARING AGREEMENT FOR THE TRUEPOINTE PROJECT IN THE CITY OF HILLIARD.**

WHEREAS, the City of Hilliard (the “City”) has provided this Board information relating to the proposed construction of a highly dense, mixed-use development on approximately 30 acres located to the west of Trueman Boulevard in the City of Hilliard (the “Project Site”), including approximately 360 for-rent residential units, 115,000 square feet of class A office space, 135,000 square feet of medical office space, 40,000 square feet of retail space, a 100 key hotel, 1,350 parking spaces in structured parking facilities and related site improvements (collectively, the “Project”) by Equity, LLC, an Ohio limited liability company (the “Developer”); and

WHEREAS, pursuant to Revised Code Sections 5709.40 or 5709.41, .42, and .43 (together with related provisions of the Revised Code, the “TIF Act”) the Developer has requested that City Council adopt one or more ordinance that: (i) create an “incentive district” inclusive of the Project Site pursuant to Article 12.10 of the City’s Charter and establish a tax increment financing program with respect to the real property within the Project Site; (ii) declare 100% of the increase in assessed value of each parcel within the Project Site subsequent to the acquisition of that property by the City (which increase in assessed value is also hereinafter referred to as the “Improvement” as defined in the TIF Act) to be a public purpose and exempt from real property taxation for a period of 30 years, with the tax exemption commencing for each parcel in the year an Improvement due to a new building appears on the tax list and duplicate for that parcel (e.g. separate 30 year exemptions for each parcel)(the “TIF Exemptions”); and (iii) provide for service payments in lieu of taxes as obligations running with the land for each parcel for the duration of the TIF Exemption; and

WHEREAS, Sections 3735.65 et seq. of the Ohio Revised Code authorize municipal corporations to designate areas as “community reinvestment areas” and to grant real property tax exemptions for new construction within those areas, and the City has expressed to this Board its desire to grant a real property tax exemption (the “CRA Exemptions”), with the exemption to be for a period of fifteen (15) years and for 100% of the value of the structured parking facilities to be developed on certain parcels on the Project Site, all in connection with the development of the real property located within the portion of the SOMA Community Reinvestment Area described in the CRA Agreement (the “CRA Agreement”) in substantially the form attached hereto as Exhibit A and located within the Project Site; and

WHEREAS, the TIF Act and Section 5709.82 of the Ohio Revised Code provides for the City and the School District to enter into agreements in order to compensate this School District for all or a portion of the real estate taxes that would have been paid to this School District if the Improvement to the Parcels had not been exempted from taxation by the CRA Exemptions and the TIF Exemptions; and

WHEREAS, subject to the provisions of this resolution, this Board has determined to (i) approve the “incentive district” and the TIF Exemptions pursuant to Article 12.10 of the City’s Charter, (ii) approve the CRA Exemptions and the CRA Agreement, (iii) authorize the execution and delivery by the School District of a Revenue Sharing Agreement in substantially the form attached hereto as Exhibit B (the “Revenue Sharing Agreement”) by and between the School District and the City detailing and implementing the requirements of this resolution, providing for certain payments to the School District (the “Revenue Sharing Payments”) and waiving any other compensation with respect to the TIF Exemptions and CRA Exemptions approved herein, and (iv) waive any notices otherwise required by the Ohio Revised Code or informalities or irregularities in connection with the approval and granting of the TIF Exemptions and the CRA Exemptions approved herein;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Hilliard City School District, Counties of Franklin and Union, State of Ohio, that:

Section 1. Approval of TIF Exemptions. This Board hereby determines that in consideration of the Revenue Sharing Payments and subject to the execution and delivery of the Revenue Sharing Agreement by the City, it approves the creation of the “incentive district” for the Project Site under Section 12.10 of the City Charter and the TIF Exemptions to be authorized by Hilliard City Council by one or more ordinances.

Section 2. Approval of CRA Exemptions. This Board further hereby determines that in consideration of the Revenue Sharing Payments and subject to the execution and delivery of the Revenue Sharing Agreement by the City, it hereby approves the CRA Agreement (including any assignment thereof), in the form attached as Exhibit A hereto, and the CRA Exemptions.

Section 3. Revenue Sharing Agreement. The President and Treasurer of this Board are each individually authorized, on behalf of this Board and the School District and in their official capacities, to execute and deliver the Revenue Sharing Agreement with the City in substantially the form attached as Exhibit B hereto. That Revenue Sharing Agreement is approved with such changes that are not materially inconsistent with this Resolution and not substantially adverse to this School District, that are permitted by law and that are approved by the official or officials signing that agreement. The approval of such changes, and that such changes are not materially inconsistent with this resolution and not substantially adverse to this School District, shall be conclusively evidenced by the signing of that agreement by said official or officials. The President and Treasurer of this Board and the Superintendent of this School District are also each individually authorized and directed to execute and deliver any other agreements and to take all other actions and do all other things necessary and consistent with this resolution in order to accomplish the purposes of this resolution and the Revenue Sharing Agreement.

Section 4. Waivers. This Board hereby waives any notice requirements in connection with the TIF Exemptions and the CRA Exemptions approved herein, including, but not limited to, those set forth in Ohio Revised Code Sections 3735.67, 3735.671, 5709.40, 5709.41, 5709.83 and 5715.27, and waives any defects or irregularities relating to the approval and granting of the TIF Exemptions or the CRA Exemptions. Except for the Revenue Sharing Payments to be made under the Revenue Sharing Agreement, this Board further waives any and all other rights to compensation payments, income tax sharing or other payments under the Ohio Revised Code that may now or hereafter exist with respect to the TIF Exemptions or the CRA Exemptions.

Section 5. Certification to the City. The Clerk of this Board is authorized and directed to deliver promptly a certified copy of this resolution to the City.

Section 6. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

Section 7. Effective Date. This resolution shall be in full force and effect immediately upon its adoption.

Mrs. Beth Murdoch seconded the motion.

Upon roll call on the adoption of the resolution, the vote was as follows:

Mrs. Kara Crowley, Yea Mrs. Nadia Long, Absent

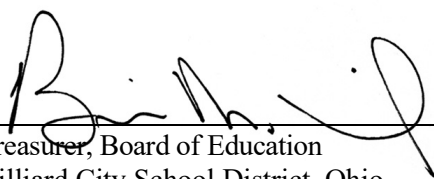
Mrs. Beth Murdoch, Yea Mr. Brian Perry, Yea

Mr. Zach Vorst, Yea

**TREASURER’S CERTIFICATION**

The above is a true and correct excerpt from the minutes of the meeting of the Board of Education of Hilliard City School District, Ohio, held on June 12, 2023 showing the adoption of the Resolution hereinabove set forth.

Dated: June 12, 2023

  
\_\_\_\_\_  
Treasurer, Board of Education  
Hilliard City School District, Ohio

**TOWNSHIP REVENUE SHARING AGREEMENT  
(TruePointe Project)**

This Township Revenue Sharing Agreement (the “**Agreement**”) is made and entered into this \_\_\_ day of \_\_\_\_\_ 2023 (the “**Effective Date**”), by and among the CITY OF HILLIARD, OHIO (the “**City**”), a municipal corporation organized and existing under the constitution, its Charter, and the laws of the State of Ohio, with its principal offices at 3800 Municipal Way, Hilliard, Ohio 43026, and NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO, a township duly organized and validly existing under the Constitution and the laws of the State of Ohio (the “**Township**”), with its principal offices at \_\_\_\_\_.

**WITNESSETH**

WHEREAS, the City and Equity, LLC, an Ohio limited liability company, (the “**Developer**”), expect to enter into a Development Agreement for the development of a highly dense, mixed-use development on approximately 30 acres located to the west of Trueman Boulevard in the City of Hilliard as shown on **Exhibit A** attached hereto (the “**Project Site**”, with each separate tax parcel within the Project Site hereinafter referred to as a “**Parcel**”), including approximately 360 for-rent residential units, 115,000 square feet of class A office space, 135,000 square feet of medical office space, 40,000 square feet of retail space, a 100 key hotel, 1,350 parking spaces in structured parking facilities and related site improvements (collectively, the “**Project**”); and

WHEREAS, the Project will benefit the City and the Township and their residents by creating jobs, enlarging the property tax base, enhancing income tax revenues and stimulating development in the City and the Township; and

WHEREAS, pursuant to Revised Code Sections 5709.40 or 5709.41, .42, and .43 (together with related provisions of the Revised Code, the “**TIF Act**”) the Developer has requested that City Council adopt one or more ordinance that: (i) create an “incentive district” inclusive of all Parcels pursuant to Article 12.10 of the City’s Charter and establish a tax increment financing program with respect to the real property within the Project Site; (ii) declare 100% of the increase in assessed value of each Parcel subsequent to the acquisition of that property by the City (which increase in assessed value is also hereinafter referred to as the “**Improvement**” as defined in the TIF Act) to be a public purpose and exempt from real property taxation for a period of 30 years, with the tax exemption commencing for each Parcel in the year an Improvement due to a new building appears on the tax list and duplicate for that Parcel (e.g. separate 30 year exemptions for each Parcel)(the “**TIF Exemptions**”); and (iii) provide for service payments in lieu of taxes (the “**Service Payments**”) as obligations running with the land for each Parcel for the duration of the TIF Exemption; and

WHEREAS, Article 12.10 of the City Charter provides that the Township Trustees must approve of any “incentive district” created by the City pursuant to Revised Code Section 5709.41 including the construction of one or more “Dwelling Units” (as defined in the City’s Charter); and

WHEREAS, pursuant to Article 12.10 of the City Charter and as consideration for the approval of the TIF Exemptions, the City desires to pay to the Township certain revenue sharing payments in accordance with the Revenue Sharing Schedule attached as **Exhibit A** hereto; and

WHEREAS, the Board of Trustees of Norwich Township has adopted Resolution [•] on [•], 2023, to approve the “incentive district” containing the Project Site, the TIF Exemption and this Agreement, and waived any further notice or approval of Article 12.10 of the City’s Charter on the condition that the City execute and deliver this Agreement;

NOW THEREFORE, in consideration of the premises and covenants contained herein, the parties agree to the foregoing and as follows:

Section 1. Township Approval. In consideration of the Revenue Sharing Payments to be provided to it under this Agreement, the Township waives all notices of, and approves the “incentive district” containing the Project Site, the TIF Exemptions and the ordinances or resolutions adopted by City Council to approve the TIF Exemptions.

Section 2. Revenue Sharing Payments.

(a) The City will pay to the Township (or cause to be paid to the Township) one-half of the annual revenue sharing payment shown on **Exhibit B** attached hereto on each June 1 and December 1, commencing June 1, 2026 (the “**Revenue Sharing Payments**”).

(b) If at any time after the Effective Date an additional Township tax levy is approved by the voters thereby increasing the real property tax millage on the Project Site (an “**Additional Levy**”), then the City and the Township shall amend **Exhibit B** to increase the amounts due in each year by the projected amount of real property taxes that the Township would have received from the Project Site from the additional tax levy (using the original tax valuation assumptions used to create **Exhibit B**) absent the TIF Exemptions.

(c) The City shall make or cause to be made the Revenue Sharing Payments from “community development charges” (as defined in Section 349.01 of the Revised Code) related to the Project (the “**NCA Charges**”) collected by the Hilliard Community Authority (the “**NCA**”). The Township acknowledges and agrees that the Revenue Sharing Payments funded by NCA Charges may only be used for those purposes authorized by Chapter 349 of the Revenues Code which includes salaries and other operational purposes of the Norwich Township Fire Department. If it is determined that the NCA Charges may not be used for salaries or other operational purposes of the Fire Department or the NCA Charges are insufficient to pay the Revenue Sharing Payments due in any calendar year, the City shall make up the shortfall no later than December 31<sup>st</sup> of that year from other unrestricted funds available to the City. Payments made by the NCA or City shall be subject to any appropriation requirements imposed by law. The Revenue Sharing Payments do not constitute an indebtedness of the City within the provisions and limitations of the laws and the Constitution of the State of Ohio, and neither the Township nor any other party has the right to have taxes or excises levied by the City for the payment or performance of its obligations hereunder.



Section 3. Defaults. A party shall be in default of this Agreement if (a) the City fails to make any payment of the Revenue Sharing Payments when due, and any such failure continues for thirty (30) days after receiving written notice of default from the other party; or (b) a party fails to perform any material obligation under this Agreement and such failure continues uncured for more than thirty (30) days after receiving a written notice of default from the other party. Any such default, which continues uncured beyond the thirty (30) day cure period above, shall constitute an “**Event of Default.**” Upon the occurrence of an Event of Default, beyond any applicable cure periods, and as long as the Event of Default is continuing, the other party may, at its sole option, proceed by appropriate court action to enforce the terms of this Agreement.

Section 4. Limitation of Liability. No party shall be liable for more than the sum of all payments owed by that party under this Agreement. In no event will any party be liable to another party under this Agreement for any indirect, reliance, exemplary, incidental, speculative, punitive, special, consequential or similar damages that may arise in connection with this Agreement. The maximum amount of Revenue Sharing Payments shall not exceed the total real property taxes that the Township would have received absent the TIF Exemptions (on a cumulative basis for the life of the TIF Exemptions).

Section 5. Entire Agreement. This Agreement sets forth the entire agreement and understanding between the parties as to the subject matter contained herein and merges and supersedes all prior discussions, agreements, and undertakings of every kind between the parties with respect to the subject matter of this agreement.

Section 6. Notices. All payments and notices under this Agreement must be hand-delivered (with receipt acknowledged) or sent by the first-class U.S. mail, postage prepaid, and are deemed delivered when so delivered or mailed to the respective addresses first set forth above. Either party may change its address for receiving payments or notices by giving written notice of such change to the other party.

Section 7. Severability of Provisions. The invalidity of any provision of this Agreement shall not affect the other provisions of this Agreement, and this Agreement shall be construed in all respects as if any invalid portions were omitted.

Section 8. Amendment. This Agreement may be amended or modified by the parties only in writing, signed by both parties to this Agreement.

Section 9. Assignments. This Agreement is not transferable or assignable without the express, written approval of each party.

Section 10. Counterparts. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any party to this Agreement may execute this Agreement by signing any such counterpart. Electronically executed counterparts (such as DocuSign counterparts) or signatures transmitted or stored by facsimile or electronic means (such as .pdf counterparts) are deemed original signatures.

Section 11. Authorization. The undersigned represent and warrant that they are agents of their respective parties, duly authorized to execute this Agreement on behalf of said parties.

Section 12. Governing Law. This Agreement for all purposes shall be governed by and construed in accordance with the laws of the State of Ohio.

[Signatures on following page]

IN WITNESS WHEREOF, the City and the Township have caused this Agreement to be executed in their respective names by their duly authorized officers as of the date hereinabove written.

**CITY OF HILLIARD, OHIO**

By: \_\_\_\_\_  
City Manager

Approved as to legal form:

\_\_\_\_\_  
Law Director

**FINANCIAL OFFICER’S CERTIFICATE**

The undersigned, Director of Finance of the City of Hilliard, Ohio (the “City”), hereby certifies that amount required to be paid by the City during fiscal year 2023 under the foregoing Agreement has been lawfully appropriated for the purpose, and is in the treasury or in process of collection to the credit of an appropriate fund, free from any outstanding obligation or encumbrance.

\_\_\_\_\_  
Director of Finance

Dated: \_\_\_\_\_, 2023

**[Signature Page to Township Revenue Sharing Agreement – TruePointe Project]**

**NORWICH TOWNSHIP**

By: \_\_\_\_\_  
Name:  
Title:

**[Signature Page to Township Revenue Sharing Agreement – TruePointe Project]**

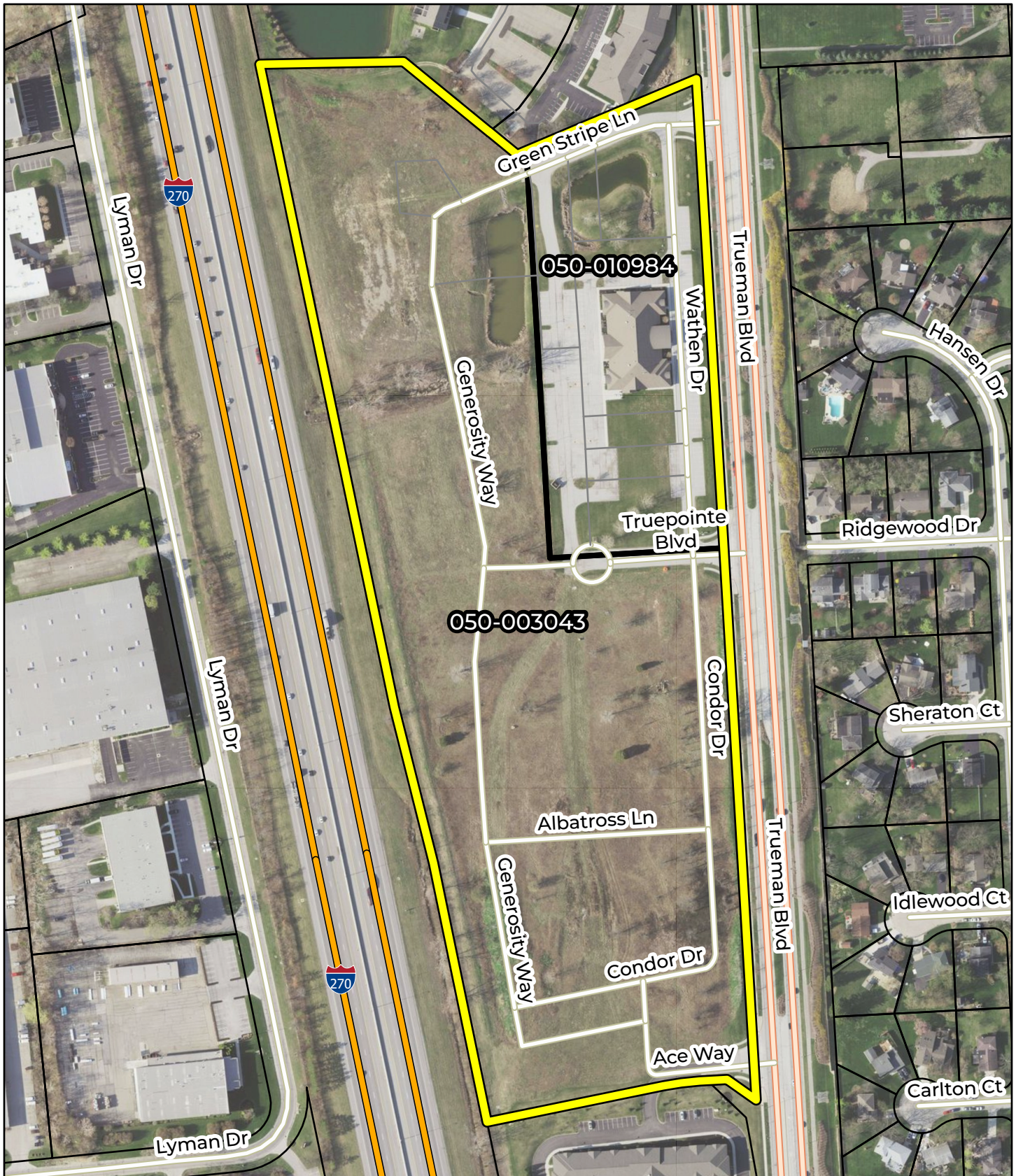
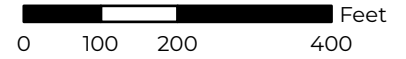


# TruePointe TIF Map



- TIF Boundary
- TIF Parcels

1 inch equals 250 ft



**TruePointe Project**  
**Exhibit A to Township Compensation Agreement**

2026	\$	197,543.76
2027		197,543.76
2028		197,543.76
2029		201,494.64
2030		201,494.64
2031		201,494.64
2032		205,524.53
2033		205,524.53
2034		205,524.53
2035		209,635.02
2036		209,635.02
2037		209,635.02
2038		213,827.72
2039		213,827.72
2040		213,827.72
2041		218,104.27
2042		218,104.27
2043		218,104.27
2044		222,466.36
2045		222,466.36
2046		222,466.36
2047		226,915.69
2048		226,915.69
2049		226,915.69
2050		231,454.00
2051		231,454.00
2052		231,454.00
2053		236,083.08
2054		236,083.08
2055		236,083.08

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<b>Total</b>		<b>6,489,147.19</b>
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City Council

Real People. Real Possibilities.

<b>Subject:</b>	Edwards Farm TIF
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	David Meadows, Economic Development Director, Economic Development Department
<b>Meeting Date:</b>	June 26, 2023

**Executive Summary**

This legislation would establish the Edwards Farm Tax Increment Financing district located on the northwest corner of Edwards Farm Drive and Davidson Road.

**Staff Recommendation**

Staff recommends that City Council approve this legislation.

**Background**

The City desires to implement a tax increment financing program on the Parcels comprising a portion of the Edwards Farm Site located on the northwest corner of Edwards Farm Drive and Davidson Road. This will enable the City to make public infrastructure improvements that will directly benefit the Parcels. These proceeds will help offset public infrastructure costs related to the TruePointe development project, allowing for new community authority proceeds to be used for Norwich Township compensation payments.

Ohio Revised Code (“ORC”) 5709.40, 5709.42, and 5709.43 (collectively, the “TIF Act”) authorize this Council, by ordinance, to declare the improvement to parcels of real property located within the City to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a municipal public improvement tax increment equivalent fund for the deposit of those service payments, and specify the purposes for which money in that fund will be expended.

**Financial Impacts**

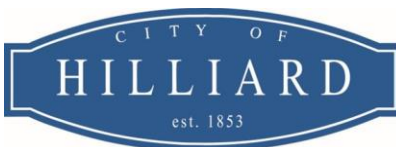
The initial development on this site is expected to generate \$6.4 million over the life of the TIF.

**Expected Benefits**

This legislation will help fund public infrastructure improvements, support the TruePointe development and offset Norwich Township compensation payments.

**Attachments**

[Ordinance No. 23-13 \(Edwards Farm TIF\) - Pdf](#)



Ordinance: 23-13

Passed:  
Effective:

**DECLARING THE IMPROVEMENTS TO THE EDWARDS FARM SITE TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; AND ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS.**

**WHEREAS**, Ohio Revised Code (“ORC”) 5709.40, 5709.42, and 5709.43 (collectively, the “TIF Act”) authorize this Council, by ordinance, to declare the improvement to parcels of real property located within the City to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a municipal public improvement tax increment equivalent fund for the deposit of those service payments, and specify the purposes for which money in that fund will be expended; and

**WHEREAS**, the City desires to implement a tax increment financing program on the Parcels (as defined in Section 1) comprising a portion of the Edwards Farm Site area pursuant to the TIF Act to enable the City to make public infrastructure improvements that will directly benefit the Parcels; and

**WHEREAS**, the Hilliard City School District and the Tolles Career & Technical Center have each received notice of this ordinance for purposes of Ohio Revised Code Sections 5709.40 and 5709.83.

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

**SECTION 1. Parcels**. The real property subject to this ordinance is identified and depicted on Exhibit A (as each currently or subsequently configured tax parcel, the “Parcels”, with each individual tax parcel a “Parcel”).

**SECTION 2. Public Infrastructure Improvements**. This City Council hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto as “public infrastructure improvements” (as such term is defined in Ohio Revised Code Sections 5709.40(A)(8) made, to be made, or in the process of being made, and that, once made, will directly benefit the Parcels.

**SECTION 3. Authorization of TIF Exemption**. This Council hereby finds and determines that 100% of the increase in assessed value of each Parcel subsequent to the effective date of this ordinance (which increase in assessed value is hereinafter referred to as the “Improvement” as defined in ORC 5709.40(A)) is declared to be a public purpose and will be exempt from taxation for a period commencing for each separate Parcel on the date an Improvement due to the construction of a new building on that Parcel first appears on the tax list and duplicate were it not for the exemption granted by this ordinance and ending on the earlier of (a) 30 years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act. It is the express intention of Council that each separate tax Parcel will have a separate 30-year exemption period. The exemption granted by this Section 3 is subordinate to any exemptions granted pursuant to ORC 3735.65 et. seq. (CRA abatements) or ORC 5709.61 et. seq. (Enterprise Zone abatements).

**SECTION 4. Service Payments**. As provided in ORC 5709.42, the owner of each Parcel is hereby required to make service payments in lieu of taxes with respect to the Improvement allocable to each Parcel to the Franklin County Treasurer on or before the final dates for payment of real property taxes.



The service payments in lieu of taxes will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3, including any penalties and interest (collectively, the "Service Payments"). The Service Payments, and any other payments with respect to the Improvement to each Parcel that are received in connection with the reduction required by ORC 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"), will be deposited and distributed in accordance with Section 6.

**SECTION 5. Creation of TIF Fund.** This Council establishes, pursuant to and in accordance with the provisions of ORC 5709.43, the Edwards Farm Municipal Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"), into which the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels will be deposited. The TIF Fund will be maintained in the custody of the City. The City may use amounts deposited into the TIF Fund only for the purposes authorized in the TIF Act and this ordinance (as it may be amended). The TIF Fund will remain in existence so long as the Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with ORC 5709.43.

**SECTION 6. Distributions; Payment of Costs.** Pursuant to the TIF Act, the County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments as follows: (i) first to the Hilliard City School District and the Tolles Career & Technical Center, each an amount equal to the amount the respective school district would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to the parcels located within the school districts if the Improvement had not been exempt from taxation pursuant to this ordinance, and (ii) second, to the City for deposit into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements. The distribution from the County Treasurer to the City required under this Section is requested to be made at the same time and in the same manner as real property tax distributions.

**SECTION 7. Further Authorizations.** This Council hereby authorizes and directs the City Manager, the City Finance Director, or other appropriate officers of the City to deliver a copy of this ordinance to the Director of Development of the State of Ohio and to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the City Manager, the City Finance Director, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this ordinance.

**SECTION 8. Open Meetings.** This City Council finds and determines that all formal actions of this City Council and any of its committees concerning and relating to the adoption of this ordinance were taken in an open meeting of this City Council, and that all deliberations of this City Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Ohio Revised Code Section 121.22.

**SECTION 9.** This Ordinance shall be in effect from and after the earliest time provided for by law.

**ATTEST:**

**SIGNED:**

\_\_\_\_\_  
**Diane C. Werbrich, MMC**  
 Clerk of Council

\_\_\_\_\_  
**President of Council**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Philip K. Hartmann**  
 Director of Law

**CERTIFICATE OF THE CLERK**

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance: **23-13** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of



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Diane C. Werbrich, MMC

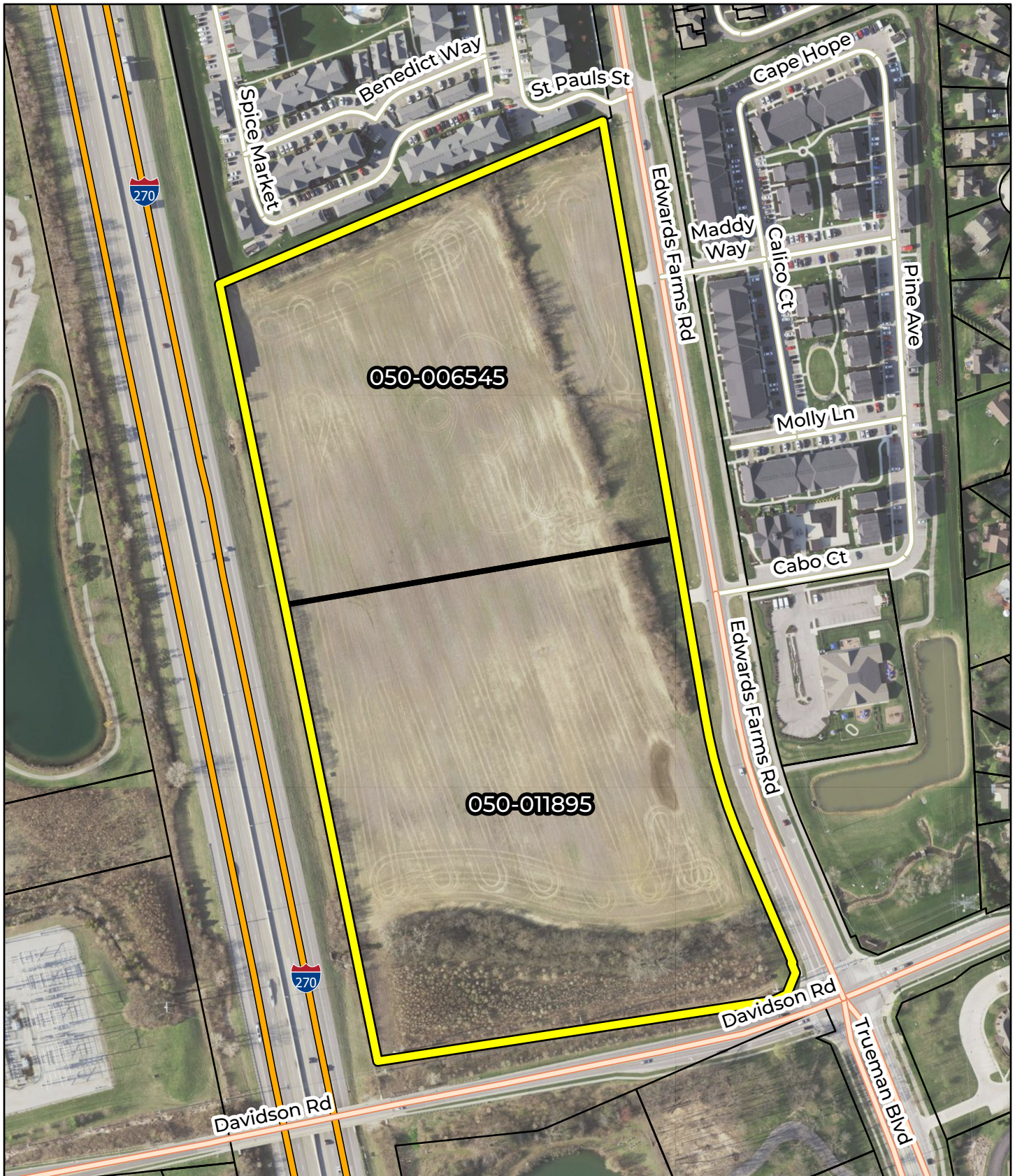
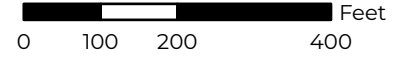


# Edwards Farm TIF Map



-  TIF Boundary
-  TIF Parcels

1 inch equals 250 ft



**EXHIBIT B****Public Infrastructure Improvements**

The Public Infrastructure Improvements consist generally of acquiring and constructing the infrastructure described below:

- Construction of one or more public parking facilities, including two six level structured public parking facilities with approximately 1,363 combined parking spaces and related improvements, off-street parking facilities, including those in which all or a portion of the parking spaces are reserved for specific uses when determined to be necessary for economic development purposes, and all other appurtenances thereto;
- Construction, reconstruction or installation of improvements (including any underground utilities) of two public storm lines and associated structures and the continued maintenance of water and sewer lines, and all other appurtenances thereto;
- Construction, reconstruction or installation of gas, electric, and communication service facilities, including broadband and fiber services, and all other appurtenances thereto;
- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, the continued maintenance of public roads and highways, and all other appurtenances thereto;
- Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, and all other appurtenances thereto;
- Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, and all other appurtenances thereto;
- Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes;
- Acquisition of real estate or interests in real estate (including easements) necessary to accomplish the foregoing improvements;
- Any on-going administrative expenses relating to the Public Infrastructure Improvements and maintaining the TIF revenues, including but not limited to engineering, architectural, legal, TIF administration, and other consulting and professional services; and,
- All inspection fees and other governmental fees related to the foregoing.

The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” set forth in Ohio Revised Code Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and the debt service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements.

All of the Public Infrastructure Improvements described above are hereby determined to be “public infrastructure improvements” (as defined in Ohio Revised Code Sections 5709.40(A)(8)) and are intended to benefit the real property described in Exhibit A.



City Council

Real People. Real Possibilities.

<b>Subject:</b>	TruePointe Development Agreement
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	David Meadows, Economic Development Director, Economic Development Department
<b>Meeting Date:</b>	June 26, 2023

**Executive Summary**

This legislation authorizes the City Manager to enter into a Development Agreement with Trueman Boulevard, LLC to fund public improvements associated with the TruePointe development.

**Staff Recommendation**

Staff recommends that City Council approve this legislation which will allow for the construction of TruePointe.

**Background**

The Trueman Boulevard, LLC (the "Developer") owns or is in the process of acquiring approximately 27.73 ± acres located on the west side of Trueman Boulevard. On August 22, 2022, City Council approved Resolution No. 22-R-58 amending the Planned Unit Development text for 27.73 acres on the Developer's Property ("TruePointe Development") and the Developer intends to construct approximately 360 for-rent residential units, 115,000 square feet of class A office space, 135,000 square feet of medical office space, 40,000 square feet of retail space, a 100 key hotel, 1,350 parking spaces in structured parking facilities and related site improvements (collectively, the "Project").

This legislation provides the terms for the funding of the public improvements and conditions for reimbursing the costs between the City and the Developer. The reimbursable public improvements include the construction of public parking structures, construction and relocation of public utilities and street access modifications. The majority of the funding sources are new revenues derived from the development itself, including: new community authority charges, impact fee credits, up to 50 percent of the sanitary sewer and water capacity credits, TruePointe TIF service payments (proposed under Ordinance No. 23-12) and a hotel/motel tax incentive.

Two additional sources of funding are proposed under this agreement that fall outside revenue generated by the project: 1. The City's existing SOMA TIF which was established to fund the construction of Trueman Boulevard and public improvements along Trueman Boulevard; and 2. A new TIF proposed under Ordinance No. 23-13 called the Edwards Farm TIF.

The Hilliard City Charter requires consent from both the Hilliard City School District and Norwich Township for any TIF District that includes a dwelling unit. The school district authorized the TIF and Revenue Sharing Agreement on June 12, 2023 and Norwich Township is considering the project at its special meeting on June 29, 2023. The anticipated proceeds from the Edwards Farm TIF would flow into the TruePointe development. The TruePointe trustee would then release New Community Authority proceeds to Norwich Township up to an amount equal to payments required under the Norwich Township Revenue Sharing Agreement.

**Financial Impacts**

Under this proposal, the City provides \$4.8 million in service payments from the SOMA TIF and 75 percent of future bed tax generated on the site with an estimated value of \$2.4 million.

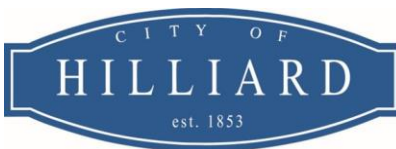
**Expected Benefits**

Approval of this legislation would allow for the construction of a transformational development in the City of Hilliard. This mixed-use project would add approximately 360 residential units, 115,000 square feet of class A office space, 135,000 square feet of medical office space, 40,000 square feet of retail space, restaurant amenities, a 100 key hotel, and 1,350 structured parking spaces in structured parking.

At full buildout, this project is expected to support \$2.3 million in annual income tax for the City, \$18 million in new school revenue and more than \$6.4 million to Norwich Township over the life of the TIF.

**Attachments**

[Ordinance No. 23-14 \(TruePointe Development Agreement\) - Pdf](#)



**Ordinance: 23-14**

**Passed:  
Effective:**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH TRUEMAN BOULEVARD, LLC.**

**WHEREAS**, the Trueman Boulevard, LLC (the "Developer") owns or is in the process of acquiring approximately 27.73 ±acres located on the west side of Trueman Boulevard (the "Property"), as depicted in Exhibit "A"; and

**WHEREAS**, on the Property, the Developer intends to construct a mixed-use development consisting of 15 buildings lots, 359 multi-family dwelling units in 5 buildings, and two 6-story parking garages; and

**WHEREAS**, on August 22, 2022, City Council approved Resolution No. 22-R-58 amending the Planned Unit Development text for 27.73 acres on the Developer's Property ("TruePointe Development"); and

**WHEREAS**, the City and the Developer have agreed to the terms of a Development Agreement, attached hereto and incorporated herein as Exhibit "A", which requires the Developer to construct necessary public infrastructure improvements and to dedicate those public infrastructure improvements to the City for public use.

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

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

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

**SECTION 3.** The City Manager is authorized to enter into any agreements or to execute and deliver any documents, certificates, or approvals that are necessary or appropriate to implement the terms of the Development Agreement.

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

**ATTEST:**

**SIGNED:**

\_\_\_\_\_  
**Diane C. Werbrich, MMC**  
 Clerk of Council

\_\_\_\_\_  
**President of Council**

APPROVED AS TO FORM:

\_\_\_\_\_  
Philip K. Hartmann  
Director of Law

**CERTIFICATE OF THE CLERK**

I, Diane C. Werbrich, Clerk of Council for the City of Hilliard, Ohio, do hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance: **23-14** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

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



6-20-23

Development Agreement between the  
**City of Hilliard, Ohio and Trueman Boulevard, LLC**

This Development Agreement (the "Agreement") is made by and between the **City of Hilliard, Ohio** (the "City"), a municipal corporation organized under the laws of the State of Ohio, with an office located at 3800 Municipal Way, Hilliard, Ohio 43026 and Trueman Boulevard, LLC, a Delaware limited liability company, with offices located at c/o Equity, LLC, 4653 Trueman Boulevard, Suite 100, Hilliard, Ohio 43026 (the "Developer").

**WITNESSETH:**

**WHEREAS**, the Developer owns approximately 27.73 ±acres located on the west side of Trueman Boulevard (the "Property"), as shown on Exhibit "A"; and

**WHEREAS**, on the Property, the Developer intends to construct a development consisting of 15 buildings lots, 359 multi-family dwelling units in 5 buildings, and two 6-story parking garages, as depicted in Exhibit "B" (the "TruePointe Development"); and

**WHEREAS**, the Developer is responsible for making certain public infrastructure improvements on the Property, as described in Exhibit "C"; and

**WHEREAS**, the Developer and the City agree that the public infrastructure improvements described in Exhibit "C" are regional in nature and benefit the City and its residents beyond the TruePointe Development are eligible for reimbursement from various sources as described herein and as shown in Exhibit "D".

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

**I. Definitions**

- A. **Agreement** means the Development Agreement between the City of Hilliard, Ohio and Trueman Boulevard LLC.
- B. **Edwards Farms TIF** means the tax increment financing scheme on Parcel No. 050-011895 approved by Hilliard City Council by No. 23-13.
- C. **NCA** means the Hilliard Community Authority established under Chapter 349 of the Ohio Revised Code and City Council Resolution No. 17-R-98.
- D. **NCA Millage Charge** means the community development charge equal to 2 mills assessed on each parcel located within the TruePointe Development that contains a dwelling unit, as that term is defined by Section 12.10 of the Hilliard City Charter. The NCA Millage Charge shall not be levied on the assessed value of a parcel attributable to retail space.
- E. **NCA Sales Charge** means the 1% sales charge assessed on all retail properties within the TruePointe Development.
- F. **Property** means the 27.73 ±acres located on the west side of Trueman Boulevard, as shown on Exhibit "A".
- G. **Reimbursable Public Infrastructure Improvements** means the Public Infrastructure Improvements, as approved by the City, that are constructed by the Developer and are reimbursable pursuant to this Agreement.
- H. **SOMA TIF** means the tax increment financing scheme approved by Hilliard City Council by Ordinance No. 03-06.

6-20-23

- I. **TruePointe Development** means the Property to developed with 15 building lots, as depicted in Exhibit “B”.
- J. **TruePointe TIF** means the tax increment financing scheme on the Property, approved by Hilliard City Council by Ordinance No. 23-12.

II. **List of Exhibits**

- A. Depiction of Property
- B. Development Plan
- C. List of Reimbursable Public Infrastructure Improvements
- D. Sources of Reimbursement for Public Infrastructure Improvements

III. **Parkland Dedication.** All parkland dedication fees and requirements for the TruePointe Development are waived.

IV. **Entertainment District.** The City and the Developer desire to establish a Community Entertainment District known as the TruePointe Entertainment District in accordance with provisions of Ohio Revised Code Section 4301.80, *et. seq.*, for the purpose of providing additional benefit to the TruePointe Development, its residents, visitors, and other residents of the City. Upon execution of this Agreement, the Developer and the City will take all steps required by ORC 4301.80, *et. seq.* to ensure approval of the TruePointe Entertainment District.

V. **New Community Authority**

- A. **Creating/Joining New Community Authority.** No later than the date that is one hundred twenty (120) days following the Effective Date of this Agreement, the Developer shall join the Hilliard Community Authority, in order to place the Developer’s Property, including any portions thereof that may be sold to a third party, within the boundaries of a functioning NCA. The Developer shall be responsible for paying the costs associated with joining the NCA, including any out of pocket costs or expenses incurred by the City.
- B. **Joinder Documents.** The form and contents of the documents to add the Property to the NCA (or amend the NCA Petition) shall be prepared by the City with approval of the Developer, which approval shall no be unreasonable withheld, so long as it is consistent with the terms, spirit and intent of this Agreement.
- C. **NCA Millage Charge.** The annual NCA millage charge shall be 2 mills and shall be calculated by multiplying the determined millage factor by the “Assessed Value” of each parcel containing a dwelling unit, as that term is defined by Section 12.10 of the Hilliard City Charter (excluding the value of any retail space within a parcel), for the term of the TIF exemption applicable to each parcel pursuant to the TruePointe TIF. The “Assessed Value” of such property shall be equal to 35% of the appraised value of the property as established from time to time by the Franklin County Auditor and shown on the tax duplicate for such property (or such other value determined by the Declaration of Covenants and Restrictions prior to full valuation by the Franklin County Auditor).

The NCA millage charge collected shall first be distributed in accordance with the Agreement entered into between the City and Norwich Township. Following that distribution, the Developer shall have access to funds for the reimbursable public infrastructure improvements, as shown in Section VII below and Exhibit “D”.

- D. **NCA Sales Charge.** A 1% sales charge shall be assessed on all retail properties within TruePointe Development. The funds collected from this sales charge shall be distributed in accordance with the

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Agreement entered into between the City and Norwich Township. Following that distribution, the Developer shall have access to funds for the reimbursable public infrastructure improvements, as shown in Section VII below and Exhibit "D".

- E. **Declaration of Covenants and Restrictions.** Within sixty (60) days following the effective date of this Agreement, the Developer shall record a Declaration of Covenants and Restrictions for the Developer's Property with the Franklin County Recorder's Office, substantially in the form provided by the City. Prior to recording, the Developer shall have the right to review and approve the provisions of the Declaration of Covenants and Restrictions compliance with this Agreement. The Declaration of Covenants and Restrictions shall run with the land and require each current and future owner of all and any portion of Developer's Property (including all future homeowners) to pay the annual NCA Millage Charge and owners and tenants of retail properties within Developer's Property to pay the NCA Sales Charge. The Developer shall be responsible for paying the costs associated with preparing the Declaration of Covenants and Restrictions, including any out of pocket costs or expenses incurred by the City.

VI. **Sources of Reimbursement.** The following sources of reimbursement are available to the Developer for the construction of Public Infrastructure Improvements as identified in Section VI below.

- A. **Available Edwards Farm TIF Service Payments.** The service payment amounts collected by the Franklin County Auditor and distributed by the City in accordance with the Edwards Farm TIF legislation, Ordinance No. 23-13, for public infrastructure improvements permitted under Section 5709.40 of the Ohio Revised Code.
- B. **Hotel/Motel Excise Tax Incentive.** The City will collect a 6% hotel/motel excise tax from the hotel being constructed on Developer's Property pursuant to Chapter 185 of the City's Codified Ordinances. The City is committing 4.5% of the total tax collected as a source of reimbursement to the Developer. The remaining 1.5% will be distributed as provided for in Section 185.02(e)(2).
- C. **Impact Fee Credit.** This fee is due for each residential unit constructed on the Developer's Property. Based on the units approved in the Developer's Development Plan, the maximum Impact Fee Credit available to the Developer is \$718,000. Should the number of residential units increase and additional Impact Fees are due by the Developer, those potential additional fees will also be available as a source of reimbursement to the Developer.
- D. **Available NCA Charges.** The NCA Millage Charge and NCA Sales Charge annual millage charge collected by the NCA and the 1% sales charge on retail establishments remaining after making distributions to Norwich Township in accordance with the agreement between Norwich Township and the City of Hilliard, estimated at \$4,221,994 over 30 years.
- E. **Sanitary Sewer & Water Capacity Fee Credits.** These are fees due for each building permit issued to construct multiple buildings on the Developer's Property. The maximum Sanitary Sewer & Water Capacity Fee Credit available to the Developer is \$525,571.50.
- F. **SOMA TIF Service Payments.** The service payments collected by the Franklin County Auditor and distributed by the City pursuant to Ordinance No. 03-06. These service payments will only be made available to the Developer for reimbursement following full reimbursement to the Hilliard City School District as provided for in Ordinance No. 03-06. The SOMA TIF Service Payments to be available, following payment to the Hilliard City school District, are estimated at \$4,800,000.
- G. **TruePointe TIF Service Payments.** The service payment amounts collected by the Franklin County Auditor and distributed by the City in accordance with the TruePointe TIF legislation, Ordinance No. 23-12, less amounts necessary to make required reimbursements, if any, to the Edwards Farm TIF Fund. The TruePointe TIF Service payments are estimated at \$97,564,081 over 30 years.

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**VII. Reimbursable Public Infrastructure Improvements.** The following Reimbursable Public Infrastructure Improvements are to be completed by the Developer with contributions from various revenue sources identified herein.

**A. Parking Garage #1**

1. *Description of Improvement.* The Developer is constructing a 6-level parking garage with approximately 746 spaces for vehicles, as listed on Exhibit “C”. Parking Garage #1 shall not be dedicated to the City but will be subject to a public use easement or declaration in favor of the City. Parking Garage #1 will benefit residents and employees of the Edwards Farms TIF and the SOMA TIF (which currently includes the TruePointe Development parcels).
2. *Reimbursement.* As shown on Exhibit “D”, the Developer will be reimbursed for the cost to construct Parking Garage #1 with the following sources in the following order of priority:
  - a. TruePointe TIF Service Payments
  - b. Hotel/Motel Excise Tax Incentive
  - c. SOMA TIF Service Payments (after HCSD is fully compensated, estimated in 2028)
  - d. Available NCA Charges
  - e. Available Edwards Farms TIF Service Payments

**B. Parking Garage #2**

1. *Description of Improvement.* The Developer is constructing a 6-level parking garage with approximately 617 spaces for vehicles, as listed on Exhibit “C”. Parking Garage #2 shall not be dedicated to the City but will be subject to a public use easement or declaration in favor of the City. Parking Garage #1 will benefit residents and employees of the Edwards Farms TIF and the SOMA TIF (which currently includes the TruePointe Development parcels).
2. *Reimbursement.* As shown on Exhibit “D”, the Developer will be reimbursed for the cost to construct Parking Garage #2 with the following sources in the following order of priority:
  - a. TruePointe TIF Service Payments
  - b. Hotel/Motel Excise Tax Incentive
  - c. SOMA TIF Service Payments (after HCSD is fully compensated, estimated in 2028)
  - d. Available NCA Charges
  - e. Available Edwards Farms TIF Service Payments

**C. Relocation of Existing 12” Water Line**

1. *Description of Improvement.* Developer is required relocate a 12” public water line on the Developer’s Property, which will be dedicated to the City, as listed on Exhibit “C”.
2. *Reimbursement.* As shown on exhibit “D”, the Developer will be reimbursed for the cost to relocate the 12” water line, with the following sources in the following order of priority:
  - a. Sanitary Sewer & Water Capacity Fee Credits
  - b. TruePointe TIF Service Payments

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- c. Hotel/Motel Excise Tax Incentive
- d. Available NCA Charges

**D. Sanitary**

- 1. *Description of Improvement.* The Developer is required to construct three public sanitary lines with corresponding manholes and tie-ins, which will be dedicated to the City, as more fully described on Exhibit “C”.
- 2. *Reimbursement.* As shown on Exhibit “D”, the Developer will be reimbursed for the cost to construct the sanitary lines and associated manholes and tie-ins with the following sources in the following order of priority:
  - a. Sanitary Sewer & Water Capacity Fee Credits
  - b. TruePointe TIF Service Payments
  - c. Hotel/Motel Excise Tax Incentive
  - d. Available NCA Charges

**E. Storm**

- 1. *Description of Improvement.* The Developer is required to construct two public storm lines and associated structures, which will be dedicated to the City, as more fully described on Exhibit “C”.
- 2. *Reimbursement.* As shown on Exhibit “D”, the Developer will be reimbursed for the cost to construct the storm lines and associated structures and tie-ins with the following sources in the following order of priority:
  - a. Impact Fee Credit (to the extent that funds are available after costs associated with fiber conduit installation and street access modifications)
  - b. TruePointe TIF Service Payments
  - c. Hotel/Motel Excise Tax Incentive
  - d. Available NCA Charges

**F. Installation of Fiber Optic Conduit**

- 1. *Description of Improvement.* The Developer is required to install empty fiber optic conduit banks, which will be dedicated to the City, as listed on Exhibit “C”.
- 2. *Reimbursement.* As shown on Exhibit “D”, the Developer will be reimbursed for the cost to install with the following source:
  - a. Impact Fee Credit

**G. Street Access Modifications**

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1. *Description of Improvement.* The Developer is required to make street access improvements, which will be dedicated to the City, as more fully described in Exhibit “C”.
3. *Reimbursement.* As shown on Exhibit “D”, the Developer will be reimbursed for the street access modifications with the following sources in the following order of priority:
  - a. Impact Fee Credit (to the extent that funds are available after costs associated with fiber conduit installation)
  - b. TruePointe TIF Service Payments
  - c. Hotel/Motel Excise Tax Incentive
  - d. Available NCA Charges

**H. Reimbursement Terms.**

1. *Total Reimbursement.* In no instance shall payment to the Developer exceed the Reimbursement Amount shown on Exhibit “D” for each Public Infrastructure Improvement which is inclusive of all interest, financing cost, engineering design, inspection permitting and other soft costs and NCA Costs. The City acknowledges that to the extent that a conduit bond issuer issues notes or bonds to fund the Reimbursement Amount (except those anticipated to be funded from Impact Fee Credits or Sanitary Sewer & Water Capacity Fee Credits) pursuant to a separate cooperative agreement between the conduit bond issuer and the City, additional interest and administrative fees will be due for those notes or bonds.
2. *Priority of Reimbursement Payments.* All payment to the Developer, or its successor or approved assigns, shall be applied to any unreimbursed portion of the Reimbursement Amount payable from funds as provided here and shown in the following chart. Developer acknowledges and agrees that if the City enters into a cooperative agreement with a bond issuer for the issuance of bonds to pay all or a portion of the Reimbursement Amount and related costs, the Reimbursement Payments under this Agreement shall be subordinated to the payments to the bond issuer under the cooperative agreement.

	Sanitary Sewer & Water Capacity Credit	Impact Fee Credit	NCA Millage and Sales Charge Revenues	TruePointe TIF Service Payments	Edwards Farm TIF Service Payments	SOMA TIF Service Payments	Hotel/Motel Excise Tax Incentive
Parking Garage #1			X	X	X	X	X
Parking Garage #2			X	X	X	X	X
12" Water Line Relocation	X		X	X			X
Sanitary Sewer Lines	X		X	X			X
Stormwater Lines		X	X	X			X
Fiber Optic Conduit Installation		X					
Street Access Modifications		X	X	X			X

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

#### VIII. Provisions Governing the Construction of the Public Infrastructure Improvements

- A. **Award of Construction Contracts for Public Infrastructure Improvements.** Except for those Public Infrastructure Improvements owned by the Columbus-Franklin County Finance Authority, the Developer shall obtain three bids for the construction of the Public Infrastructure Improvements. Prior to award and execution of a construction contract, the Developer shall notify and provide the City with the three bid amounts for the construction.
- B. **Security for Performance.** Except for those Public Infrastructure Improvements owned by the Columbus-Franklin County Finance Authority, as required by Chapter 1191 of the City's Codified Ordinance, the Developer shall execute, or cause its contractor(s) to execute, and provide to the City, a bond, a certified check or an irrevocable letter of credit equal to the Construction Amount of the Public Infrastructure Improvements for which the Developer has received approval to construct (per engineering plans and drawings approved by the City Engineer). All forms of financial warranties must be acceptable to the City to ensure faithful performance of the terms and conditions under this Agreement and to ensure completion of all Public Infrastructure Improvements and that they are constructed in accordance with the Subdivision Regulations of the City (as included in the City's Design Manual) and in compliance with the Development Plan shown on Exhibit "B".

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

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

- C. **Plan Review and Inspection Cost.** Prior to receiving all permits required to commence construction of any portion or phase of the Project, including the Public Infrastructure Improvements, the Developer shall deposit the amount estimated by the City Engineer to be necessary to pay the cost of plan review and inspection fees for that portion or phase of the Project, in the amounts of 7% of the costs for construction inspection and 2% of the costs of construction for plan review fees for public improvements.

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

- D. **Prevailing Wage.** Except for those Public Infrastructure Improvements owned by the Columbus-Franklin County Finance Authority, the Developer and the City acknowledge and agree that

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

The Developer and City further acknowledge that the construction of the Public Infrastructure Improvements that will be reimbursed by the NCA Millage Charge or NCA Sales Charge or paid for by the Developer and/or builder(s) and are not reimbursable through the Sanitary Sewer Capacity Fee Credit, Water Capacity Fee Credit or Impact Fee Credit, are also Public Infrastructure Improvements subject to the prevailing wage requirements of Chapter 4115 under this Agreement.

- E. **Insurance.** Prior to the commencement of construction of the Public Infrastructure Improvements, the Developer or its contractor shall take out and maintain, and shall require all contractors to require all subcontractors to take out and maintain, insurance in such amounts as provided below. The Developer or its contractor shall provide sufficient evidence to the City, prior to construction, that such insurance exists and is in effect.
1. *Public Liability Insurance.* Shall be taken out and maintained in the amount of \$2,000,000.00 for bodily injuries including those resulting in death of any one person and on account of any one accident or occurrence with an annual aggregate of \$3,000,000.00.
  2. *Property Damage Insurance.* Shall be taken out and maintained in an amount of \$1,000,000.00 from damages on account of any one accident or occurrence with an annual aggregate of \$3,000,000.00.

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

- F. **Indemnification.** The Developer shall indemnify and hold harmless the City, and all of its elected officials, officers, employees and agents from and against all claims, losses, suits, actions and expenses (including reasonable attorneys' fees) that arise due to the performance by the City of its obligations under or in furtherance of this Agreement or the actions, omissions, performance or non-performance of the Developer, its contractors, subcontractors or its agents or employees, under the terms of this Agreement, including, without limitation (1) any and all proceedings which may originate from or on account of any death, injuries or damages to persons or property received or sustained as a consequence of any actions or omissions of any contractor, subcontractor or agent, from any material, including explosives, or any method used in said work or by or on account of any accident caused by negligence or any other act or omission of any contractor, subcontractor or its agents or employees and (2) any claims, losses, suits, actions and expenses (including reasonable attorneys' fees) that arise due to the City's ownership of the Developer's Property or the release of any hazardous substances or the violation of any environmental laws.

The Developer shall indemnify and hold harmless the City from all expenses and claims for labor and/or material related to construction by the Developer, or its Contractor, of said Public Infrastructure Improvements. In its contracts with agents, contractors and subcontractors, the Developer shall require each entity to indemnify and hold harmless the City (1) to the same extent that the agents, contractors and subcontractors indemnify and hold harmless the Developer or its affiliates and (2) from all expenses and claims for labor and/or material related to construction of the Public Infrastructure Improvements.



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G. **Acceptance of Public Infrastructure Improvements.**

1. *Formal Acceptance by Hilliard City Council.* Upon completion and final inspection of any particular Public Infrastructure Improvement that is to be dedicated to the City as stated in Section VII above, the City shall submit to Hilliard City Council legislation documenting the City Engineer's approval of the Public Infrastructure Improvement. Formal Acceptance of the Public Infrastructure Improvement shall not be unreasonably withheld.
2. *Maintenance Period.* Notwithstanding formal acceptance by Hilliard City Council, the Developer shall be responsible for the maintenance, repair and/or reconstruction of any and all defective materials or workmanship for a period of one year from the final inspection date.

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

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

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

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

4. *As-builts.* The Developer shall, within sixty (60) days following the completion of the Public Infrastructure Improvement(s) and prior to final acceptance by the City, furnish to the City, as required, "as built" drawings of the Public Infrastructure Improvement(s), which drawings shall become the property of the City and remain in the office of the City Engineer.
5. *Liens.* The Developer shall, within sixty (60) days of completing a Public Infrastructure Improvement or all of the Public Infrastructure Improvements, furnish to the City an itemized statement showing the cost of the Public Infrastructure Improvements and a notarized affidavit stating that all material and labor costs have been paid and there are no liens.

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

- H. **Dedication of Right-of-Way and Easements.** The Developer agrees that it shall dedicate, and the City agrees that it shall accept (subject to the City Engineer's approval) all right-of-way and easements required for the construction of the Public Infrastructure Improvements. Dedication of rights-of-way and easements shall be made to the City without charge and the Developer shall not be entitled to, nor shall it request, any compensation or reimbursement therefor, nor at any time in the future.

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- I. **Street Access Modifications Timing.** The Developer agrees that the City will not approve plans or permits for the Street Access Modifications prior to the date that the Developer receives the building permit for a new office structure and that signal operation is only permitted upon occupancy of one or more new office structures that are part of the TruePointe Development.
- J. **Traffic Control Requirements.** The Developer is responsible for ensuring the provision, through contractors or otherwise, of all traffic control devices, flaggers and police officers required to properly and safely maintain traffic during the construction of the Public Infrastructure Improvements. All traffic control devices must be furnished, erected, maintained and removed in accordance with the Ohio Department of Transportation’s “Ohio Manual of Uniform Traffic Control Devices” related to construction operations and other applicable City requirements. The Developer is responsible for all street sweeping and removal of debris for Trueman Boulevard from 100’ north to 100’ south of the Property during the construction of the Truepointe Development.

**IX. General Provisions.**

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

- 1. *Breach.* The Developer and the City agree that any material violations of or noncompliance with any of the terms and conditions of this Agreement shall constitute a breach of contract, and, subject to the notification and cure provisions outlined below, the Developer and the City shall have the right to stop work forthwith and seek any and all remedies available at law or equity. Notwithstanding the foregoing, in no event shall the City be liable for monetary damages for a breach under this Agreement, including without limitation indirect, consequential or punitive damages, except that the Developer may obtain an order to compel the payment of any wrongfully withheld payments due hereunder (subject in all cases to the sources and limitations on payments to be made hereunder).

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

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

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

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

Notwithstanding the foregoing, if the nature of the breach is such that it cannot be reasonably cured within said thirty (30) day period, then the breaching party may have a reasonable amount of time to cure, so long as the cure is commenced within said thirty (30) day period,

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is diligently prosecuted to completion thereafter, and provided that such additional time period is not adverse to the general health, safety and welfare of the City as determined by the Hilliard City Engineer.

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

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

If to the City to:

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

With a copy to:

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

If to the Developer to:

Tom Rocco, General Counsel  
Trueman Boulevard, LLC  
4653 Trueman Boulevard, Suite 100  
Hilliard, Ohio 43026

With a copy to:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

- 1. **Developer Representations.** The Developer represents and warrants that the execution and delivery by the Developer of this Agreement and the compliance by the Developer with all of the provisions herein (i) are within the authority and powers of the Developer; (ii) will not conflict with or result in any breach of any of the provisions of, or constitute default under, any agreement, its articles of organization or operating agreement, or other instrument to

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which the Developer is a party or by which it may be bound, or, to the Developer's knowledge, any license, judgment, decree, law, statute, order, rule or regulation or any court or governmental agency or body having jurisdiction over the Developer or any of its activities or properties; and (iii) have been duly authorized by all necessary action on the part of the Developer.

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

2. **City Representations.** The City hereby represents and warrants that (i) execution of this Agreement has been approved and authorized by Ordinance No. \_\_\_\_\_, passed by City Council on \_\_\_\_\_ and (ii) the City has full power and authority to enter into this Agreement, to carry out its terms and to perform its obligations hereunder.
- D. **Waiver.** In the event that any covenant, agreement, or obligation under this Agreement shall be breached by either the Developer or the City and the breach shall have been waived thereafter by the Developer or the City, as the case may be, the waiver shall be limited to the particular breaches so waived and shall not be deemed to waive any other or any subsequent breach thereunder.
- E. **Severability.** In case any section or provision of this Agreement, or any covenant, agreement, obligation or action, or part thereof, made, assumed, entered into or taken, or any application thereof, is held to be illegal or invalid for any reason,
1. that illegality or invalidity shall not affect the remainder hereof or thereof; any other section or provision hereof, or any other covenant, agreement, obligation or action, or part thereof, made, assumed, entered into or taken, all of which shall be construed and enforced as if the illegal or invalid portion were not contained herein or therein,
  2. the illegality or invalidity of any application hereof or thereof shall not affect any legal and valid application hereof or thereof; and
  3. each section, provision, covenant, agreement, obligation or action, or part thereof, shall be deemed to be effective, operative, made, assumed, entered into or taken in the manner and to the full extent permitted by law.
- F. **Assignment.** Except as otherwise provided in this Section, this Agreement may not be assigned by any party hereto without the written consent of the other party which consent shall not be unreasonably withheld, and which consent, if granted, may include reasonable provisions to protect the interest of the non-assigning party.
- The assignment of Developer's right to receive reimbursement and payments of any and all NCA revenues and/or funds due and payable to it under this Agreement, shall in no way affect the Developer's responsibility hereunder to construct the Public Infrastructure Improvements under this Agreement.
- G. **Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes and other matters in question between the City, its agents and employees, and the Developer, its employees, contractors, subcontractors and agents arising out of or relating to this Agreement or its breach will be decided in a court of competent jurisdiction within Franklin County, Ohio.
- H. **Captions.** The captions and headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections in this Agreement.

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- I. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Either party may execute this Agreement electronically or by transmittal of a facsimile signature.

[Remainder of page left blank – signature on next page]

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

**City of Hilliard, Ohio**

\_\_\_\_\_  
Michelle L. Crandall  
City Manager

\_\_\_\_\_  
Date

Approved as to Form:

\_\_\_\_\_  
Philip K. Hartmann  
Law Director

**Developer**

Trueman Boulevard, LLC, a Delaware limited liability company

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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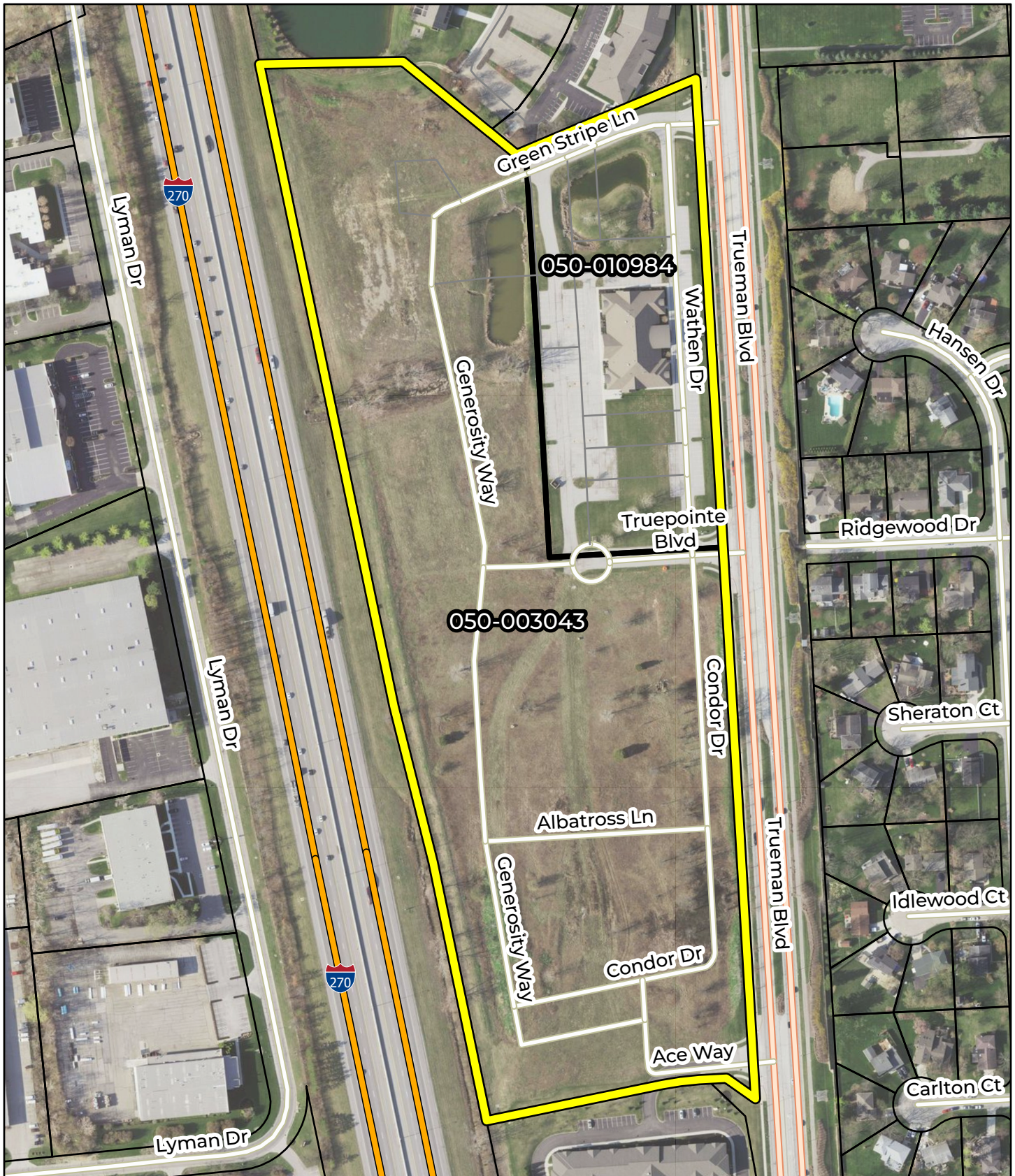
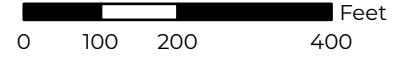


# TruePointe Site Map

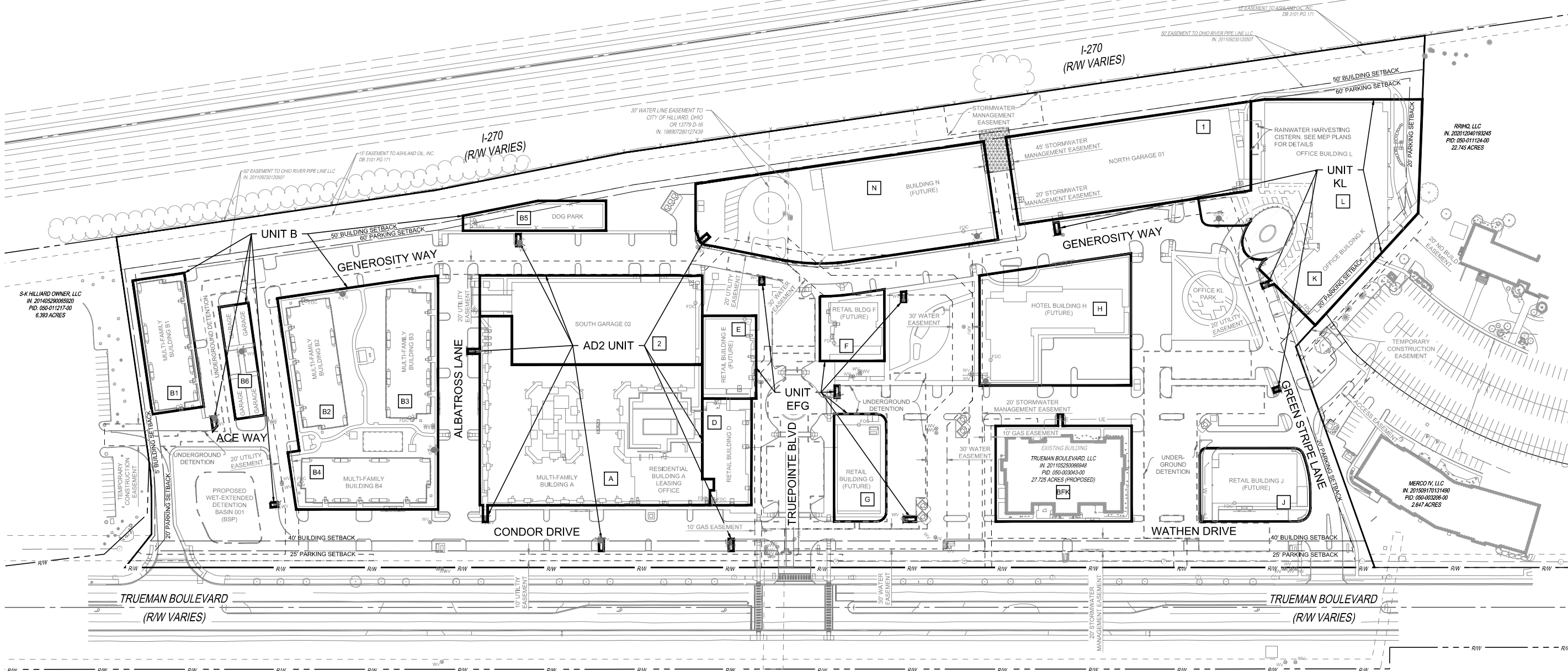


-  Boundary
-  Parcels

1 inch equals 250 ft



# Exhibit B



A "Unit" means the part of the condominium property that is designated as a unit in the declaration and delineated as a unit on the drawings prepared pursuant to section 5311.07 of the Revised Code. Each unit of a condominium property and the undivided interest in the common elements appurtenant to it is deemed a separate parcel for all purposes of taxation and assessment of real property. Units in this condominium will include:

1. Unit B comprised of 6 parts
2. Unit AD2 comprised of 7 parts
3. Unit EFG comprised of 7 parts
4. Unit H comprised of 1 part
5. Unit BFK comprised of 1 part
6. Unit J comprised of 1 part
7. Unit KL comprised of 5 parts
8. Unit O1 comprised of 1 part
9. Unit N comprised of 1 part

**BUILDING ADDRESS LIST**

- 1** 4535 Generosity Way  
(2 AEP Meters)
- 2** 4428 Generosity Way  
(2 AEP Meters)
- A** 4455 - 4457 Condor Drive
- B1** 4341 Generosity Way
- B2** 4371 Condor Drive
- B3** 3991 Albatross Lane
- B4** 4383 Condor Drive
- B5** 4419 Generosity Lane
- B6** 4370 Condor Drive
- BFK** 4525 Wathen Drive  
(1 AEP Meter, 1 Water Meter)
- D** 3965 - 3979 Truepointe Blvd  
4463 - 4465 Condor Drive
- E** 3997 Truepointe Blvd  
(Units 101-104)

**BUILDING ADDRESS LIST**

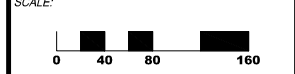
- F** 3998 Truepointe Blvd  
(Units 101-102)
- G** 3986 Truepointe Blvd  
(Units 101-106)
- H** 4530 Generosity Way  
(1 AEP Meter, 1 Water Meter)
- J** 4568 Wathen Drive  
(Units 101-105)
- N** 4475 - 4501 Generosity Way

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

NO.	DATE	DESCRIPTION

**PRIVATE SITE IMPROVEMENTS FOR TRUEPOINTE MIXED USE DEVELOPMENT**  
 4457 TRUAMAN BLVD  
 HILLIARD, OH 43026

PROJECT NO: 200123.004  
 DATE: 05/15/2023



SHEET NAME:

**CONDO UNIT PLAN**

SHEET NO.





**Exhibit C**

**Equity Reimbursable Public Infrastructure Improvements**

Reimbursable Public Infrastructure Improvement	Description of Improvement
1. Parking Garage #1	A 6 level parking garage that will hold approximately 746 vehicles.
2. Parking Garage #2	A 6 level parking garage that will hold appoximately 617 vehicles.
3. Relocation of Existing 12" Water Line	Relocation of an existing 12" public water line within the site.
4. Sanitary	The construction of a 10" sanitary line, an 8" sanitary line, a 6" sanitary line with corresponding manholes and tie-ins
5. Storm	The construction of a 36" storm line and a 60" storm line with associated structures, collectors and tie-ins.
6. TeleData U/G Duct Banks w/ Empty Conduits	The installation of empty fiber optic conduit banks on the site.
7. Street Access Modifications	The installation of a traffic signal along with associated demo/earthwork/paving.

**Exhibit D**

**Equity Reimbursable Public Infrastructure Improvements**

**Project Assumptions**

Total Residential Units	359
Market Value Per Unit	\$113,000
NCA Millage	2.00
NCA Term (years)	30
NCA Sales Charge	1%
TruePointe TIF Term	30
Edwards Farm TIF Term (years)	30
SOMA TIF Term (Years Available)	10
Hotel/Motel Excise Tax Incentive Rate	4.5%
Hotel/Motel Excise Tax Incentive Term	10

**Public Funding Sources**

Source	Estimated Amount	Available for Reimbursement
Impact Fees	718,000.00	718,000.00
Water/Sewer Capacity Fees	525,571.50	525,571.50
Estimated NCA Revenues	4,221,994.00	4,221,994.00
TruePointe TIF Service Payments	97,564,081.00	97,564,081.00
SOMA TIF Service Payments	4,800,000.00	4,800,000.00
Edwards Farm TIF Service Payments	6,489,150.00	6,489,150.00
Hotel/Motel Excise Tax Incentive	2,143,555.00	2,143,555.00
	<b>Total Estimated Available</b>	<b>116,462,351.50</b>

**Developer Constructed Public Improvement Funding Uses**

Public Improvement	Total Cost	Reimbursable Amount	Public Funding Source(s)
Parking Garage #1	\$19,647,855.00	\$19,647,855.00	<ul style="list-style-type: none"> <li>• TruePointe TIF Service Payments</li> <li>• Hotel/Motel Excise Taxes</li> <li>• SOMA TIF Service Payments (after HCSD is fully compensated, estimated in 2028)</li> <li>• NCA Charges</li> <li>• Edwards Farm TIF Service Payments</li> </ul>
Parking Garage #2	\$16,491,918.00	\$16,491,918.00	<ul style="list-style-type: none"> <li>• TruePointe TIF Service Payments</li> <li>• Hotel/Motel Excise Taxes</li> <li>• SOMA TIF Service Payments (after HCSD is fully compensated, estimated in 2028)</li> <li>• NCA Charges</li> <li>• Edwards Farm TIF Service Payments</li> </ul>
Relocation of 12" Water Line	\$365,974.00	\$365,974.00	<ul style="list-style-type: none"> <li>• Sanitary Sewer &amp; Water Capacity Fee Credits</li> <li>• TruePointe TIF Service Payments</li> <li>• Hotel/Motel Excise Taxes</li> <li>• NCA Charges</li> </ul>
Sanitary Line Construction	\$1,166,672.00	\$1,166,672.00	<ul style="list-style-type: none"> <li>• Sanitary Sewer &amp; Water Capacity Fee Credits</li> <li>• TruePointe TIF Service Payments</li> <li>• Hotel/Motel Excise Taxes</li> <li>• NCA Charges</li> </ul>
Storm Sewer Line Construction	\$2,882,502.00	\$2,882,502.00	<ul style="list-style-type: none"> <li>• Impact Fee Credit</li> <li>• TruePointe TIF Service Payment</li> <li>• NCA Charges</li> <li>• Hotel/Motel Excise Tax Incentive</li> </ul>
Conduit Installation	\$372,430.00	\$372,430.00	<ul style="list-style-type: none"> <li>• Impact Fee Credit</li> </ul>
Street Access Modification	\$456,318.00	\$456,318.00	<ul style="list-style-type: none"> <li>• Impact Fee Credit</li> <li>• TruePointe TIF Service Payment</li> <li>• NCA Charges</li> <li>• Hotel/Motel Excise Tax Incentive</li> </ul>



## City Council

Real People. Real Possibilities.

<b>Subject:</b>	Forsee Power, Inc. Economic Development Agreement
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	David Meadows, Economic Development Director, Economic Development Department
<b>Meeting Date:</b>	June 26, 2023

### Executive Summary

Approval of this legislation authorizes the City Manager to enter into an Economic Development Agreement with Forsee Power, Inc. ("Forsee ") to locate its North American headquarters and production facility to the City of Hilliard.

### Staff Recommendation

Staff recommends that City Council approve this legislation which will support the creation of 152 new jobs.

### Background

Forsee is a French-based manufacturer of advanced lithium-ion battery systems. Forsee conducted a multi-state site selection process for the location of its North American headquarters and production facility. With support from One Columbus and JobsOhio, Forsee selected Hilliard for its location.

This project has seen delays and substantial cost increases associated with the buildout of the facility. Incentives from the State of Ohio, JobsOhio and the City were a deciding factor in selecting Hilliard. This incentive would provide Forsee with a 25 percent income tax incentive for seven years. The City is expected to net more than \$1 million in new income tax over seven years as a result of this project.

### Financial Impacts

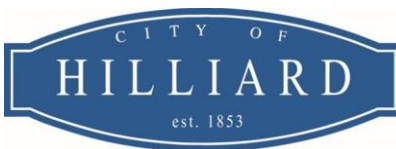
The expected benefit to the Company is \$341,000 over the term of the incentive.

### Expected Benefits

This project will create 152 high-paying jobs, grow the technology cluster in the Lyman/Britton Parkway area and generate more than \$1 million in new net revenue to the City.

### Attachments

[Resolution No. 23-R- \(Forsee Economic Development Agreement\) - Pdf](#)



Resolution: 23-R-46

Adopted:  
Effective:

---

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH FORSEE POWER, INC. TO LOCATE ITS OPERATIONS TO HILLIARD.**

**WHEREAS**, Forsee Power, Inc. (the “Enterprise”) provides advanced lithium-ion battery systems for mobility applications; and

**WHEREAS**, the Enterprise is looking to establish its North American headquarters, production and research and development facility; and

**WHEREAS**, the Enterprise desires to create 152 jobs at 4555 Lyman Drive, Hilliard, Ohio (the “Facility”) by December 31, 2027 (the “Project”); and

**WHEREAS**, in order to incentivize its location to the City of Hilliard, the City desires to provide the Enterprise with a tax incentive payment equal to twenty-five percent (25%) of the new yearly payroll taxes paid to the City on the New Jobs resulting from the Project, for a term of seven (7) years; and

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

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

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

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

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

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

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

ATTEST:

SIGNED:

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

\_\_\_\_\_  
President of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Philip K. Hartmann  
Director of Law

**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: **23-R-46** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

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

## ECONOMIC DEVELOPMENT AGREEMENT

This Economic Development Agreement (“Agreement”) is made and entered into on this \_\_\_ day of \_\_\_\_\_, 2023 by and between the **City of Hilliard, Ohio** (“City”), a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio and its Charter, with offices at 3800 Municipal Way, Hilliard, Ohio 43026 and **Forsee Power, Inc. an Ohio Corporation**, with offices at 4555 Lyman Drive (the “Enterprise”).

### RECITALS:

**WHEREAS**, Forsee Power, Inc. (the “Enterprise”) provides advanced lithium-ion battery systems for mobility applications; and

**WHEREAS**, the Enterprise desires to create 152 jobs at 4555 Lyman Drive, Hilliard, Ohio (the “Facility”) by December 31, 2027 (the “Project”); and

**WHEREAS**, in order to incentivize its location to the City of Hilliard, the City desires to provide the Enterprise with a tax incentive payment equal to twenty-five percent (25%) of the new yearly payroll taxes paid to the City on the New Jobs resulting from the Project, for a term of seven (7) years; and

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

**NOW, THEREFORE**, in consideration of the mutual covenants herein contained and the benefits to be derived by the parties from the execution hereof, the parties agree as follows:

### **Section 1. Scope of Project**

In consideration of the incentive contemplated in this Agreement, by December 31, 2027, the Enterprise will create one hundred fifty-two (152) jobs (the “New Jobs”) at the Facility, generating an annual payroll of \$9.1 million.

### **Section 2. Financial Incentive**

(a) In consideration of the Enterprise implementing the Project and creating the New Jobs in the City, based on the terms and conditions provided hereafter, the Enterprise is eligible to receive an annual 25% job creation tax incentive payment for up to seven (7) consecutive years (the “Tax Incentive”), for the tax accrual years 2024 through 2030 and corresponding tax payment years of 2024 through 2030 (the “Term”).

Taxes paid on wages of the New Jobs shall be evidenced by W-2 forms indicating that Hilliard income taxes were withheld and paid.

(b) The eligibility to receive a Tax Incentive is determined on a year-by-year basis during the Term. The Tax Incentive shall be based on the actual payroll taxes paid to the

City multiplied by twenty-five percent (25%). There is no cap on this incentive during the Term.

By way of example, if the Enterprise pays the City \$225,000 in payroll taxes in 2024, the Enterprise is eligible to receive a Tax Incentive of \$56,250 ( $\$225,000 \times .25 = \$56,250$ ).

(c) The Enterprise must apply for the Tax Incentive each year using the form attached, and as may be amended from time to time by the City, no later than June 15<sup>th</sup> of each year during the Term. In order for the City to confirm that the Enterprise has met the criteria to claim a Tax Incentive for the corresponding year, the Enterprise **shall submit filings through the Regional Income Tax Agency (RITA) that is the City's tax collection agent for all local taxes**. Following processing and reconciliation by RITA and upon confirmation by the City that the Enterprise has met the criteria to claim a Tax Incentive for the corresponding year, the City shall authorize the Tax Incentive payment. Failure by the Enterprise to file all tax returns through RITA as required above, shall nullify any obligation of the City to authorize and pay Tax Incentive to the Enterprise for that year in which it failed to file returns through RITA, and the Enterprise hereby forfeits all of its right and interest in receiving a Tax Incentive for that year, and it shall make no claim(s) against the City resulting from such forfeiture and failure to file returns as required hereunder.

**Section 3. Enterprise Payback Provision in the Event of Default.** The Enterprise and the City agree that the Tax Incentive herein is offered and provided as an inducement for the Enterprise to locate its business operations in Hilliard and create a certain level of jobs and payroll taxes to the City, for at a minimum, the duration of the seven (7) year Term. If the Enterprise relocates its operations to a location outside the corporate boundaries of Hilliard during the Term, or if the Enterprise ceases operations in the City during the Term, the parties acknowledge and agree that this Agreement is lacking in consideration and the Enterprise is in default in performance of the terms and conditions of this Agreement. Therefore, if the Enterprise relocates outside Hilliard or ceases operations in Hilliard prior to the end of the Term, and if the City has granted and provided one or more Tax Incentive payment to the Enterprise for one, any or all prior years of the Term, then the Enterprise shall make restitution and reimbursement to the City in an amount equal to the combined Tax Incentive benefit provided to the Enterprise (the "Reimbursement"). The Reimbursement is due and shall be paid to the City (to the attention of the Finance Director) 30 days after Default notification. "Ceasing operations" is defined herein as the Enterprise no longer using the services of its employees, contractors or agents in Hilliard to transact Enterprise business for which it seeks to be compensated in one form or another. An empty building with no staff except security, cleaning and grounds maintenance staff or services (or less than that) shall, in addition to the prior statement, meet the definition of "ceasing operations" as defined herein.

If the Enterprise is in Default of this Agreement, the Enterprise shall report this default in any and all applications that it, its parent company, subsidiary or affiliate, makes to, or for, any local, county or state financial assistance, including but not limited to loans, grants, tax credits or exemptions sought for the purposes of economic development. The City shall also report the default to the Ohio Department of Development and JobsOhio.

**Section 4. Records, Access and Maintenance.** The Enterprise shall establish and maintain, during the term and for at least four (4) years from the termination of the Term herein, such reports and records required to account for the New Jobs and all relevant supporting documentation that would be required in an audit for these purposes. The parties further agree that records required with respect to any questioned costs, audit disallowances, litigation or dispute between the City and the Enterprise shall be maintained for the time needed for the resolution of said question, and that in the event of early termination of this Agreement, or if for any other reason the City shall require a review of the records related to the Project, the Enterprise shall, at its own cost and expense, segregate all such records related to the Project from its other records of operation. The Enterprise agrees to pay the costs of a one-time audit to determine the accuracy of creating and maintaining jobs and the Minimum Payroll Taxes to be paid, if such an audit is requested by the City during the Term of this Agreement.

**Section 5. Miscellaneous Provisions**

(a) Notices. Except as otherwise specifically set forth in this Agreement, all notices, demands, requests, consents or approvals given, required or permitted to be given hereunder shall be in writing, addressed to the other party at the address set forth in this Agreement For purposes of this Agreement, notices shall be addressed to:

(i) the City at: City of Hilliard, Ohio  
Director of Economic Development  
3800 Municipal Way  
Hilliard, Ohio 43026

(ii) Enterprise at: Forsee Power, Inc.  
4555 Lyman Drive  
Hilliard, Ohio 43026  
Attn: \_\_\_\_\_

with a copy to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The parties, by notice given hereunder, may designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

(b) Extent of Provisions; No Personal Liability. All rights, remedies, representations, warranties, covenants, agreements and obligations of the City under this Agreement shall be effective to the extent authorized and permitted by applicable law. No representation, warranty, covenant, agreement, obligation or stipulation contained in this Agreement shall be deemed to constitute a representation, warranty, covenant, agreement, obligation or stipulation of any present or future trustee, member, officer, agent or employee of the City or Enterprise in other than his or her official capacity. No official executing or approving the City's or Enterprise's participation in this Agreement shall be liable personally under this Agreement or be subject to any personal liability or accountability by reason of the issuance thereof.



(c) Successors. This Agreement shall be binding upon and inure to the benefit of Enterprise and its successors and assigns, and to the extent permitted by law, this Agreement shall be binding and inure to the benefit of the City and its successors and assigns.

(d) Amendments. This Agreement may be amended by written agreement only, duly executed by the City and Enterprise, and approved by the Hilliard City Council if required.

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

- (i) that illegality or invalidity shall not affect the remainder hereof or thereof, any other section or provision hereof, or any other covenant, agreement, obligation or action, or part thereof, made, assumed, entered into or taken, all of which shall be construed and enforced as if the illegal or invalid portion were not contained herein or therein,
- (ii) the illegality or invalidity of any application hereof or thereof shall not affect any legal and valid application hereof or thereof; and
- (iii) each section, provision, covenant, agreement, obligation or action, or part thereof, shall be deemed to be effective, operative, made, assumed, entered into or taken in the manner and to the full extent permitted by law.

(f) Governing Law and Choice of Forum. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes and other matters in question between the City, its agents and employees, and Enterprise, its parent, subsidiaries, corporate affiliates, successors or assigns, employees and agents, arising out of or relating to this Agreement, default or its breach, shall be decided in a court of competent jurisdiction within Franklin County, Ohio.

(g) Survival of Representations and Warranties. All representations and warranties of the Enterprise and the City in this Agreement shall survive the execution and delivery of this Agreement.

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

(i) Effectiveness of Agreement. This Agreement shall be effective only upon the passage and effectiveness of legislation by Hilliard City Council authorizing the signature hereto by the City Manager. This Agreement is effective upon signature by the City.

(j) Tax Disclosure Form. Contemporaneously with the signing of this Agreement, the Enterprise shall sign and submit the attached Tax Information Disclosure Authorization to the City. Failure by the Enterprise to execute the Tax Information Disclosure Authorization shall result in any and all Tax Incentive earned, owed, or owing to the Enterprise, to be forfeited.

(k). Non-Discriminatory Hiring/Local Hiring. The City has developed a policy to ensure recipients of Economic Development tax benefits practice non-discriminatory hiring in their operations. By executing this Agreement, the Enterprise is committing to following non-discriminatory hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, sexual orientation, gender identity or expression, age, familial status, marital status, disability, color, national origin, ancestry or military or veteran’s status.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized representatives, all as of the day and date first set forth above.

**CITY OF HILLIARD, OHIO**

**FORSEE POWER, INC**

By: \_\_\_\_\_

By: \_\_\_\_\_

City Manager  
Michelle Crandall

Printed: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Philip Hartmann, Law Director

Attachment 1  
CITY OF HILLIARD, OHIO  
APPLICATION FOR INCENTIVE CREDIT  
Due by June 15th for each year of the Agreement Term

1. Name of Business: \_\_\_\_\_
2. Address in Hilliard: \_\_\_\_\_
3. Mailing address if different from above: \_\_\_\_\_
4. You are applying for Tax Accrual Year 20\_\_\_\_\_
5. Tax ID: \_\_\_\_\_
6. Number of Employees as of December 31, 20\_\_ : \_\_\_\_\_  
Increase over prior year: \_\_\_\_\_ Decrease over prior year: \_\_\_\_\_
7. Actual Amount of Wage Withholding Taxes paid to Hilliard for the year identified in number 4 above was \$\_\_\_\_\_.
8. Per the Agreement, Enterprise’s Incentive Credit is estimated to be \$\_\_\_\_\_.

.....  
I certify that the information provided above is true and accurate pursuant to the generally acceptable accounting and financial practices of our Company.

Signature of Applicant: \_\_\_\_\_

Title: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Phone number and e-mail for Signatory above: \_\_\_\_\_

**Return to: Greg Tantari, Deputy Finance Director, 3800 Municipal Way, Hilliard OH 43026 or e-mail to [gtantari@hilliardohio.gov](mailto:gtantari@hilliardohio.gov). He can be reached at (614) 334-2465.**

**TAX INFORMATION DISCLOSURE AUTHORIZATION**

Forsee Power, Inc. (the “Enterprise”) irrevocably authorizes the Tax Administrator of the City of Hilliard, Ohio or any agent designated by the Tax Administrator, to disclose to the Director of Finance of the City of Hilliard, Ohio, the amounts of taxes paid or the outstanding liabilities owed, for taxes imposed under Chapter 181 of the City of Hilliard’s Codified Ordinances, for purposes of determining the eligibility to receive an Annual Incentive from the City, and the amount thereof, under the terms and conditions of that certain Economic Development Agreement (“Agreement”) entered into on \_\_\_\_\_ by Enterprise and the City of Hilliard, Ohio (the “Authorization”). This Authorization shall be in effect for the term of the Agreement.

Enterprise expressly waives notice of the disclosure(s) to the Director of Finance by either the Tax Administrator or by any agent designated by the Tax Administrator. Enterprise expressly waives the confidentiality provisions of the Ohio law which would otherwise prohibit disclosure and agrees to hold the Tax Administrator and his/her agents harmless with respect to the limited disclosure authorized herein.

This Authorization is to be liberally interpreted and construed. Any ambiguity shall be resolved in favor of the Tax Administrator of the City of Hilliard, Ohio, or the authorized agents thereof.

This Authorization is binding on any and all Company heirs, beneficiaries, survivors, assigns, Executors, administrators, successors, receivers, trustees, or other fiduciaries.

A photocopy of this Authorization is as valid as the original. The person signing below verifies that he/she is a Company representative authorized to bind Enterprise to this Authorization.

Forsee Power, Inc.

By: \_\_\_\_\_

Its: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_



City Council

Real People. Real Possibilities.

**Subject:** Authorizing GMP #4 for the Recreation and Wellness Campus  
**From:** Michelle Crandall, City Manager  
**Initiated by:** Ed Merritt, Director of Recreation and Parks, Recreation and Parks  
**Meeting Date:** June 26, 2023

**Executive Summary**

This Resolution authorizes GMP (Guaranteed Maximum Price) Amendment #4 for the Recreation & 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. Based on prior GMP Amendment approvals, Ruscilli mobilized on site in March and certain site development activities have begun.

Utilizing the design documents provided by Prime AE dated dated March 17, 2023 and April 21, 2023, Ruscilli issued the following Bid Packages:

Recreation & Wellness Center Project

- BP #400R – Electrical Switchgear Equipment (Long Lead Delivery)
- BP #401R – HVAC Air Handling Units, Chillers, Pool Dehumidification Equipment (Long Lead Delivery)
- BP #402R – Interior/Exterior Masonry (Labor & Material)
- BP #403R – Emergency Generator, Automatic Transfer Switch, Docking Station Equipment (Long Lead Delivery)

For the four (4) Bid Packages issued, 11 competitive bids were received for an average of 2.75 bids per Bid Package issued by Ruscilli. These Bid Packages ended up \$74,222 over the budget established in November 2022 for these Bid Packages.

The Project Team has worked with Ruscilli to develop the information required for GMP Amendment #4. As a result of that effort, GMP Amendment #4 has been reviewed and approved for consideration by the City of Hilliard.

The total of GMP Amendment #4 is \$6,216,169.00. The award of the Bid Packages noted above represents 46.78% or \$38,378,654 of the total construction work for the Recreation & Wellness Center Project and the Athletic Complex.

Please note: Pages 3-68 of GMP Amendment #4 (Exhibit A) can be found at this link:  
[Other Supporting Documentation.GMP #4](#)

**Financial Impacts**

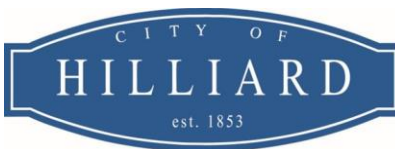
By the passage of Ordinance No. 22-38, funds for the Recreation and Wellness Campus were appropriated.

**Expected Benefits**

By approving GMP Amendment #4, it ensures that work on the Recreation & Wellness Center proceeds as planned.

**Attachments**

[Resolution No. 23-R-47 \(Authorizing GMP #4 for the Recreation and Wellness Campus\) - Pdf](#)



Resolution: 23-R-47

Adopted:  
Effective:

**APPROVING GMP AMENDMENT #4 FOR THE RECREATION AND WELLNESS CAMPUS AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS TO APPROVE GMP AMENDMENT #4.**

**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 March and April, the City, through its Construction Manager at Risk, was able to issue an invitation for bid (“GMP Amendment #4”) 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 Amendment #4 along with various general construction requirements; and

**WHEREAS**, funding for GMP Amendment #4 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, Ohio that:

**SECTION 1.** An expenditure is authorizing from Fund 101, Object 55 in an amount not to exceed \$6,216,169 in order to fund GMP Amendment #4 for the Recreation and Wellness Campus.

**SECTION 2.** The City Manager is hereby authorized to enter into GMP Amendment #4, as shown on Exhibit A, attached hereto and incorporated herein, in an amount not to exceed \$6,187,062.

**SECTION 3.** The 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 Amendment #4 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

**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: **23-R-47** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

---

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 \$6,216,169, which is the sum of:
  - 1.1.1 the Construction Manager’s Fee in the amount of \$112,910, 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 \$6,103,258;
    - .1 The Cost of the Work includes the Construction Manager’s Contingency in the amount of \$90,196, 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
Recreation & Wellness Center Building Permit Approved	8/9/23
Substantial Completion	5/26/25

- 2.2 The Date of Commencement for the Contract Times must be on or before 6/30/23.
- 2.3 The liquidated damages associated with the Construction Phase Milestones shall be \$1,000 for the **City of Hilliard – Recreation & Wellness Center 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 – not used;**
- 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 – not used;**
- 3.1.13 Standard Billing Rates, attached at Exhibit M;**
- 3.1.14 Electrical Switchgear Scope of Work, attached at Exhibit N;**
- 3.1.15 Generator Information, attached at Exhibit O;**

**City of Hilliard, Ohio**

**Ruscilli Construction Co. LLC**

\_\_\_\_\_  
Michelle Crandall, City Manager

\_\_\_\_\_  
Robert A. Ruscilli, Principal

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



## City Council

Real People. Real Possibilities.

<b>Subject:</b>	Amendment to Contract with Prime AE Group
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	Ed Merritt, Director of Recreation and Parks,
<b>Meeting Date:</b>	June 26, 2023

### Executive Summary

This legislation authorized a fee amendment to the contract with Prime AE Group, LLC ("Prime) related to additional needed design services as part of the Recreation and Wellness Campus project.

### Staff Recommendation

Staff recommends that City Council approve this amendment to the contract with Prime for the design work related to the five alternates.

### 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 the new Recreation and Wellness Center (the "Project"). In March 2022, City Council authorized the City Manager to enter into a contract with Prime for the design work related to this project.

As this process has moved forward, staff has identified five possible alternates to move forward in the design process:

- Playground/Silo
- Expanded Fitness Area
- Rooftop patio
- Walk/jog Adventure track
- Senior Shade Canopy.

Additionally, it has been determined that additional work is needed related to the sanitary sewer system design and expansion of audio/visual scope. Due to these needs, Prime submitted a proposal of \$147,800 for the additional design work.

### Financial Impacts

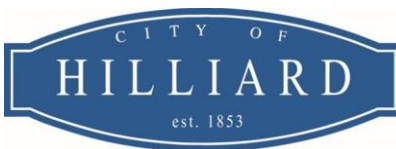
This authorizes the City to expend an additional \$147,800 for Prime's services related to the design of the Recreation and Wellness Center. This will be paid using funds currently budgeted in the City's 2023 CIP.

### Expected Benefits

This fee amendment ensures that Prime will be able to continue to provide design services related to the Project.

### Attachments

[Resolution No. 23-R-48 \(Amendment to Contract with Prime AE Group\) - Pdf](#)



Resolution: 23-R-48

Adopted:  
Effective:

**AUTHORIZING A FEE AMENDMENT TO THE CONTRACT WITH PRIME AE GROUP, LLC.**

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

**WHEREAS**, on November 14, 2022, City Council adopted Resolution No. 22-R-88 authorizing a fee amendment to Prime's contract for the design of the Ohio State University Medical Wexner Center portion of the Project; and

**WHEREAS**, the City desires to further amend Prime's contract in the amount of \$147,800 in order to move forward with the design of 5 alternates for the Project, as well as additional design services needed for the Project's sanitary sewer system and to expand of the scope for audio/visual needs for the Project; and

**WHEREAS**, funding for the Project 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, Ohio that:

**SECTION 1.** An expenditure is authorized from Fund 103, Object 55 in the amount not to exceed \$147,800 to amend the contract with Prime AE Group, LLC.

**SECTION 2.** The City Manager is authorized to enter into an amended contract with Prime AE Group, LLC, in an amount not to exceed \$4,711,550, which is an increase of \$147,800 of its total fee.

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

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

**ATTEST:**

**SIGNED:**

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

\_\_\_\_\_  
President of Council

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Philip K. Hartmann  
Director of Law

**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: **23-R-48** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

---

Diane C. Werbrich, MMC



## City Council

Real People. Real Possibilities.

<b>Subject:</b>	Enterprise Lease Agreements and Fleet Audit
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	Larry Lester, Director of Operations, Operations
<b>Meeting Date:</b>	June 26, 2023

### Executive Summary

The purpose of this memorandum is twofold. First, this memorandum introduces legislation to authorize capital vehicles, equipment leases, and purchases through Enterprise Fleet Management using the Sourcewell Cooperative Purchasing Program. Second, this memorandum updates the City Council on the status of the fleet performance audit completed by the State of Ohio Performance Audit Team.

The City has successfully used the Sourcewell Cooperative Purchasing Program to purchase products and services for many years. This Resolution further authorizes the purchase, leasing, and disposal of vehicles through Enterprise, specializing in fleet purchasing and management for various public entities, including the State of Ohio.

This memorandum also updates the City Council on the status of the fleet performance audit completed by the State of Ohio Performance Audit Team. The City hired the Ohio Auditor of State Performance Audit Team to conduct a fleet audit to help the City improve its fleet. This team has examined the efficiency and effectiveness of government programs and functions for large state agencies, cities, townships, and villages across the State to improve them.

The State of Ohio Performance Audit Team reviewed fleet purchasing, maintenance, and replacement cycling aspects to identify possible efficiencies. The audit team provided four recommendations for improving the City's fleet. Below is a summary of the City's plan to address these audit recommendations over the next few years.

### Staff Recommendation

Staff recommends approval of this Resolution to provide the capital vehicles and equipment needed to perform city programs and services efficiently and effectively.

Fleet Audit Recommendations from the State of Ohio Performance Audit Team are as follows.

#### Recommendation 1: Develop and Implement a Comprehensive Fleet Cycling Program

The City uses American Public Works Association (APWA) standards to replace fleet vehicles. This process involves evaluating the fleet with a points-based matrix to determine when to replace vehicles. Staff is working to formalize a fleet cycling policy that standardizes fleet cycling decisions across all departments. The citywide fleet cycling program aims to reduce the overall age of the fleet, which will reduce maintenance and repair costs over time. More specifically, 22% of the current light and medium duty fleet is over ten years old, which the fleet audit determined is resulting in significantly higher maintenance costs and a high total fleet operating cost.

#### Recommendation 2: Right Size Fleet

Before the audit, the Operations Department used fuel and GPS data to develop a rightsizing plan to reduce the fleet by seven units. The State of Ohio Performance Audit Team concurred with the staff's rightsizing plan but recommended reducing the marked police fleet by two units based on peer comparisons. Fleet reductions occurred in the 2022 and 2023 capital budgets.

#### Recommendation 3: Insource Additional Fleet Maintenance

More detailed reporting of employee maintenance activities consistent with Recommendation 4 is necessary to identify savings that could be achieved through insourcing more accurately. The Operations leadership team is working with technicians to improve fleet data collection efforts. On another note, the staff is considering assessments of the fleet

garage, vehicle lifts, diagnostic equipment, and fleet software to determine if more insourcing is economical and sustainable.

#### Recommendation 4: Improve Data Collection Efforts

The Operations and Information Technology Departments are working collectively with a consultant to map current fleet maintenance and repair processes. This exercise will help the City select fleet asset management software to track individual vehicle maintenance expenses more easily.

#### Background

This Resolution authorizes capital vehicles and equipment leases according to the cooperative purchasing program with Enterprise Fleet Management through the Sourcewell Cooperative Purchasing Program, of which the City of Hilliard is a member. In the Enterprise Fleet Management agreement through the Sourcewell Cooperative Purchasing Program, the average age of the existing fleet is 6.6 years. This program, over time, aims to reduce the average age of 3.11 years. The projected 10-year cost savings for this program is \$1.067M.

#### Financial Impacts

Leasing capital vehicles and equipment from Enterprise Fleet Management will reduce the overall age of the City's fleet, creating long-term operational savings, increasing employee safety and productivity, and reducing the overall fleet budget over time. This lease program is an equity lease structure whereby the City receives the difference between the sale price and the equity in the vehicle.

Staff anticipates that the fleet audit recommendations will require capital and operating budget increases over the next ten years. The City is considering a potential contractual relationship with Enterprise Fleet Management that would reduce the fleet's average age and smooth capital spending.

#### Expected Benefits

The Sourcewell Cooperative Purchasing Program eliminates the time and expense of competitive bidding, as the Sourcewell Cooperative Purchasing Program has conducted the same. This cooperative purchasing program allows the City to lease capital vehicles and equipment at a higher economy of scale. The City is also investigating and will consider utilizing other aspects of the program, such as purchasing management, fleet maintenance and repair services, and third-party fueling stations.

The City's fleet management plan will reduce the overall age of the fleet. Reducing the overall age of the fleet will result in reduced maintenance and repair costs over time. Concurrently, the staff's rightsizing plan will help the City realize an average annual fixed cost avoidance of approximately \$88,000 per year by not having to replace these vehicles in the future.

Staff is working diligently to determine if the City should insource additional fleet maintenance in the future. The cost avoidance associated with not outsourcing repairs is unknown at this time. More detailed data is required to help the City better manage its fleet using real-time, data-driven decisions. Improved data collection will assist the City in strategically planning for future fleet needs.

#### Attachments

[Hilliard Fleet Rightsizing Plan](#)

[Hilliard Fleet Audit](#)

[Enterprise Agreement Council Presentation](#)

[Resolution No. 23-R-49 \(Enterprise Fleet Management Lease Agreements\) - Pdf](#)

**Hilliard Fleet Rightsizing Plan for 2022 and 2023**

The Operations Department developed this fleet rightsizing plan before the State of Ohio Performance Audit Team conducted the fleet audit. The Operations Department made rightsizing recommendations using data from the City's GPS and fuel management systems. This plan reduces the city fleet by nine units. Staff decommissioned and removed all nine units from the city fleet.

The Operations Department leadership team reviewed GPS and fuel data collectively with the State of Ohio Performance Audit Team as part of the citywide fleet audit. The fleet rightsizing recommendations in this plan are consistent with the fleet audit.

1. 2.5 Ton Large Dump Truck with Snowplow - reduce the fleet by two units.
2. One Ton Dump Truck - reduce the fleet by two units.
3. F-350 Pick-Up Truck with Snowplow - reduce the fleet by two units.
4. Vehicles – SUVs - reduce the fleet by one unit.
5. Police Cruisers - reduce by two units.

The Operations Department completed a previous rightsizing initiative in 2017. In 2018, the Operations Department removed four pick-up trucks with snowplows from the City's fleet, consistent with the 2017 fleet rightsizing plan. Operations used fuel data to determine the number of units for rightsizing.



OHIO AUDITOR OF STATE  
KEITH FABER



City of Hilliard

# Performance Audit

December 2022



88 E. Broad St.  
Columbus, Ohio 43215  
Phone: (614) 466-4514  
Toll Free: (800) 282-0370  
[www.ohioauditor.gov](http://www.ohioauditor.gov)



**To the City of Hilliard Community:**

The Auditor of State's Office recently completed a performance audit of the City of Hilliard's fleet operations at the request of the City Council. This review was conducted by the Ohio Performance Team and provides an independent assessment of the City's fleet.

This performance audit report contains recommendations, supported by detailed analysis, to enhance the overall economy, efficiency, and/or effectiveness of the City's fleet operations. This report has been provided to the City and its contents have been discussed with the appropriate elected officials and City management. The City has been encouraged to use the recommendations and information contained in the report to make informed decisions regarding future operations.

It is my hope that the City will use the results of the performance audit as a resource for improving operational efficiency as well as service delivery effectiveness. The analysis contained within are intended to provide management with information, and in some cases, a range of options to consider while making decisions about their operations.

This performance audit report can be accessed online through the Auditor of State's website at <http://www.ohioauditor.gov> and choosing the "Search" option.

Sincerely,

Keith Faber  
Auditor of State  
Columbus, Ohio

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# Introduction

The Ohio Auditor of State’s Ohio Performance Team (OPT) conducts performance audits of government entities and provides data-driven analyses and recommendations which can assist officials in improving the economy, efficiency, and effectiveness of both an organization as a whole, or a small department or program.<sup>1</sup> While performance audits may be provided to entities as a result of certain fiscal concerns that are identified by OPT; any entity, regardless of financial condition, may request, and benefit from, a performance audit.

In 2021, the City of Hilliard (Hilliard or the City) requested a performance audit of its fleet management from OPT. A city’s fleet is a valuable organizational asset and it is important to implement management practices that promote the maximization of the useful life and utility of each vehicle while simultaneously minimizing long-term costs and potential liabilities. Proper fleet management helps streamline an organization’s efforts to achieve fleet efficiency, effectiveness, and transparency.

Fleet vehicles support many core functions of a modern city. Each and every vehicle is an important aspect of city operations. We reviewed the Operations Department’s fleet management practices and efficiency levels. Scope areas were analyzed with specific objectives in mind. When applicable, recommendations are based on industry standards, best practices, or peer comparisons.

## City of Hilliard

Hilliard is located in Central Ohio and is a northwest suburb of Columbus. The City covers approximately 13 square miles and had a population of approximately 37,000 in 2020. There is an elected City Council, comprised of seven members who are each elected to serve a staggered four-year term and represent all residents living within city limits. The Council is responsible for setting policies, establishing goals, and overseeing the annual budget.

In 2020, Hilliard began operating under a Council/City Manager model of government after voters approved an update to the City Charter. The City Manager is appointed by the Council, and as defined by the City Charter, is responsible for overseeing all departments and divisions of the municipal government, including the hiring and firing of City employees. Hilliard’s government has multiple departments which are responsible for providing services to residents, including police, planning, community development, recreation and parks, and general administrative services.

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<sup>1</sup> Performance audits are conducted in accordance with Generally Accepted Government Auditing Standards, see **Appendix A** for more details.

## Fleet Operations

Hilliard has a fleet of 115 vehicles that are used to carry out a variety of functions. With the exception of Police Department vehicles, the City's fleet is maintained by the Operations Department using a hybrid model. Most standard maintenance activities are performed in-house by City employees, and more time-consuming tasks, which are mostly related to large diesel trucks, are outsourced. The City uses several vendors for outsourced maintenance, and these vendors are chosen on an annual basis using cost estimates.<sup>2</sup> While the Operations Department is responsible for overall fleet management, it does not have a fleet manager. Further, the City does not have a fleet management software program or a system to track repairs by vehicle.

Vehicles used for the City's operations often need substantial maintenance due to the ways in which they are used. For example, a large pick-up truck may be used to plow city streets, exposing it to a large quantity of salt and other debris that can cause stress and strain during plowing. Preventative maintenance, such as oil changes, are supposed to occur at regular intervals. However, the City does not have a formal plan to ensure this happens. Instead, vehicle operators are tasked with alerting maintenance technicians as to when maintenance is required.

## City Finances

A city relies on a variety of revenue sources to provide services to residents including property taxes, income taxes, licensing fees, charges for services, and state aid and operating grants. These revenues allow a city to ensure that roads are salted in the winter, police respond promptly to calls, and city infrastructure is appropriately maintained. Much like an individual may have a checking, savings, and retirement account, cities operate using multiple types of accounts for various activities related to daily operations and long-term planning. Revenues are allocated to accounts based on a variety of factors including the City's policy and legal authority, and these accounts allow for the transparent use of public dollars.

Hilliard maintains a reserve in the General Fund equal to 25 percent of annual operating expenditures from the General Fund, to cover unanticipated expenses or unanticipated revenue shortfalls. The reserve, which is required by City Council, is referred to as a restricted reserve, while any reserve above 25 percent is referred to as the unrestricted reserve. This is the equivalent of an individual having an emergency savings account.

## Fund Types

Government entities can maintain three different types of funds: Governmental, Proprietary, and Fiduciary. Governmental and Proprietary funds can be used for operations whereas a Fiduciary fund contains resources held by a government but belonging to other individuals or entities.

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<sup>2</sup> The Police Department outsources all vehicle maintenance and repairs.

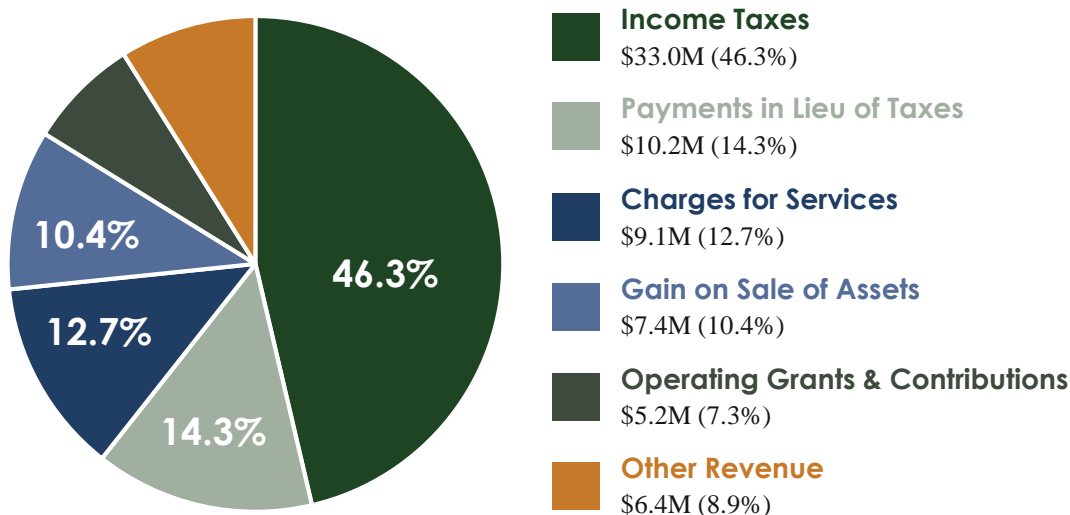
Hilliard uses the General Fund, a type of Governmental fund, for the majority of City-wide operations. The General Fund operates like an individual’s primary checking account. The majority of revenues go to the General Fund and can be used for the majority of day to day expenditures such as payroll or office supplies. The City uses a variety of other governmental funds. Some of these funds, like the Street Maintenance and Repair Fund, have revenues that can be used only for restricted purposes.

## Revenues

In 2020, the City had approximately \$71.2 million in total revenue. A two-percent income tax is the City’s primary source of revenue.<sup>3</sup> This tax is assessed on all salaries, wages, commissions, other compensation and on net profits earned within the City as well as on incomes of residents earned outside the City.<sup>4</sup> The income tax raised approximately \$33 million, or 46 percent of the City’s total revenue for 2020. Approximately \$5.2 million, or 7.3 percent of the City’s revenue is from state operating grants and contributions. Additional revenue is generated through payments in lieu of taxes, fees for services, property taxes, and other miscellaneous sources.

### FY 2020 Total Revenues

**Total: \$71.2M**



Source: City of Hilliard

Note: Other Revenue categories include Capital Grants & Contributions, Property Taxes, Grants and Entitlements Not Restricted to Specific Programs, Unrestricted Investment Earnings, and Miscellaneous.

<sup>3</sup> Effective January 1, 2022, the City’s income tax increased to 2.5 percent.

<sup>4</sup> The City of Hilliard allows a credit for income taxes paid to another municipality up to 100 percent of the City’s current tax rate.



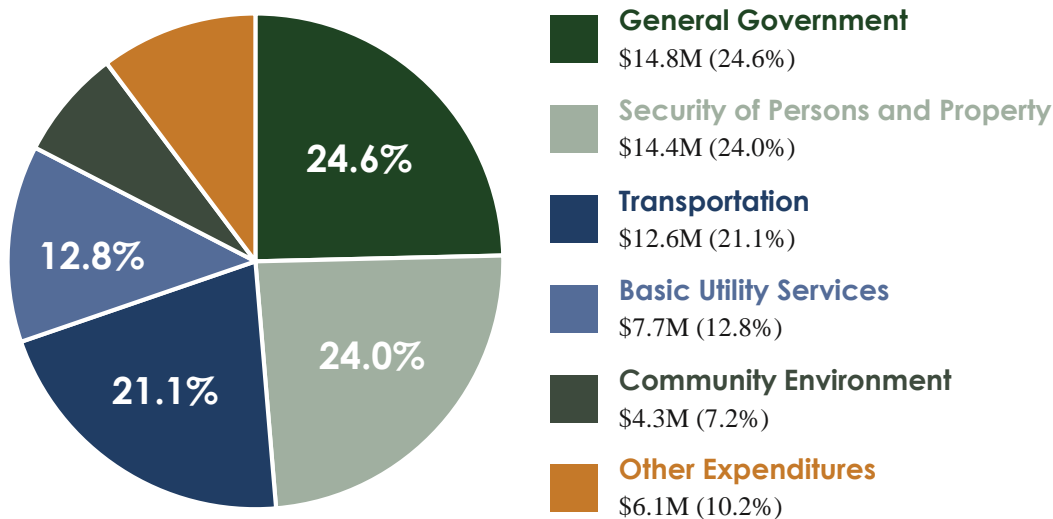
The \$33 million raised by the City’s income tax in 2020 was divided between the General Fund, Street Improvement Municipal Tax Special Revenue Fund, and Capital Improvement Municipal Tax Projects. The City’s remaining revenues were distributed between the General Fund and other governmental funds as appropriate.

## Expenditures

In 2020, the City had approximately \$60 million in total expenditures. . It should be noted that \$7.4 million of the City’s revenue in 2020, or approximately 10 percent of total revenue, came from the sale of assets. This revenue is likely not recurring and resulted in expenditures for the year being lower than total revenue. As seen in the chart below, these expenses were for a variety of purposes including general government expenses, the security of persons and property, transportation, and utility services.

### FY 2020 Total Expenditures

**Total: \$60.0M**



Source: City of Hilliard

Note: Other Expenditures categories include Leisure Time Activity, Interest & Fiscal Charges, and Public Health.

Fleet related expenditures are tied to a variety of funds. The Capital Improvement Municipal Tax Fund, which is funded using the City’s municipal income tax, is used to make purchases of new vehicles and equipment. Fleet expenses related to fuel, maintenance, and personnel are paid through five different special revenue funds:

- **Street Construction Maintenance and Repair Fund**, which accounts for the portion of the state gasoline tax and motor vehicle registration fees. This fund has restrictions and is used for the maintenance and repair of streets within the City.

Efficient • Effective • Transparent

- **County Motor Vehicle Tax Fund**, which accounts for funds received from the City’s permissive motor vehicle license tax and from the County’s permissive motor vehicle license tax. This fund has restrictions and is used for maintaining certain roadways within the City.
- **Water Revenue Fund and Sewer Revenue Fund**, these funds account for water and sewer tap fees and water and sewer surcharge revenues collected by the City of Columbus for Hilliard. These revenues are used for upgrading and making minor repairs to water and sewer lines.
- **Storm Water Utility Fund**, which accounts for storm water utility fees which are used to maintain and upgrade the storm water drainage systems.

The City splits the cost of personnel salaries and benefits evenly between the Street Construction Maintenance and Repair Fund, the Water Revenue Fund, the Sewer Revenue Fund, and the Storm Water Utility Fund.

## Results of the Audit

At the request of City officials, we reviewed fleet operations with a specific focus on fleet cycling methods, overall fleet size and age, and vehicle maintenance. Based on our analysis, we identified four recommendations that, if implemented, would improve the efficiency and effectiveness of overall operations and improve the collection and transparency of fleet-related data. The implementation of these recommendations will allow City officials to make more informed decisions regarding future fleet operations.

**Recommendation 1:** The City does not have a formal policy regarding optimal fleet cycling. While the City has aspects of an informal cycling program in place, there are facets missing which would create a comprehensive cycling program. The absence of a formal fleet replacement program can lead to maintaining vehicles that have outlived their useful life, resulting in excessive maintenance and repair costs. The City should formalize a comprehensive citywide fleet cycling program that is tied to measurable criteria and is sustainable.

**Recommendation 2:** The City has 115 vehicles that are used across various departments. Using GPS data, peer comparisons, and City expectations for vehicle use, we determined that nine vehicles could be eliminated without negatively impacting City operations. The City would be able to realize an average annual fixed cost avoidance of approximately \$88,000 per year by not having to replace these vehicles in the future.

**Recommendation 3:** Currently Hilliard uses a combination of in-house technicians and outsourcing for fleet maintenance and repairs. The in-house employees are underutilized and have excess capacity. In order to fully utilize existing staff, the City should increase the amount of maintenance and repair work that is conducted in-house. By doing so, the City could realize approximately \$88,400 in cost avoidance associated with outsourcing this labor.

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**Recommendation 4:** The City does not collect detailed data on maintenance and repair costs at the vehicle level. Outsourced labor is tracked by vendor and work conducted in-house is not recorded in a uniform or consistent manner. The City should track detailed information regarding maintenance and repair costs for each vehicle. Without detailed data, the City is limited in its ability to manage the existing fleet using real-time, data-driven decisions. Further, improved data collection will assist the City in strategically planning for future fleet needs.

# Recommendations

## Recommendation 1: Develop and Implement a Comprehensive Fleet Cycling Program

The City does not have a formal policy regarding optimal fleet cycling. While the City has aspects of an informal fleet cycling program in place, there are facets missing which would create a comprehensive cycling program that could be applied to all Hilliard departments. The absence of a comprehensive fleet replacement program can lead to maintaining vehicles that have outlived their useful life, resulting in excessive maintenance and repair costs. The City should formalize a comprehensive fleet cycling program that is tied to measurable criteria and is applied to all City departments.

### Impact

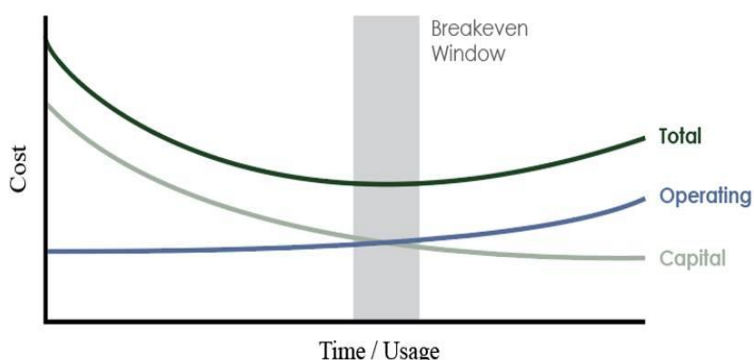
The vehicles owned and operated by an organization represent both a significant asset and source of expenditures. A comprehensive fleet cycling program may allow the City to optimize the useful life of vehicles while also planning for the capital outlay of routine vehicle replacement. A comprehensive fleet cycling program could reduce inefficient operations and reduce costs to maintaining a fleet that is aged and too large for organizational needs.

### Background

Fleet cycling refers to the practice of replacing vehicles on a routine basis, or cycle. Lifecycle management of fleet is an important aspect of operations. This process accounts for an item’s total operating costs and takes into account more than just the initial price of the vehicle. The additional factors, including maintenance and repairs, provide a more accurate understanding of the true cost of ownership.

Optimizing when vehicles are replaced is a critical component of a comprehensive fleet cycling program and can reduce the number of costly repairs and maintenance as a vehicle ages. According to the American Public Works Association (APWA), an organization that supports those that maintain public works and infrastructure, the Economic Theory of Vehicle Replacement is the concept that evaluates the point at which it is no longer economically practical to retain a vehicle. In short, as a vehicle increases in age, the average operating costs of the vehicle will generally increase while

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the value of the vehicle and its capital costs decrease, creating a total cost curve. The optimal time to replace a vehicle is during that window of time before the total cost curve begins to rise.

In addition to identifying the appropriate point in time when a vehicle should be replaced, a comprehensive fleet cycling program takes into account other factors that allow an organization to make informed decisions that best meet its needs and available resources. The City currently owns the majority of its fleet and trades in vehicles when they are replaced for an appraised salvage value. Hilliard has taken steps to standardize its fleet through the purchase of the same make and model of vehicle for general operations. The City has a capital improvement budget that addresses projected fleet replacements through 2025, and it spends approximately \$1 million on an annual basis for fleet related purchases. While the City has existing cycling goals based on vehicle age, it has fallen behind this goal due to budget constraints. Because of the cost associated with updating its fleet, the City has considered alternative options to address fleet replacement needs, such as lease-to-purchase.

## Methodology

We interviewed Hilliard personnel to determine the City's fleet cycling policies, processes and practices. These practices were compared to industry standards and peer practices. We gathered data on the City's current fleet as well as previous salvage history and the vehicle age at replacement. Finally, for informational purposes, we calculated future replacement costs based on stated cycling goals.

## Analysis

While Hilliard does have aspects of a fleet cycling program, such as replacement goals and a weighted point system for verifying replacements, the current policies and procedures are not comprehensive, nor are they applied uniformly across all City departments. Because these policies are not uniformly applied, each department with fleet may create individual cycling goals and processes.

A comprehensive fleet cycling program is multifaceted and considers a variety of factors in determining when a vehicle should be replaced. According to the American Public Works Association (APWA), an organization that supports those that maintain public works and infrastructure, a comprehensive fleet replacement program is important for all public entities, and without such a program, managers may be unable to identify when to replace vehicles.<sup>5</sup> According to the APWA, a comprehensive replacement program should include the following elements:

- Determining replacement criteria;
- Developing budgets and planning appropriate financing;

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<sup>5</sup> American Public Works Association, *Planned Fleet Replacement, 2<sup>nd</sup> Edition* (2021).

- Selecting units to be replaced and optimum disposal methods; and,
- Specifying and purchasing replacements.

### *Determine Replacement Criteria*

The current criteria utilized by the City to determine when to replace fleet is based on age. The stated cycling goals for Hilliard are 7 years for pickup trucks, 10 years for light vehicles, and 10 years for all other trucks.<sup>6</sup> This standard was developed over time but is not tied to any known analysis of optimal replacement cycles.

According to the APWA, there are two methods that may be used when determining replacement criteria: the lifecycle cost method and the best practices method. The lifecycle cost method includes annually tracking fixed and variable costs for each vehicle. The City would need to track fixed costs such as purchase price and insurance costs, and collect variable costs such as maintenance and repair costs, on each vehicle. The lifecycle cost method would provide the most-detailed analysis of vehicle data; however, the City does not currently have the data to implement this method and it would take time to establish criteria using this option (see **Recommendation 4**). The best practice method, which establishes replacement criteria based on surveying peer organizations with similar fleet and operating conditions, could be implemented by the City immediately.

Using Hilliard’s current replacement goals for non-police vehicles, the City is currently behind on its goals for each vehicle type with 10.0 percent of light vehicles, 37.5 percent of pickup trucks, and 44.4 percent of large/specialty vehicles falling outside of each respective cycling goal.<sup>7</sup> Furthermore, we reviewed the past four years of salvaged vehicle data, and the City has recently cycled vehicles beyond the stated goals, as well. In total, Hilliard salvaged 15 non-police vehicles from 2018 to 2022: 11 pickup trucks, 1 SUV, and 3 large/specialty vehicles. The average age of the salvaged vehicles was 13.2 years, 14.5 years, and 15.7 years, respectively. Developing data-driven criteria, along with collecting the needed data for each vehicle, would allow the City to use business intelligence to determine which vehicles need to be replaced and plan accordingly.

### *Develop Budget and Planning Appropriate Financing*

Hilliard sets aside approximately \$1 million annually for the purchase of new vehicles and has scheduled fleet replacements in its five-year Capital Improvement Program. In previous budget cycles, the purchase of new vehicles has been deferred in order to reduce the City’s overall

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<sup>6</sup> Light vehicles include sedans and SUVs, while pickups are primarily Ford F-350 Super Duty which are used for plowing streets. Large specialty trucks vary and can include 1-ton dump trucks, 2 1/2 ton salt trucks, bucket trucks, etc.

<sup>7</sup> The City does not have a specific cycling goal for police vehicles, and past cycling decisions were budget-driven.

budget. While Hilliard currently purchases vehicles outright, it has also considered leasing as an option to finance vehicle replacement and regain its cycling goals.

An effective budget for a multi-year replacement plan should be developed using future replacement cost estimates. The APWA states the budget for a comprehensive fleet cycling program should consider fleet inventory and use. To properly create such a budget, it is important to accurately document the quantity of vehicles by classification, age, accumulated mileage or hours, and annual maintenance costs. Fleet inventory data should be routinely analyzed and updated to ensure accurate budgeting. Entities should avoid spikes in funding. Further, the AWPAs advise that an annual review of planned purchases is required even with appropriate budgeting.

Some methods of financing provided by the APWA include cash purchase, lease, and lease-purchase options. Since the City is behind on its current cycling goals, it may find that it needs to replace many vehicles in a short period of time and will need to determine the most cost-effective method to do so.

### *Determine Units to be Replaced and Optimum Disposal Methods*

The City indicated that it uses an APWA weighted point system on a year-by-year basis in order to look deeper into vehicles that have reached their cycling targets to determine whether they will be replaced. However, the current weighted point system used by the City does not include relevant usage data that would allow for a more detailed cost analysis. Metrics such as maintenance and repair costs for individual vehicles are critical when identifying the cost of ownership and would help determine the optimal lifecycle for a variety of vehicles (see **Recommendation 4**). Because the City does not track maintenance and repair costs by individual vehicle, it must rely on the anecdotal knowledge of its fleet technicians to assign ratings in the reliability and maintenance and repair cost categories. The current method used by the City for the disposal of vehicles is trading in aged vehicles to a local car dealer.

APWA notes that practical reasoning should be used in tandem to a formal comprehensive fleet cycling program, “The fact that a particular vehicle has reached an age and/or usage threshold beyond which it is a candidate for replacement does not mean that it automatically should be replaced.” Ultimately, it is up to the City to determine which vehicles should be replaced. However, these decisions should, “...set replacement priorities and...ensure that the most deserving units are replaced with the level of funding available.” City officials should work to dispose of vehicles as quickly and effectively as possible.

### *Specifying and Purchasing Replacements*

Identifying the requirements and needs of the City should be the first step when specifying and purchasing replacement vehicles. APWA states, “developing clear and attainable specifications prior to purchasing vehicles and equipment is one of the most important, if not the most important, tasks of the fleet organization.” Additionally, the City should determine if the vehicle

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or equipment being replaced met the expectations during its use and whether the perceived or actual value of the vehicle or equipment is worth replacing. APWA recommends using a simple “Yes” or “No” system to determine if the current vehicle or equipment specifications are meeting the expectations that the vehicle or equipment provided during its lifecycle. While the City does purchase similar makes and models of vehicles, Hilliard should review whether those makes and models are meeting the needs of the City. Additionally, new vehicle availability may impact which vehicles are selected as replacements.

### *Options to Update Existing Fleet*

The City stated its desire to get back onto a fleet cycling schedule. Using the current cycling goals and existing fleet, we calculated the annual cost of a variety of replacement scenarios. The actual budget impact will be dependent on the City’s chosen financing method and any updates to its fleet cycling program. For this calculation, we reviewed three vehicle replacement strategies. These strategies are not all-encompassing, nor are they the only strategies the City may choose. The three strategies are:

- Immediately cycle out all vehicles beyond the City’s current stated age targets and purchase necessary replacements;
- Use a lease-purchase model with a five-year, \$1 buyout option at the end of the lease; and,
- Implement a phased-in approach to purchasing over several years.

The analysis we performed for each strategy can be found in **Appendix B**. Each strategy has advantages and disadvantages along with varying financial implications to the City. It is up to the City to decide what best fits its needs and expectations for its comprehensive fleet cycling program.

### **Conclusion**

Hilliard should develop a comprehensive fleet cycling program that will be applied to citywide operations. Using APWA guidelines will allow the City to make cost-effective data-driven decisions for its fleet and ensure that the comprehensive fleet cycling program is tied to measurable criteria and applied across all City departments.

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## Recommendation 2: Right Size Fleet

The City’s fleet includes 115 vehicles that are used across various departments. Using GPS data and peer comparisons, we determined that nine vehicles could be eliminated without negatively impacting City operations. By reducing the overall fleet size, the City will be able to avoid excess capital costs and insurance associated with the unnecessary vehicles.

### Impact

Eliminating nine vehicles from the fleet will lead to an average annual fixed cost avoidance of approximately \$88,000.<sup>8</sup> The vehicles identified for elimination are each due to be replaced, based on the City’s current cycling goals.

### Background

As of April 2022, the City’s fleet included 115 vehicles. This fleet is assigned to and used by a variety of departments throughout the City. Approximately 34 percent of the fleet is used by the Police Department, with the remaining 66 percent being used for other City-related operations and activities.

### Methodology

We reviewed the available utilization data for Hilliard’s fleet. GPS data and peer comparisons were used for analysis depending on the vehicle classification.

### Non-Police Vehicles

We reviewed available GPS data for the following vehicle categories: SUVs, 4x4 plow trucks, 2 ½-ton salt trucks, and 1-ton dump trucks. It is important to note that there are standard naming conventions for vehicle type based on the make and model of a vehicle. However, Hilliard does not consistently follow these standards. For example, the City groups their Ford F-550 trucks as 1-ton vehicles; however, traditionally this classification would be used for F-350s.

### Vehicle Usage

Our analysis focused upon how frequently most vehicles were used per day. As a part of this analysis, we identified instances where a vehicle was turned on for purposes that are not related to City operations. To account for this, we used GPS data and information from City officials to identify and exclude instances where a vehicle was turned on and immediately turned off or were shuffled in a parking lot.

Further, on high use days, there were instances where a vehicle may be used in the morning and a second vehicle of the same type is used in the afternoon. We consulted with the client regarding these occurrences to determine if one vehicle could have been substituted for another and then accounted for this as we identified opportunities for fleet reductions.

Our recommendation is based on the number of vehicles that would have been needed according to the City for use within each category on a given day.

<sup>8</sup> Includes average annual capital cost (purchase price minus anticipated salvage value) plus annual cost of insurance.

We identified high utilization days, which were days that the majority of vehicles in each vehicle type were in use for any amount of time. Vehicle usage on high utilization days was then analyzed by tracking the actual usage in half-hour increments of each vehicle with GPS. This data was used to determine the amount of utilization for each vehicle and whether or not it was actually being used.

### *Police Department Vehicles*

We compared the number of vehicles per officer maintained by Hilliard relative to peer cities.<sup>9</sup> We used survey data to compare the number of police vehicles owned by the client with the number of police vehicles owned by the established peer set. We then calculated the average ratio of patrol officers per cruiser for the selected peers and compared it to the average within the City's Police Department to determine the number of cruisers that could be eliminated.

### **Analysis**

The majority of non-police vehicles are equipped with GPS trackers through Verizon GPS telematics, which collects a significant amount of data. We were able to identify the highest utilization dates by counting the number of vehicles that were turned on and off on any given day within each vehicle class. Based on this, using the City's vehicle classifications, we identified four vehicle types that had the potential for reductions: sport utility vehicles (SUVs), 4x4 plow trucks, 2 ½-ton salt trucks, and 1-ton dump trucks.

Once vehicles were identified for potential reductions using key-on, key-off data, we conducted further analysis on the actual usage by analyzing the high utilization days in half hour increments to determine the number of vehicles that could be reduced within each vehicle category. Additionally, we considered whether a vehicle actually traveled anywhere on those days or if there was the potential to substitute another vehicle in its place.

### *SUVs*

Based on initial data, there were four days when all four of the SUVs outfitted with GPS were in use. After further examination of the data, it was determined that there were only two days, or 1.61 percent of the 124-day date range, when all four SUVs outfitted with GPS were utilized.

### *4x4 Plow Trucks*

Based on initial data, there were two days when all 25 plow trucks were used and three days when all but one vehicle was used. After further examination of the data, there was only one day, or 0.75 percent of the 113-day date range when all 25 4x4 plow trucks were used. There was only one additional day, or 1.50 percent of the date range, when twenty-four or more 4x4 plows

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<sup>9</sup> Cities used for peer comparisons are identified in **Appendix A**.

were used, and only 9 additional days, or 8.27 percent of the date range, when 23 or more 4x4 plows were used.

### *2½-Ton Salt Trucks*

Based on initial data, there was only one day when all nine of the 2½-ton salt trucks outfitted with GPS were fully utilized. After further examination of the data, there was not a day when all nine or even eight of the nine 2 ½-ton salt trucks were used. Seven of the nine 2 ½-ton salt trucks were only actually needed on one day, or 1.59 percent, of the 63-day date range.

### *1-Ton Dump Trucks*

Based on initial data, there were three days when all three 1-ton dump trucks outfitted with GPS were used and 14 days on which all but one was utilized. After further examination of the data, there were only two days, or 2.74 percent of the 73-day date range on which all three 1-ton dump trucks were used.

Based on the above findings and feedback from the client, we determined that one SUV, two 4X4 plow trucks, one 1-ton dump truck, and two 2 ½- ton salt trucks could be removed from the existing fleet.

### *Police Department Vehicles*

We reviewed the Police Department vehicles separately and analyzed the number of patrol vehicles on a per-officer basis compared to peer cities. This analysis compared the number of patrol officers<sup>10</sup> to cruisers.<sup>11</sup> The peer average for officers per cruiser was 2.0, while Hilliard had an officer per cruiser ratio of 1.8. The Hilliard Police Department ratio of 1.8 was equal to or below that of each peer. Based on this analysis, we determined that the City should eliminate three police patrol SUVs from the active fleet.

#### Patrol Officers per Cruiser

	<b>Patrol Officers</b>	<b>Cruisers</b>	<b>Officers to Cruiser</b>
Gahanna	39	20	2.0
Grove City	50	23	2.2
Reynoldsburg	48	27	1.8
Upper Arlington	37	17	2.2
Westerville	52	26	2.0
<b>Peer Average</b>	<b>45.2</b>	<b>22.6</b>	<b>2.0</b>
Hilliard	48	27	1.8

<sup>10</sup> Patrol officers considered as part of the ratio included all patrol officers and their immediate supervisors, canine officers, and school resource officers.

<sup>11</sup> Cruisers include only those shared by the patrol officers used in this comparison.

Patrol Vehicles Needed	24
Recommended Vehicle Reductions	3

Source: City of Hilliard and peers

Factoring trade-in or salvage values, new vehicle purchase prices, insurance costs, and fleet cycling replacement plans, OPT was able to calculate the fixed cost avoidance for the elimination of three police cruisers, one SUV, two 4x4 plow trucks, one 1-ton dump truck, and two 2½-ton salt trucks. The City of Hilliard would be able to realize an average annual fixed cost avoidance of approximately \$88,000 per year by not having to replace these vehicles in the future.

### Conclusion

The City’s GPS data indicates that multiple vehicles could be eliminated from its fleet. Further, the Police Department has more cruisers than the peer average on a per-officer basis. Eliminating nine vehicles from the City’s active fleet would provide the City with approximately \$88,000 in cost avoidance per year.

## Recommendation 3: Insource Additional Fleet Maintenance

Hilliard currently uses a combination of in-house technicians and outsourcing for fleet maintenance and repairs. The in-house employees are underutilized and have excess capacity. In order to fully utilize existing staff, the City should increase the amount of maintenance and repair work that is conducted in-house.

### Impact

By conducting additional maintenance and repair work in-house, the City will reduce the amount of technician downtime, increasing overall productivity. Additionally, the City will be able to avoid approximately \$88,400 in annual costs associated with outsourcing fleet maintenance and repairs.

### Background

The City has two maintenance technicians that are dedicated to in-house fleet maintenance and repairs. These individuals perform a variety of skilled mechanical work that includes the routine inspection of vehicles and performing preventative maintenance and repairs. In addition to the in-house technicians, the City routinely sends vehicles to vendors for other maintenance and repairs. It should be noted that currently, the Police Department outsources all vehicle maintenance while every other department primarily outsources maintenance for costly, time-consuming activities or those that the City does not have the equipment to perform.

### Methodology

We used data captured by the City regarding the number of maintenance and repair tasks conducted by the in-house technicians to determine if these individuals were maximizing their time spent on fleet maintenance. Because Mobile 311, the program used by the City to record repair work, does not show the time dedicated to conducting these activities, we applied average repair times calculated for outsourced work and deemed reasonable by the City to the activities performed in-house. We then calculated the hours required to perform different types of maintenance and repairs and used this information to identify how many additional activities could be transferred in-house. Finally, using invoice data, we identified the total potential cost savings the City could achieve through the more efficient use of existing maintenance staff.

### Analysis

#### *Current In-house Staffing Efficiency*

Using a three-year average, we determined that the two maintenance employees used an average of 287 hours for vacation, personal, sick, holiday and funeral leave per year between 2019 and

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2021.<sup>12</sup> Based on the number of hours the employees were actively working, and that 95 percent of the technician's time is available for fleet activities<sup>13</sup>, we determined that there were 2,858 hours available each year to be used on maintenance activities between the two technicians.

The City uses Mobile 311, a software program designed to document and manage in-house maintenance work orders; however, not all activity is tracked in this software. City officials estimate that approximately 75 percent of all fleet maintenance work orders are being captured in the Mobile 311 system. Because detailed time-keeping records are also not kept, it is not possible to determine the exact utilization of the fleet technicians or the in-house labor demand in relation to fleet maintenance and repairs.

Using the available data in Mobile 311, we considered two scenarios to reflect the missing maintenance data.<sup>14</sup> In the first scenario, we assumed that 75 percent of maintenance activities were recorded in the system as City officials estimated. For this first scenario, if the information contained in Mobile 311 reflects 75 percent of all in-house maintenance activities, the two technicians are spending only 25 percent of their available hours performing fleet related activities.

In the second scenario, we assumed that only 50 percent of maintenance activities were recorded in the system. For this second scenario, if the Mobile 311 system contains only 50 percent, or half, of the in-house maintenance activities, the technicians are still only using 35 percent of their time on fleet activities. According to *Government Fleet*, fleet maintenance technician staff should be performing direct labor at least 70 percent of the time, with 80 percent being the goal.<sup>15</sup> Based on this, the City is not maximizing the usage of the technicians on staff.

### *Impact of Additional In-house Maintenance Activities*

Using the outcome of either scenario in the previous subsection, we were able to determine that the City could bring additional maintenance activities in-house to reduce the expense associated with contracting to vendors for routine maintenance. Based on our initial analysis, the technicians employed by Hilliard have the potential to significantly increase workload.

We considered two scenarios for which bringing additional work in-house could increase the utilization of existing staff. By assuming that either 50 percent or 75 percent of in-house labor is captured in Mobile 311, we determined that Hilliard would be able to increase the utilization of

<sup>12</sup> A full-time equivalent (FTE) employee is based on working 2,080 hours annually; however, it is expected that employees will have leave time and other downtime that reduces the number of available work hours.

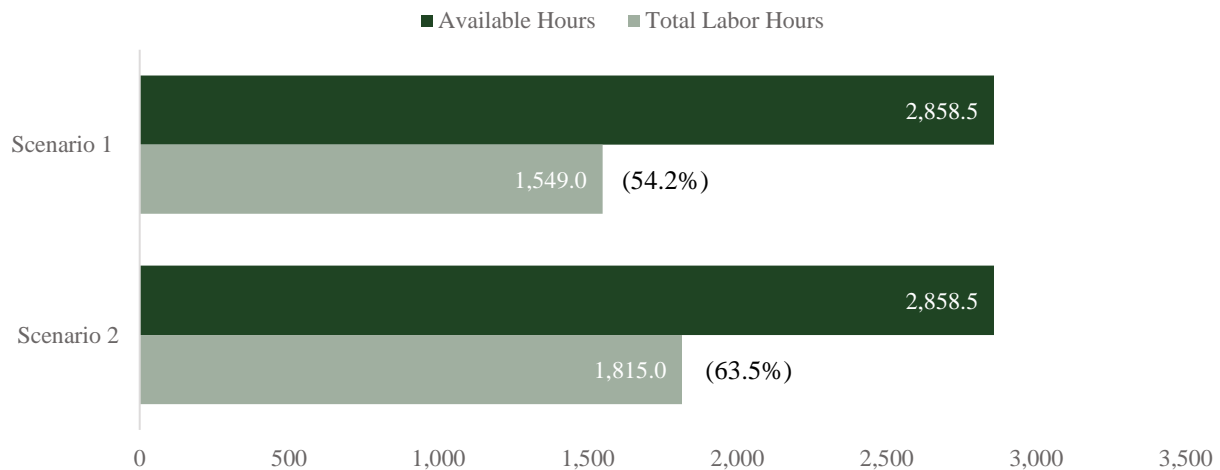
<sup>13</sup> The City advised that its fleet maintenance technicians spend five percent of the time operating wood chippers.

<sup>14</sup> We used labor costs and hourly rates for vendors to calculate the average labor hours for a variety of maintenance and repairs that are outsourced, and then applied those to the work being performed in-house in order to approximate the utilization of Hilliard's fleet maintenance technicians.

<sup>15</sup> Indirect vs. Direct Labor: How to Hit the Magic 70%. (2014) *Government Fleet*.

existing staff to as much as 63.5 percent by taking on tasks currently being outsourced. It should be noted that this is still below the industry benchmark of 70 to 80 percent, allowing for ample time for engagement in other activities such as meetings, training, and other work taken on outside of fleet. Additionally, there is room to in-source other fleet related work, such as computer or engine diagnostics for the Police Department fleet,<sup>16</sup> which could result in additional annual savings but could require the purchase of additional tools or software.

### Total Labor Hours for Fleet Maintenance Compared to Available Hours<sup>17</sup>



### Conclusion

The City's fleet maintenance technicians are underutilized and have the capacity to handle additional workload. In order to improve the utilization of its two fleet maintenance technicians, the City should insource additional maintenance and repair work that is currently outsourced which the current technicians are qualified to perform. Insourcing this additional work can increase the utilization of fleet technicians to as much as 63 percent, which is still below the identified 70 to 80 percent benchmark. Furthermore, the City could see savings of approximately \$88,400 by more fully utilizing its current fleet technicians rather than using outside vendors for maintenance and repair activities that the in-house technicians are qualified to make.

<sup>16</sup> The computer engine diagnostic equipment maintained in the Operations garage would require an update in order to handle diagnostics for the Police Department vehicles.

<sup>17</sup> Scenario 1 assumes that 75 percent of in-house labor is captured in Mobile 311, while Scenario 2 assumes that 50 percent of in-house labor is captured in the system.

## Recommendation 4: Improve Data Collection Efforts

The City does not collect detailed data on maintenance and repair costs at the individual vehicle level in a centralized manner. Outsourced labor is tracked by the vendor and available on purchase orders and invoices, while work conducted in-house is not recorded in a uniform or consistent manner. Without detailed data, the City is limited in its ability to manage the existing fleet using real-time, data-driven decisions. Further, improved data collection will assist the City in strategically planning for future fleet needs.

### Impact

Improved data collection efforts will help inform decision making, specifically associated with optimal fleet cycling, in order to avoid costly repairs and downtime. Further, as data collections are improved, the City can update the fleet cycling policy to involve more precise calculations regarding the ideal time to replace vehicles (See **Recommendation 1**).

### Background

As discussed in **Recommendation 3**, the City uses a combination of in-house technicians and outsourced vendors to handle fleet maintenance and repairs. However, there is no centralized system in place to accurately track the costs associated with this work. There is limited data collected through purchase orders for outsourced labor, but it does not provide data on a per-vehicle basis. Mobile 311, as discussed in **Recommendation 3**, is used to log internal labor associated with maintenance and repairs but reflects only a portion of actual activities performed. Additionally, Mobile 311 does not collect data on a per-vehicle basis.

### Methodology

Throughout the audit, we collected information through interviews with Hilliard officials and by analyzing available financial data over a three-year period from FY 2019 through FY 2021. In several instances, the available data was found to be incomplete or lacking in detail. The City's data collection practices were compared to industry best practices and peer cities to determine ways in which data collection efforts could be improved.

### Analysis

The City does not have standard and consistent procedures for collecting, storing, and managing fleet data on a per-vehicle basis. This means that it lacks the information necessary to make strategic, data-driven decisions regarding fleet management. According to *Government Fleet*, it is critical to collect data and information relevant to fleet assets to make informed and data-driven decisions relating to the replacement of vehicles in the fleet.<sup>18</sup> There are numerous factors that should be integrated or considered when deciding when to replace vehicles. One of the

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<sup>18</sup> Catching Up on Vehicle Replacements. (2017) *Government Fleet*.



factors include, but is not limited to, maintenance and repair costs specific to individual fleet vehicles. Knowing the maintenance and repair costs performed on vehicles allows management to understand how the overall costs relate to the purchase price. Another factor is reliability. Entities should capture data that demonstrates how frequently a fleet vehicle is being repaired.

The City does not utilize fleet management software to track costs on a per-vehicle basis. This inhibits the City's ability to make data-driven decisions regarding the fleet and is not in-line with best practices. According to *Government Fleet*, tracking all direct and indirect labor costs is key.<sup>19</sup> Organizations should capture all indirect and direct labor costs through a fleet management software system. The information captured should include the following:

- Employee billable hours;
- Employee performance summary report: summarizes time by category such as training and meetings;
- Employee Performance Report: summarizes the activities by category that demonstrates how labor is being spent in the shop; and
- Employee Performance Detail Report: compares direct job time to industry standards for continuous improvement efforts.

Because the City is not tracking this information in a centralized manner, it is unable to do many things that could improve overall fleet operations. For example, using existing data, City officials cannot precisely determine the utilization of existing maintenance staff (see **Recommendation 3**). Additionally, decisions regarding fleet cycling (see **Recommendation 1**) and optimal fleet size (see **Recommendation 2**) are hampered due to lack of precise vehicle utilization detail.

It should be noted that all five local peers use fleet management software to capture data on an individual vehicle basis, which gives them the opportunity to make data-driven decisions relating to the management of fleet assets.

## Conclusion

The City is not centrally capturing all labor, parts, or supplies costs on a per-vehicle basis. Data management is critical for informing business practice decisions, specifically in the area of fleet management. The City should work to improve its data collection and storage efforts to allow for real time, data-driven management of fleet operations and strategic planning for future fleet needs. Improved data collection would help the City track indirect and direct labor cost, allowing for more visibility into current practices and opportunities to improve overall utilization of its fleet maintenance technicians.

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<sup>19</sup> Catching Up on Vehicle Replacements. (2017) *Government Fleet*.

# Client Response Letter

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The Office of  
the City Manager

November 28, 2022

Mr. Keith Faber, State Auditor  
Office of the Auditor of State  
88 East Broad Street, 5<sup>th</sup> Floor  
Columbus, OH 43215

Auditor Faber,

In December of 2021, the City of Hilliard contracted with the State of Ohio Performance Audit Team to complete a review of City operations. The audit team reviewed aspects of fleet purchasing, maintenance and cycling to identify possible efficiencies.

We appreciate the thorough review of the City's operations and all the recommendations provided by the Performance Audit Team. The audit provided four recommendations regarding the City's management of its fleet:

#### Recommendation 1: Develop and Implement a Comprehensive Fleet Cycling Program

The City currently uses APWA standards for the replacement of vehicles, and tracks vehicle age and mileage. The City will work to formalize a fleet cycling program that also tracks maintenance costs per vehicle, and that standardizes fleet cycling decisions across all departments. Additionally, the City will seek ways that the overall age of the fleet can be reduced and brought in line with fleet cycling goals, with an aim toward reducing maintenance expenses.

#### Recommendation 2: Right Size Fleet

The City will seek to reduce the size of the fleet in line with the recommendations of this audit. Fleet size has already been adjusted with larger vehicles in Operations in accordance with audit recommendations. Current constraints on the availability of new vehicles may impact the time frame to reduce the size of the fleet.

#### Recommendation 3: Insource Additional Fleet Maintenance

More detailed reporting of employee maintenance activities consistent with Recommendation 4 are necessary to more accurately identify savings that could be achieved through insourcing. However, the City believes that the general recommendation to insource a greater number of simpler maintenance tasks is consistent with the goals of Operations staff.



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#### Recommendation 4: Improve Data Collection Efforts

In the next year, the City will begin reviewing fleet management software that more easily tracks individual vehicle maintenance expenses and syncs with asset management tracking throughout the City.

The City will continue to use this Performance Audit as we strive to provide the highest level of service possible to the residents of Hilliard. Operational efficiencies and a balance between service level and costs are of the utmost importance. We thank the State of Ohio Performance Audit Team for all of their hard work and assistance.

In Service,

A handwritten signature in blue ink that reads "Michelle L. Crandall".

Michelle Crandall  
City Manager

# Appendix A: Purpose, Methodology, Scope, and Objectives of the Audit

## Performance Audit Purpose and Overview

Performance audits provide objective analysis to assist management and those charged with governance and oversight to improve program performance and operations, reduce costs, facilitate decision making by parties with responsibility to oversee or initiate corrective action, and contribute to public accountability.

Generally accepted government auditing standards (GAGAS) require that a performance audit be planned and performed so as to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions based on audit objectives. Objectives are what the audit is intended to accomplish and can be thought of as questions about the program that the auditors seek to answer based on evidence obtained and assessed against criteria.

We conducted this performance audit in accordance with GAGAS. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## Audit Scope and Objectives

In order to provide the City with appropriate, data-driven, recommendations, the following questions were assessed within each of the agreed upon scope areas:

### Audit Scope, Objectives, and Recommendations

Objective	Recommendation
Fleet Rightsizing	
What opportunities exist to improve the efficiency and effectiveness of Hilliard’s fleet	R.2, R.4
Fleet Cycling	

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What opportunities exist to improve the efficiency and effectiveness of fleet cycling practices?	R.1
Fleet Maintenance	
What opportunities exist to improve the efficiency and effectiveness of fleet maintenance practices?	R.3, R.4

Although assessment of internal controls was not specifically an objective of this performance audit, internal controls were considered and evaluated when applicable to scope areas and objectives. The following internal control components and underlying principles were relevant to our audit objectives:<sup>20</sup>

- Control environment
  - We assessed the City’s exercise of oversight responsibilities in regards to detecting improper payroll reporting and benefits administration.
- Risk Assessment
  - We considered the City’s activities to assess fraud risks.
- Information and Communication
  - We considered the City’s use of quality information in relation to its financial, payroll, staffing, and fleet data.
- Control Activities
  - We considered the City’s compliance with applicable laws and contracts.

Internal control deficiencies were not identified during the course of the audit.

## Audit Methodology

To complete this performance audit, auditors gathered data, conducted interviews with numerous individuals associated with the areas of City operations included in the audit scope, and reviewed and assessed available information. Assessments were performed using criteria from a number of sources, including:

- Peer Agencies;
- Industry Standards;
- Leading Practices; and,

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<sup>20</sup> We relied upon standards for internal controls obtained from *Standards for Internal Control in the Federal Government* (2014), the U.S. Government Accountability Office, report GAO-14-704G

- Policies and Procedures.

Where needed, we selected cities similar in population and other demographics to form the peer group for comparisons contained in this report. These peers are identified in the following table.

Selected Peers and Criteria

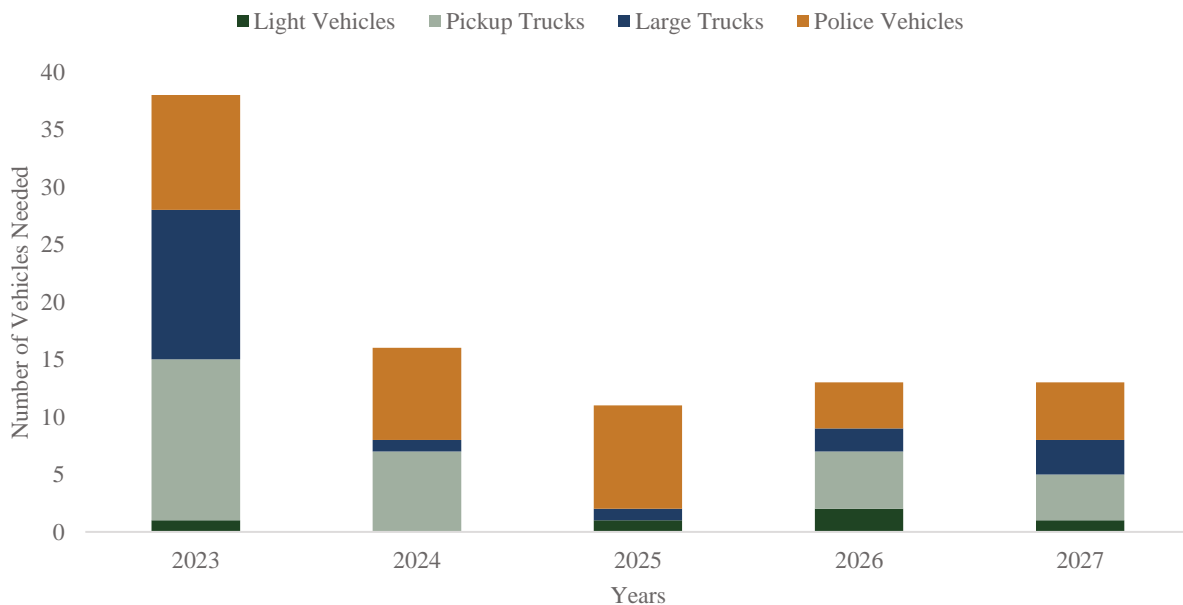
City	Population	Square Miles	Centerline Miles	Lane Miles	FT Officers	Total Officers
Hilliard	37,114	13.5	161.8	325.9	60	64
Gahanna	35,726	13	140	286	55	64
Grove City	41,252	17	191	384	62	63
Reynoldsburg	41,076	12	104	214	63	71
Upper Arlington	36,800	10	159	354	53	59
Westerville	39,190	13	166	368	73	82
<b>Peer Average</b>	<b>38,809</b>	<b>12.9</b>	<b>152.2</b>	<b>321.4</b>	<b>61</b>	<b>68</b>

Source: ODOT, OPOTA, City of Hilliard, Peers

# Appendix B: Fleet Cycling

During the course of the audit, we identified several vehicles that are currently owned by the City that exceed its stated replacement guidelines in regards to age. Using the City’s existing informal cycling goals, several vehicles would need to be replaced in the next five years due to age. The chart below shows the number of vehicles that would meet the replacement age by vehicle type.

Number of Vehicles Needed to be Replaced per Year Based on Current Cycling Goals



## Strategies to Replace an Outdated Fleet

When considering strategies to replace an outdated fleet, a few options may be considered. We reviewed three strategies to replace an outdated fleet and help the City get back onto its stated cycling goals. These strategies are discussed in the following section. It should be noted that these strategies may not encompass all options available to the City, but are instead presented to provide a sample of strategies that may be considered. Ultimately, Hilliard officials will need to determine what strategy for fleet cycling is most appropriate based on the needs and resources of the City.

- Efficient
- 
- Effective
- 
- Transparent



### Purchase Option

One option for the City to consider would be to immediately cycle out all vehicles that are currently beyond the City’s stated replacement goal and purchase new vehicles outright. While this option would allow for the City to immediately achieve its cycling goals, it would require a large capital outlay in the initial year since there are many vehicles beyond the replacement criteria. In the table on the following page, we forecasted the City’s five-year capital costs based on the current cycling goals of the City. We included the City’s Police Department vehicles in this analysis, but it is important to note that the City does not have specific cycling goals for police vehicles. We included Police vehicles in our forecasting to give a more holistic view of the potential costs associated with replacing aged vehicles. Using the City’s current goals, Hilliard would expect to expend \$6.2 million replacing aged vehicles through 2027, with an initial investment of more than \$3.2 million in FY 2023.

#### Five-Year Capital Costs Based on Current Cycling Goals

Vehicle	2023	2024	2025	2026	2027	Total
Light Vehicles	\$27,495	\$0	\$29,283	\$60,440	\$31,187	\$148,405
Pickup Trucks	\$716,996	\$369,970	\$0	\$281,448	\$232,363	\$1,600,777
Specialty Vehicles	\$2,457,324	\$154,800	\$219,634	\$199,147	\$521,072	\$3,551,976
Police Vehicles	\$525,378	\$391,916	\$520,488	\$249,589	\$310,856	\$1,998,227
Trade-In Values	\$431,553	\$186,930	\$75,723	\$153,105	\$165,009	\$1,012,319
<b>Total</b>	<b>\$3,295,641</b>	<b>\$729,756</b>	<b>\$693,681</b>	<b>\$637,518</b>	<b>\$930,469</b>	<b>\$6,287,065</b>

Source: City of Hilliard and quotes from various vendors

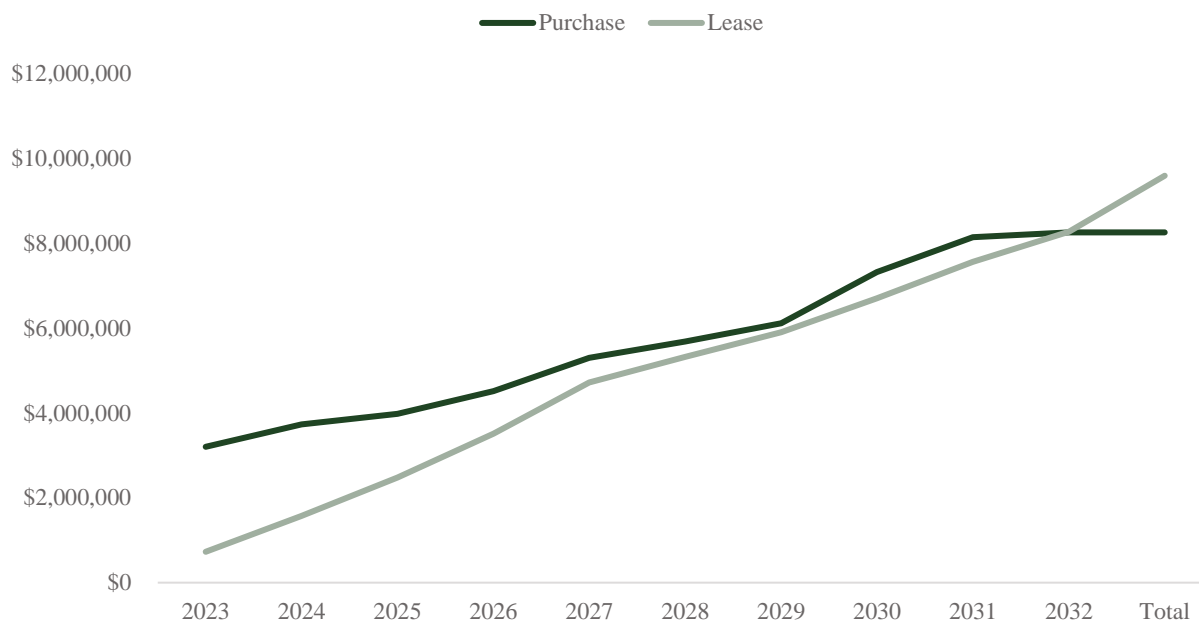
Note: Assumptions based on 3.2 percent inflation

### Lease-Purchase Option

Another option for the City to consider would be a lease-purchase model. The lease-purchase model assumes a five-year leasing period with a \$1 buyout at the end of the lease, which is a preference of the City. While the lease-purchase option would lower the initial capital costs required for replacement vehicles, the city would pay more for the vehicles in the long-term. The cost of purchasing vehicles was compared to the cost of using a lease-purchase option with the same vehicles over the course of a 10-year period using the City's current vehicle replacement targets.<sup>21</sup> Using the lease-purchase model would cost the City an additional \$1.3 million compared to purchasing vehicles outright. While the City's cycling goals may change and the costs of vehicles will fluctuate, this provides an example of how the cost to purchase vehicles compares to the cost of leasing those same vehicles.

<sup>21</sup> The 10-year cycle was selected as it is the longest cycle-time for any of the vehicle types.

## Purchase vs Lease-Purchase Cumulative Capital Outlay Comparison



Note: This table excludes police vehicles. Assumptions were used when projecting the City's future replacement costs. The City's cycling goals were used to determine when vehicles would be replaced. Prices were inflated annually by the historical average of 3.2%. Purchase and lease pricing were from a specific point in time and may fluctuate in the future based on the market and/or how the City chooses to cycle its vehicles.

### Phase-In Approach

While the prior two options would provide an opportunity for Hilliard to immediately achieve its cycling goals, the City could also choose to implement a phased-in approach to vehicle purchasing over several years. A phased-in approach could provide an opportunity to level out capital expenditures, similar to the leasing option, while also being less expensive than the leasing option. When considering a phased-in approach, there are numerous ways the City could choose to phase-in purchases to achieve their stated cycling goals. The cost of an approach like this may vary widely and would also be highly dependent on how, when, and the order in which the City chooses to cycle its vehicles. While this phase-in approach could help the City to realign with its cycling goals in time, the approach may push the replacement of certain vehicles out even longer. This could increase maintenance costs as the vehicle ages.

Assuming that the City reduces its fleet based on the findings in **Recommendation 2**, we identified a phased in approach that would maintain fleet related purchases at \$1 million annually. This amount was identified using the City's capital budget. As seen in the table on the following page, using a phased-in approach will take the City approximately 10 years to update the fleet based on the existing fleet cycling goals.

Efficient	•	Effective	•	Transparent
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### Replacement Cost per Year

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Phase-In	\$690k	\$737k	\$741k	\$758k	\$757k	\$739k	\$717k	\$699k	\$693k	\$712k
Police	\$300k	\$310k	\$320k	\$330k	\$340k	\$351k	\$362k	\$374k	\$386k	\$398k
<b>Total</b>	<b>\$1.0M</b>	<b>\$1.0M</b>	<b>\$1.1M</b>	<b>\$1.1M</b>	<b>\$1.1M</b>	<b>\$1.1M</b>	<b>\$1.1M</b>	<b>\$1.1M</b>	<b>\$1.1M</b>	<b>\$1.1M</b>

Source: City of Hilliard and quotes from various vendors

Note: Phase-In takes into account planned reduction in fleet size as discussed in Recommendation 2.

### Number of Vehicles to be Replaced Per Year

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Pickups	6	1	5	2	5	6	5	6	1	5
Light Vehicles	0	0	1	0	2	1	1	0	0	4
Large/Specialty Trucks	3	4	2	2	2	2	3	2	2	1
<b>Total</b>	<b>9</b>	<b>5</b>	<b>8</b>	<b>4</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>8</b>	<b>3</b>	<b>10</b>

Source: City of Hilliard

Note: Phase-In takes into account planned reduction in fleet size as discussed in Recommendation 2.

### Vehicles Remaining Above Goal

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Pickups	8	11	7	9	9	3	0	0	0	0
Light Vehicles	1	0	0	2	1	1	1	1	1	0
Large/Specialty Trucks	8	5	4	3	4	4	2	2	1	0
<b>Total</b>	<b>17</b>	<b>16</b>	<b>11</b>	<b>14</b>	<b>14</b>	<b>8</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>0</b>

Source: City of Hilliard

Note: Phase-In takes into account planned reduction in fleet size as discussed in Recommendation 2.

This phased-in approach is one way in which the City could update its existing fleet. However, with additional data, as discussed in **Recommendation 4**, and a comprehensive fleet cycling program, as discussed in **Recommendation 1**, the City may determine that the existing cycling goals are not appropriate and updates will be necessary. Ultimately, it will be up to City officials to determine how best to manage the existing fleet and future fleet purchases.

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## Appendix C: Fleet Maintenance

The table below shows the overall capacity of both fleet technicians, considering all unavailable hours such as breaks, lunches, annual leave used, and hours spent on non-fleet related activities. This information was used to identify the total number of hours that are available annually to work on fleet maintenance.

### Annual Available Labor Hours per FTE Fleet Technician

Category	1 FTE	2 FTE
Total Annual Paid Work Hours	2,080	4,160
Work Hours @ 95 Percent Dedication to Fleet	1,976	3,952
Average Leave Hours	287	574
Non-Productive Labor Hours (Breaks + Lunches)	260	520
<b>Total Available Labor Hours</b>	<b>1,429</b>	<b>2,859</b>
Labor Capacity per FTE at 7 Daily Hours	0.69	0.69

Source: City of Hilliard and outsourced vendors

Because *Mobile 311* does not contain detailed data relating to in-house fleet maintenance activities in relation to the amount of time spent per activity and does not contain a complete list of the activities performed by the in-house technicians, we were required to use estimates for purposes of analysis. We identified the number of hours used by technicians in two scenarios. The first estimated that *Mobile 311* captured 75 percent of activities and the second estimated that *Mobile 311* collected only 50 percent of activities. These estimates were used in our analysis to identify the number of additional activities that could be conducted by the in-house technicians.

### Current FTE Utilization

	75% In-House Reporting	50% In-House Reporting
Total Available Hours for Technician FTEs	2,858.5	2,858.5
Labor Hours at Specified % In-House Reporting	706	1,007.0
% Utilization	25%	35%

Source: City of Hilliard

# OHIO AUDITOR OF STATE KEITH FABER



**CITY OF HILLIARD**

**FRANKLIN COUNTY**

## **AUDITOR OF STATE OF OHIO CERTIFICATION**

This is a true and correct copy of the report, which is required to be filed pursuant to Section 117.26, Revised Code, and which is filed in the Office of the Ohio Auditor of State in Columbus, Ohio.

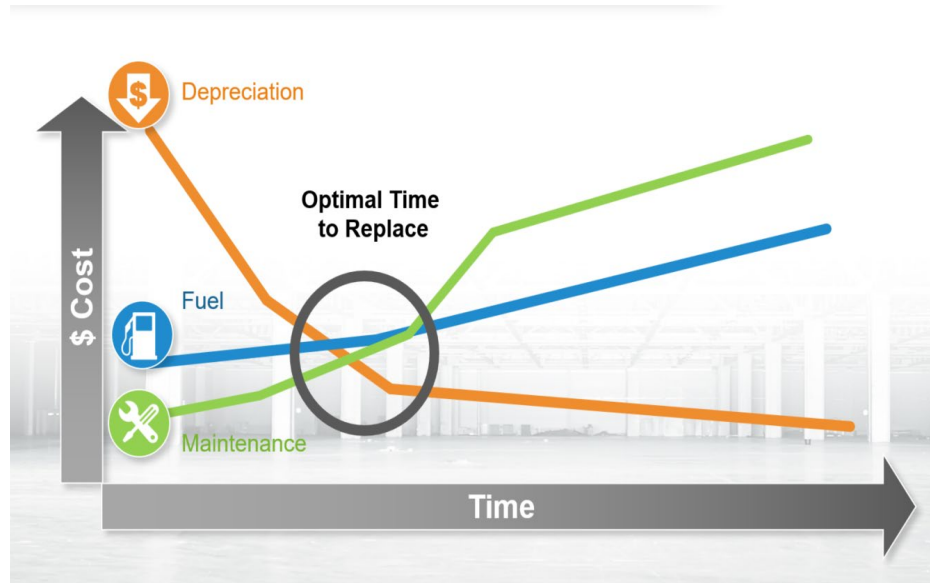


**Certified for Release 12/15/2022**

88 East Broad Street, Columbus, Ohio 43215  
Phone: 614-466-4514 or 800-282-0370

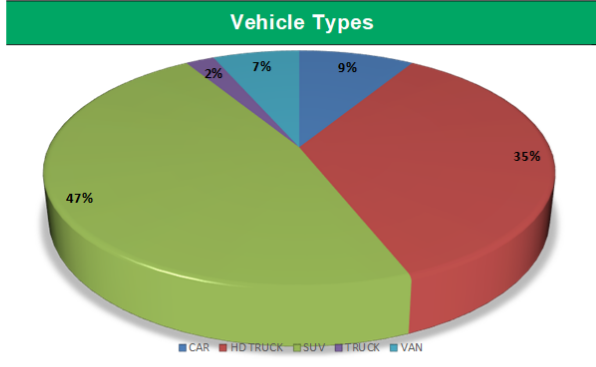
This report is a matter of public record and is available online at  
[www.ohioauditor.gov](http://www.ohioauditor.gov)

## Fleet Statistics

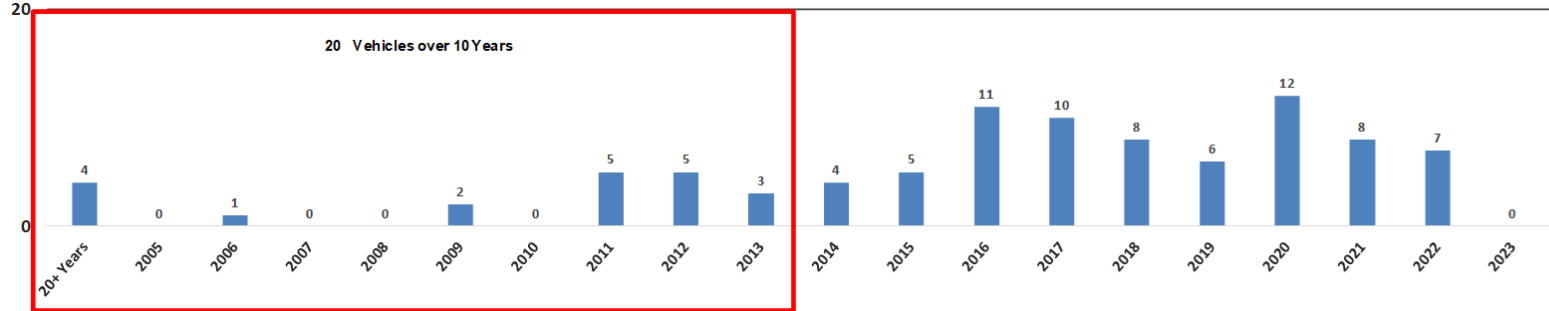


## Fleet Profile

Fleet Profile				Fleet Replacement Schedule						Replacement Criteria
Vehicle Type	# of Type	Average Age (years)	Average Annual Mileage	2023	2024	2025	2026	2027	Under-Utilized	
Compact Sedan	2	4.9	5,000	0	0	0	2	0	0	* Fiscal Year 2023 = 10 years old and older, or odometer over 100,000
Mid-size Sedan	4	14.0	5,000	4	0	0	0	0	0	* Fiscal Year 2024 = 8 years old and older, or odometer over 80,000
Full-size Sedan-ERV	2	10.0	5,000	2	0	0	0	0	0	* Fiscal Year 2025 = 6 years old and older, or odometer over 60,000
Minivan-Passenger	1	12.0	5,000	1	0	0	0	0	0	* Fiscal Year 2026 = 4 years old and older, or odometer over 40,000
Full-size Van-Passenger	1	10.0	5,000	1	0	0	0	0	0	* Fiscal Year 2027 = Remaining Vehicles
3/4 Ton Van Cargo	2	8.5	5,000	1	0	0	0	1	0	* Underutilized = Annual Mileage less than 1,000
1 Ton Van Cargo	2	5.4	5,000	0	0	2	0	0	0	
Compact SUV 4x4	9	5.1	5,000	1	1	3	0	4	0	
Mid Size SUV 4x4	1	19.1	5,000	1	0	0	0	0	0	
Mid Size SUV 4x4-ERV	25	4.4	5,000	2	2	8	1	12	0	
Full Size SUV 4x4	5	3.7	5,000	1	0	0	0	4	0	
Full Size SUV 4x4-ERV	3	4.6	5,000	0	0	0	3	0	0	
1/2 Ton Pickup Reg 4x2	1	17.1	5,000	1	0	0	0	0	0	
1/2 Ton Pickup Quad 4x4	1	9.0	5,000	0	1	0	0	0	0	
3/4 Ton Cab Chassis	1	19.1	5,000	1	0	0	0	0	0	
1 Ton Pickup Reg 4x4	30	6.4	5,000	5	5	9	5	6	0	
1 Ton Cab Chassis	1	21.2	5,000	1	0	0	0	0	0	
<b>Totals/Averages</b>	<b>91</b>	<b>6.6</b>	<b>5,000</b>	<b>22</b>	<b>9</b>	<b>22</b>	<b>11</b>	<b>27</b>	<b>0</b>	



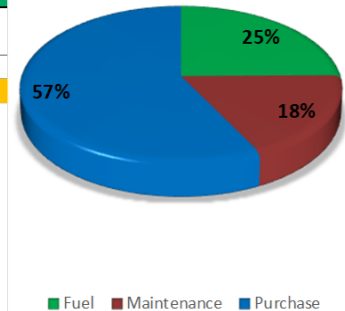
### Model Year Analysis



# Fleet Planning Analysis

Current Fleet	91	Fleet Growth	0.00%	Proposed Fleet	91
Current Cycle	10.11	Annual Miles	5,000	Proposed Cycle	3.11
Current Maint.	\$104.17			Proposed Maint.	\$44.09
Maint. Cents Per Mile	\$0.25	Current MPG	10	Price/Gallon	\$3.50

## Fleet Costs Analysis



Fiscal Year	Fleet Mix			Fleet Cost						Annual		
	Fleet Size	Annual Needs	Owned	Leased	Purchase	Lease*	Equity (Owned)	Equity (Leased)	Maintenance	Fuel	Fleet Budget	Net Cash
<b>Average</b>	91	9.0	91	0	368,923	0	-27,000		113,750	159,250	614,923	0
'23	91	22	69	22	0	197,058	-103,950	0	97,888	151,550	342,547	272,377
'24	91	9	60	31	0	285,292	-86,400	-145,160	91,400	148,400	293,532	321,391
'25	91	37	38	53	0	571,746	-295,050	-88,891	75,538	140,700	404,042	210,881
'26	91	18	27	64	0	706,995	-163,200	-317,829	67,607	136,850	430,423	184,500
'27	91	57	0	91	0	892,168	-408,500	-216,255	48,141	127,400	442,954	171,969
'28	91	17	0	91	0	892,168		-513,554	48,141	127,400	554,155	60,767
'29	91	48	0	91	0	892,168		-258,862	48,141	127,400	808,847	-193,924
'30	91	21	0	91	0	892,168		-531,241	48,141	127,400	536,468	78,455
'31	91	47	0	91	0	892,168		-296,164	48,141	127,400	771,545	-156,623
'32	91	26	0	91	0	892,168		-570,470	48,141	127,400	497,239	117,683

10 Year Savings

\$1,067,475

## Current Fleet Equity Analysis

YEAR	2023	2024	2025	2026	2027	Under-Utilized
QTY	22	9	22	11	27	0
Est \$	\$4,725	\$9,600	\$13,411	\$14,836	\$15,130	\$0
<b>TOTAL</b>	<b>\$103,950</b>	<b>\$86,400</b>	<b>\$295,050</b>	<b>\$163,200</b>	<b>\$408,500</b>	<b>\$0</b>
<b>Estimated Current Fleet Equity**</b>					<b>\$1,057,100</b>	

\* Lease Rates are conservative estimates

\*\*Estimated Current Fleet Equity is based on the current fleet "sight unseen" and can be adjusted after physical inspection

Lease Maintenance costs are exclusive of tires unless noted on the lease rate quote.

## KEY OBJECTIVES

### Lower average age of the fleet

22% of the current light and medium duty fleet is over 10 years old  
Resale of the aging fleet is significantly reduced

### Reduce operating costs

Newer vehicles have a significantly lower maintenance expense  
Newer vehicles have increased fuel efficiency with new technology implementations

### Maintain a manageable vehicle budget

Challenged by inconsistent yearly budgets  
Currently vehicle budget is underfunded



## The Situation

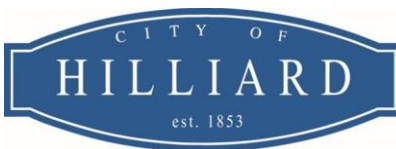
- Current fleet age is negatively impacting the overall budget and fleet operations.
- 22% of light and medium duty fleet is currently 10 years and older.
- 6.6 years is current average age of fleet.
- 10 years to cycle the entire fleet at current acquisition rate of 9 vehicles per year.
- Older vehicles cause higher fuel and maintenance costs, more downtime, and reduced safety.

## The Objectives

- Identify an effective vehicle life cycle that maximized potential equity at time of resale creating savings of \$1.1M over 10 years.
- Bridge underfunded capital budget gaps and create long-term operational savings.
- Increase employee safety and productivity with newer vehicles and equipment.
- Perform fleet evaluation on a quarterly basis.

## The Results

- City will reduce the overall fleet budget over time.
- Reduce maintenance cost and provide a long-term sustainable annual budget.
- Utilize equity to help fund vehicle replacement and reduce cash flow needed to maintain a newer, safer, more productive fleet.
- Improve safety of all vehicles to include the most up to date safety technology available.



Resolution: 23-R-49

Adopted:  
Effective:

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS TO LEASE CAPITAL VEHICLES AND EQUIPMENT FROM ENTERPRISE FLEET MANAGEMENT THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM.**

**WHEREAS**, it is necessary for the health, safety, and welfare of the citizens of Hilliard, Ohio that the City appropriately maintain its capital vehicle and equipment fleet; and

**WHEREAS**, the City Manager has determined that capital vehicles and equipment are needed to perform city programs and services efficiently and effectively; and

**WHEREAS**, it is proposed that vehicles and equipment leases be made pursuant to the cooperative purchasing program with Enterprise Fleet Management, which eliminates the necessity of the City competitively bidding for this commodity as the same has been conducted by the Sourcewell Cooperative Purchasing Program of which the City of Hilliard is a member; and

**WHEREAS**, the City desires to purchase and lease capital vehicles and equipment from Enterprise Fleet Management to reduce the overall age of the City’s fleet in order to create long-term operational savings, increase employee safety and productivity, and reduce the overall fleet budget over time; and

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

**SECTION 1.** The City Manager is hereby authorized to enter a contract to purchase, lease and dispose of vehicles and equipment thru Enterprise Fleet Management, an approved vendor with Sourcewell Cooperative Purchasing Program, as authorized by Ohio Revised Code §125.04.

**SECTION 2.** The authority to purchase and lease capital vehicles and equipment shall be subject to and consistent with annual capital vehicle and equipment budget appropriations by the City Council.

**SECTION 3.** The City Manager is authorized to sign and execute all necessary agreements with Enterprise Fleet Management to effectuate the purchase, lease, maintenance and sale of capital vehicles and equipment.

**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 the funds.

**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:

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Philip K. Hartmann  
Director of Law

**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: **23-R-49** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

---

Diane C. Werbrich, MMC



## City Council

Real People. Real Possibilities.

<b>Subject:</b>	PUD Modification - Ansmil PUD, Subarea C2 - Advanced Drainage Systems
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	John Talentino, Planning Director, Planning Division Carson Combs, Planning Manager, Planning Division
<b>Meeting Date:</b>	June 26, 2023

**Executive Summary**

This resolution approves modifications to the Ansmil Subarea C2 development text to update fence standards to screen an approved outdoor storage area for ADS, a 110,000-square-foot engineering and technology office on the west side of I-270 south of Davidson Road. Modifications to the development text will increase the permitted height of fencing around the outdoor storage/research area from a maximum of 6 feet to 10 feet as noted on Page C2-7 of the PUD Text (Exhibit A).

**Staff Recommendation**

Staff recommends approval of the proposed PUD text modifications. Modifying the subarea standards will permit the installation of a high-quality fence that will be installed to restrict visibility to an outdoor storage and testing area for ADS's office and research facility.

**Background**

The Ansmil PUD includes ±320 acres located south of Davidson Road between I-270 and the Conrail Railroad. The area was originally zoned by Council in January of 2000 (Ordinance No. 99-57). ADS is currently under construction for an approved 110,000-square-foot office and research facility within Subarea C2 along I-270 adjacent to the Mount Carmel medical facility. Subarea C2 standards were modified by Resolution No. 07-R-08 on March 26, 2007, and again through Resolution No. 16-R-61 in 2016 to permit medical offices and hospitals. Council additionally approved a text modification for revised PUD standards with Resolution No. 22-R-69 to establish necessary development standards for the ADS project. This additional modification to the PUD text is to further revise fence requirements to address visibility and screening needs for ADS. The Planning and Zoning Commission provided a positive recommendation (5-0) during its June 8, 2023, regular meeting.

**Financial Impacts**

Adoption of the proposed PUD text modifications will have no financial impact.

**Expected Benefits**

Modification of the PUD development standards for Subarea C2 will allow ADS to move forward with construction of the outdoor storage area and related screening at the west end of the building currently under construction. Initially the applicant had proposed chain link fencing with fabric screening; The modification of the PUD text will allow for a much higher-quality metal privacy fence that will be incorporated into the significant mounding and landscaping along Raindrop Way (to be constructed) between Britton Parkway and Lyman Drive.

**Attachments**

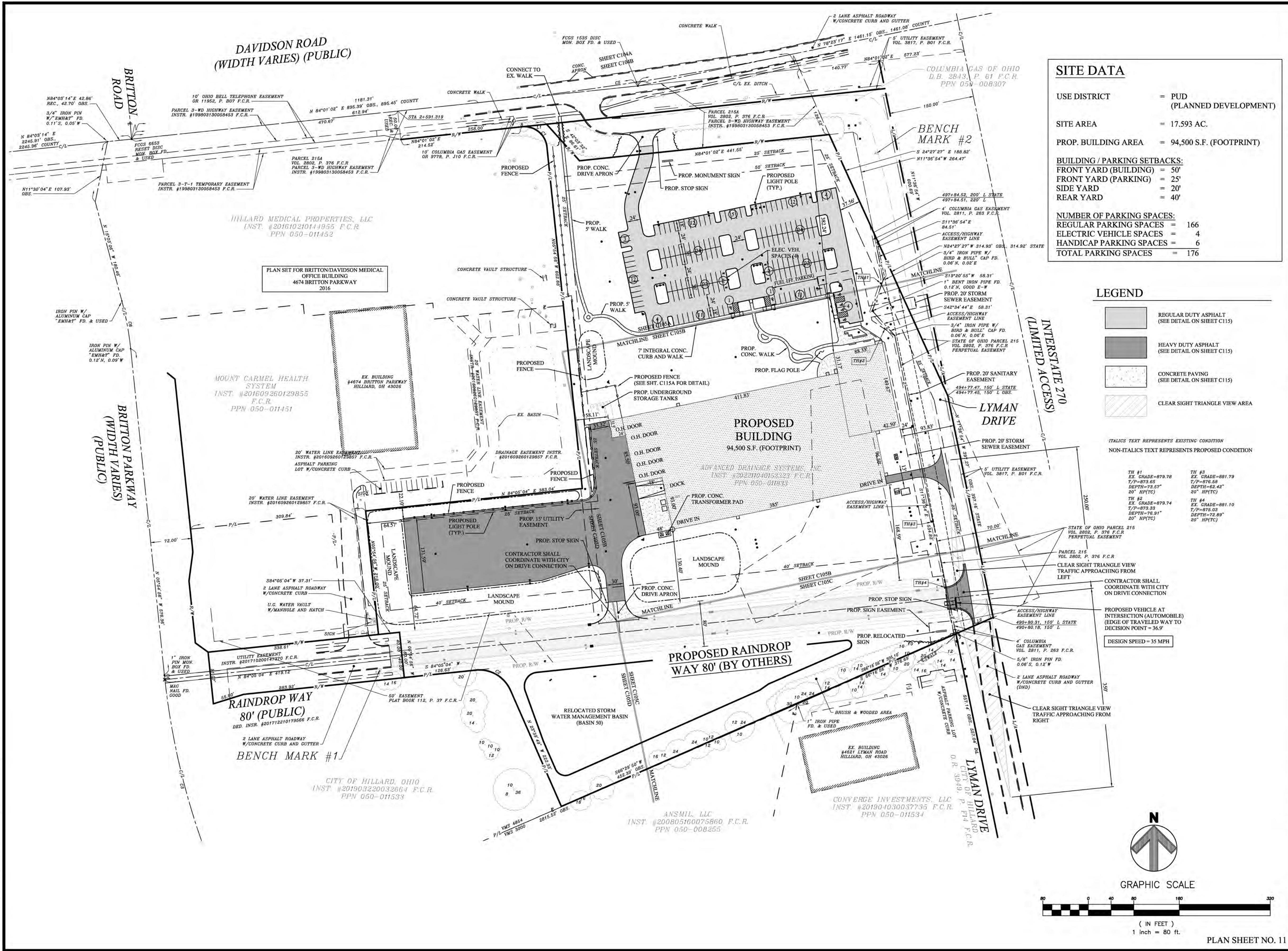
[PUD Text Modification Plans.ADS Ansmil Subarea C2](#)

[Record of Action. ADS Ansmil Subarea C2](#)

[P&Z Draft Minutes. ADS Ansmil Subarea C2](#)

[Staff Report.ADS Ansmil Subarea C2](#)

[Resolution No. 23-R-50 \(PUD Modification - Ansmil PUD, Subarea C2 - Advanced Drainage Systems\) - Pdf](#)



**SITE DATA**

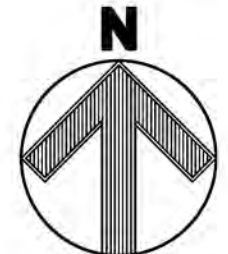
USE DISTRICT	= PUD (PLANNED DEVELOPMENT)
SITE AREA	= 17,593 AC.
PROP. BUILDING AREA	= 94,500 S.F. (FOOTPRINT)
<b>BUILDING / PARKING SETBACKS:</b>	
FRONT YARD (BUILDING)	= 50'
FRONT YARD (PARKING)	= 25'
SIDE YARD	= 20'
REAR YARD	= 40'
<b>NUMBER OF PARKING SPACES:</b>	
REGULAR PARKING SPACES	= 166
ELECTRIC VEHICLE SPACES	= 4
HANDICAP PARKING SPACES	= 6
TOTAL PARKING SPACES	= 176

**LEGEND**

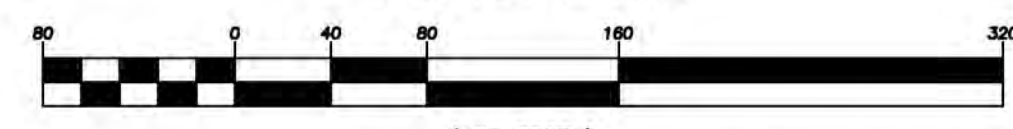
- REGULAR DUTY ASPHALT  
(SEE DETAIL ON SHEET C115)
- HEAVY DUTY ASPHALT  
(SEE DETAIL ON SHEET C115)
- CONCRETE PAVING  
(SEE DETAIL ON SHEET C115)
- CLEAR SIGHT TRIANGLE VIEW AREA

ITALICS TEXT REPRESENTS EXISTING CONDITION  
NON-ITALICS TEXT REPRESENTS PROPOSED CONDITION

TH #1 EX. GRADE=879.78 T/P=875.65 DEPTH=73.57' 20' HP(TC)	TH #3 EX. GRADE=881.79 T/P=876.58 DEPTH=62.42' 20' HP(TC)
TH #2 EX. GRADE=879.74 T/P=873.33 DEPTH=76.91' 20' HP(TC)	TH #4 EX. GRADE=881.10 T/P=875.03 DEPTH=72.89' 20' HP(TC)



GRAPHIC SCALE



**WEBER ENGINEERING SERVICES**  
Where Strong Relationships & Superior Service Guide Your Project

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JEN DIASIO  
jend@geiscon.net  
PHONE: (216) 218-3507

CITY OF HILLIARD, FRANKLIN COUNTY, OHIO PRIVATE SITE IMPROVEMENTS ADVANCED DRAINAGE SYSTEMS 4381 DAVIDSON ROAD	<b>Issue Date</b>
	07-06-2022
	08-11-2022
	08-29-2022
	10-11-2022
	12-05-2022
	12-16-2022
	12-29-2022
	01-10-2023
	01-06-2023
	01-12-2023
	01-27-2023
	02-03-2023
02-07-2023	
02-09-2023	
03-15-2023	
03-20-2023	

**OVERALL SITE DIMENSION PLAN**

**C105**  
PROJECT NO. 2022-108





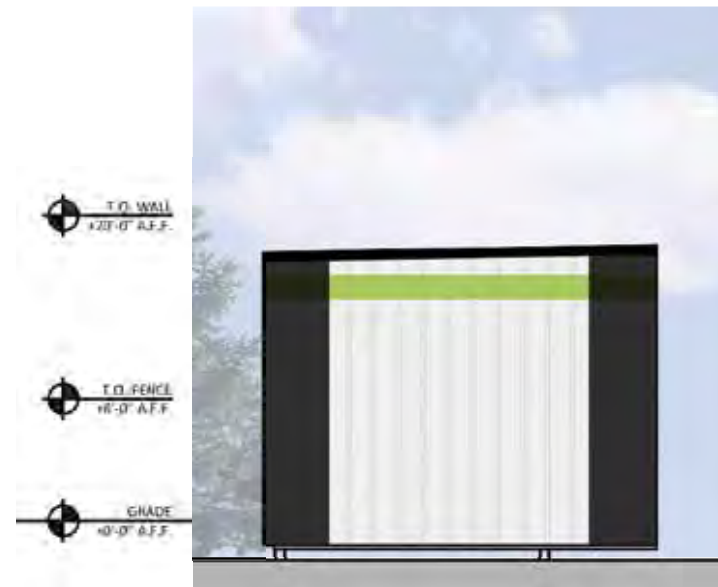




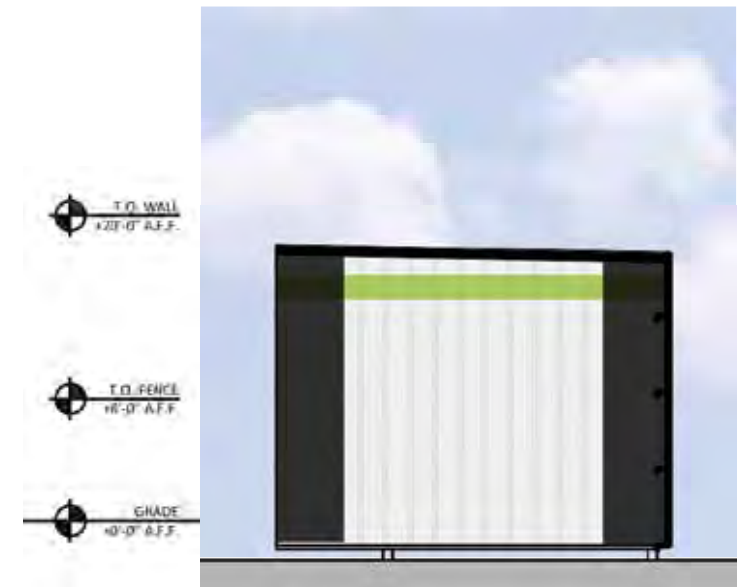




NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION





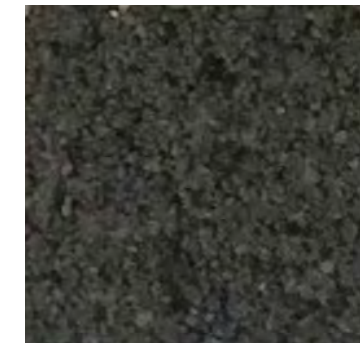


METAL PANEL  
"WHITE"

METAL PANEL  
"BLACK"

ACCENT PAINT  
"CUSTOM TO  
MATCH ADS  
GREEN"

10'-0" HIGH FENCE  
"BLACK"



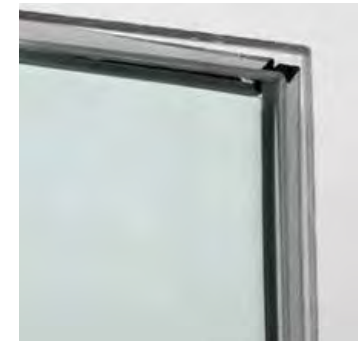
SCHORY SMOOTH  
FACE BLOCK  
"MIDNIGHT  
RANGE "



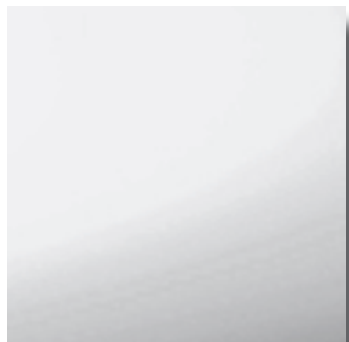
KAWNEER  
CURTAINWALL  
"NO.40 DARK  
BRONZE"



ACCENT PAINT  
"CUSTOM TO MATCH  
ADS GREEN"



VITRO GLASS  
"CLEAR"



METL SPAN  
INSULATED METAL  
PANEL  
"POLAR WHITE"



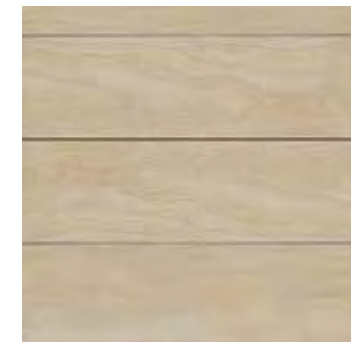
DMI 12"  
HORIZONTAL  
FLUSH PANEL  
"DARK BRONZE"



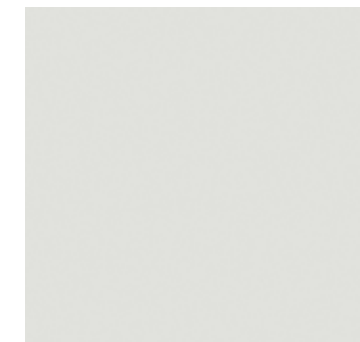
ALPOLIC  
ARCHITECTURAL  
METAL PANEL  
"SBR BRONZE"



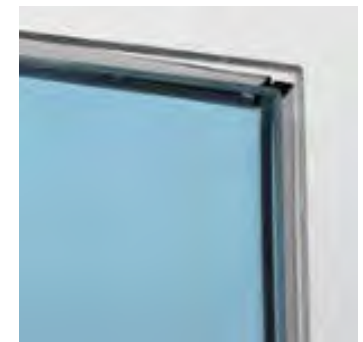
ALUCOBOND  
COMPOSITE  
METAL PANEL  
"CUSTOM TO MATCH  
ADS GREEN"



WOOD CLADDING  
BY RESAWN  
TIMBER  
"ACCOYA/  
PALAWAN 2C"



ALUCOBOND  
COMPOSITE  
METAL PANEL  
"BONE WHITE"



VITRO GLASS  
"PACIFICA"



# RECORD OF ACTION



## Planning & Zoning Commission

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

Thursday, June 8, 2023 | 7:00 pm

**CASE 3: PZ-23-19 – ADVANCED DRAINAGE SYSTEMS – 4381 DAVIDSON ROAD**  
**PARCEL NUMBER(S):** 050-011833 (ANSMIL PUD – SUBAREA C2)  
**APPLICANT:** Ansmil LLC, c/o Daniel Smith, 203 S. Stanwood Road, Columbus, OH 43209; and Rene Jimenez, Geis Companies, 10020 Aurora-Hudson Road, Streetsboro, OH 44241.  
**REQUEST:** Review and approval of a PUD text modification concerning fence height under the provisions of Hilliard Code Section 1117.08 and the Ansmil PUD Development Text.

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

**MOTION:**

Ms. Nixon made a motion to approve a PUD text modification concerning fence height under the provisions of Hilliard Code Section 1117.08 and the Ansmil PUD Development Text with two conditions:

- 1) That the 20-foot-tall building wall extension is located only along the north boundary of the outdoor storage area to connect to two buildings and that a maximum 10-foot-tall fence may only be used for screening the balance of the outdoor storage area; and
- 2) That the Development Text is revised to conform to all conditions of Planning and Zoning Commission approval prior to being scheduled on a City Council agenda.

Mr. Lewie seconded the motion.

**VOTE:**

Chairman Muether	Excused
Vice Chair Schneck	Yes
Mr. Gutknecht	Excused
Mr. Lewie	Yes
Ms. Nixon	Yes
Mr. Pannett	Yes
Mr. Uttley	Yes

**STATUS:**

Case #3: PZ-23-19 is approved (5-0) with two conditions.  
A positive recommendation will be forwarded to City Council.

**CERTIFICATION:**

  
 \_\_\_\_\_  
 Carson Combs, Planning Manager  
 June 9, 2023

[END OF RECORD]

Joe Bertucci, the applicant, spoke and stated that the spirit of the code is to not distract drivers. He noted that the proposed signs are not distracting to the drivers on the road and will keep customers in their vehicles and keep employees safe. Mr. Bertucci said that they have found a need to over-communicate with customers so they know where to go so that the operation moves smoothly. He explained that the one advertising panel is not used for their business, but is utilized to promote other charities or non-profit organizations that the car was is supporting.

Mr. Uttley noted that Moo Moo has intentionally installed signs that were not approved and that he could not support the application. He said that he would support the acknowledgement of other non-profits, but that the balance of the signs were not appropriate. (Some additional discussion occurred between the members).

No one from the public spoke regarding this application.

With no additional questions or discussion, Mr. Uttley made a motion that modified the first condition in the staff report. Ms. Clodfelder asked Mr. Uttley for clarification on Condition #1 and Mr. Uttley explained that the Gate Arm Signs, Kiosk Signs and Cone signs should be removed, but that the other sign panel could be allowed if used to advertise non-profits only - not the business.

Member Uttley moved, seconded by Member Pannett, to approve variances under the provisions of Hilliard Code Section 1129.08 for additional signage to an approved comprehensive sign package for a 4,900-square-foot car wash with four conditions:

1. That the proposed Gate Arm Signs, Kiosk Signs and Cone Signs be removed immediately and that the advertising panel on the Drying Sign be used for non-profit information only;
2. That a sign permit is obtained for the "Free Air" sign;
3. That a sign permit is obtained for the solid illuminated lane signs (green arrow and red "x") located above the pay kiosks; and
4. That no additional signage is permitted on the site without prior approval from the Planning and Zoning Commission.

<b>Status:</b>	<b>Carried (5-0)</b>
<b>Mover:</b>	Member Uttley
<b>Secunder:</b>	Member Pannett
<b>Ayes:</b>	Schneck, Uttley, Lewie, Nixon, and Pannett
<b>Excused:</b>	Muether and Gutknecht

**Case 3: PZ-23-19 – ADVANCED DRAINAGE SYSTEMS – 4381 DAVIDSON ROAD**  
**PARCEL NUMBER(S):** 050-011833 (ANSMIL PUD – SUBAREA C2)  
**APPLICANT:** Ansmil LLC, c/o Daniel Smith, 203 S. Stanwood Road, Columbus, OH 43209; and Rene Jimenez, Geis Companies, 10020 Aurora-Hudson Road, Streetsboro, OH 44241.  
**REQUEST:** Review and approval of a PUD text modification concerning fence height under the provisions of Hilliard Code Section 1117.08 and the Ansmil PUD Development Text.

[Case PZ-23-19 – ADVANCED DRAINAGE SYSTEMS – 4381 DAVIDSON ROAD - Pdf](#)

Vice Chair Schneck asked if the proposed screening was a design element or if there was any practical purpose. Mr. Talentino stated that the proposed text change would allow screening as a good neighbor with the adjacent medical building. He said it will screen their second floor from seeing ADS's outdoor storage area.

Mr. Lewie asked if ADS has talked directly to Mount Carmel about the height of the fencing. Jim Hrubik, architect for the project, and other representatives expressed that they have not talked directly, but the intention is to provide a quality appearance that screens the service yard. Mr. Lewie acknowledged their intention.

There were no additional questions or public input.

Member Nixon moved, seconded by Member Lewie, to approve a PUD text modification concerning fence height under the provisions of Hilliard Code Section 1117.08 and the Ansmil PUD Development Text with two conditions:

- 1) That the 20-foot-tall building wall extension is located only along the north boundary of the outdoor storage area to connect to two buildings and that a maximum 10-foot-tall fence may only be used for screening the balance of the outdoor storage area; and
- 2) That the Development Text is revised to conform to all conditions of Planning and Zoning Commission approval prior to being scheduled on a City Council agenda.

<b>Status:</b>	<b>Carried (5-0)</b>
<b>Mover:</b>	Member Nixon
<b>Seconder:</b>	Member Lewie
<b>Ayes:</b>	Schneck, Uttley, Lewie, Nixon, and Pannett
<b>Excused:</b>	Muether and Gutknecht

**Case 4: PZ-23-20 – SUNOCO – 4144 MAIN STREET**  
**PARCEL NUMBER(S):** 050-000136, 050-002288  
**APPLICANT:** KMH Business Holdings LLC, 4144 Main Street, Hilliard, OH 43026; c/o Tyler Sikkema, CB Sign Service, 862 Cypress Point Court, Cincinnati, OH 45245.  
**REQUEST:** Review and approval of alternative curbing under the provisions of Section 1127.04(b)(8) for an existing gas station parking lot.

[Case PZ-23-20 – SUNOCO – 4144 MAIN STREET - Pdf](#)

Vice Chair Schneck stated he remembered when they came through for the signs approval and were asked to remove chunks of concrete, and the company went above and beyond. Mr. Lewie asked City Engineer Clark Rausch if the proposal is a big fix. Mr. Rausch indicated that the proposal is a temporary solution to the problem.

Taylor Sikkema, the applicant, stated that they wanted to help bring the site into compliance. The proposed alternative curbing is proposed to address the site problems.

There were no additional questions. No public comments were provided.



# STAFF REPORT

## Planning & Zoning Commission

City Hall | 3800 Municipal Way | Hilliard, Ohio 43026

and Live-Streaming on YouTube

**Meeting Date: June 8, 2023**

### Case: PZ-23-19 – ADVANCED DRAINAGE SYSTEMS – 4381 DAVIDSON ROAD

**PARCEL NUMBER(S):** 050-011833 (ANSMIL PUD – SUBAREA C2)

**APPLICANT:** Ansmil LLC, c/o Daniel Smith, 203 S. Stanwood Road, Columbus, OH 43209; and Rene Jimenez, Geis Companies, 10020 Aurora-Hudson Road, Streetsboro, OH 44241.

**REQUEST:** Review and approval of a PUD text modification concerning fence height under the provisions of Hilliard Code Section 1117.08 and the Ansmil PUD Development Text.

## BACKGROUND

The site consists of 16.66 acres located on the south and west sides of Lyman Drive approximately 120 feet south of Davidson Road. The site is located within Subarea C2 of the Ansmil PUD. On September 14, 2017, the Commission approved a Final Plat to dedicate right-of-way for a portion of North Clara Circle to the west of this site. On August 11, 2022, the Commission approved a PUD text modification concerning standards for setbacks, parking, and landscaping for an office development on 16.66 acres.

The applicant is now requesting approval of a PUD text modification to modify the permitted fence height for the outdoor storage area from six feet to ten feet.

## CONSIDERATIONS

- Site Context.** The site consists of the eastern portion of Subarea C2. It has approximately 40 feet of frontage on Davidson Road, approximately 1,400 feet of frontage on Lyman Drive, and approximately 760 feet of frontage on the future Raindrop Way that will connect Britton Parkway to Lyman Drive in the southern portion of the site. I-270 is located to the east of the site across Lyman Drive. Property to the south is undeveloped land within Ansmil PUD Subarea C3 zoned for commercial and office uses, and commercial businesses zoned B-4, I-270 Corridor District. To the west is the Mount Carmel medical office building within Ansmil PUD Subarea C2, which is zoned for office uses. To the north, across Davidson Road, is an AEP substation zoned B-3, Office/Institutional District.
- Approved Development.** The approved plans show a two-story, 107,500-square-foot office building. Vehicular access to the site will be via one full-service access point from the north on Lyman Drive, one full-service access point from the east on Lyman Drive, and one full-service access point from the south on the future Raindrop Way which will connect Britton Parkway to Lyman Drive along the southern boundary of Subarea C2. This access point on Raindrop Way provides access to the rear of the building and the screened service yard.
- Accessory Storage.** The plans show an accessory storage building in the northern portion of the outdoor storage area. The office building and the accessory storage building will be connected by a 20-foot-tall metal building wall that will extend from the northwest corner of the office building along the boundary of the outdoor storage area to the accessory building. The wall will feature white and black metal panels and a green accent stripe consistent with those on the office building. The black panels will simulate architectural columns.
- Proposed Fencing.** The plans show a maximum 10-foot-tall black solid metal fence that will extend from the northwest corner of the accessory storage building along the west, south, and east boundaries of the outdoor storage area. The fence includes a gate across the Raindrop Way driveway.
- Proposed Text Modification.** This proposal modifies Section C2.05.12.a of the Subarea C2 development text as follows:

“No materials, supplies, equipment, or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure, except within one contiguous area within the entire Sub Area C2 not to exceed 80,000 square feet that is accessory to an approved office building and which area shall be screened from view from adjacent properties and rights-of-way with a ~~6-foot-tall solid~~ fence of a maximum height of 10 feet and a combination of mounding, evergreen trees, and deciduous trees. Mechanical equipment or other

utility hardware on roof, ground, or buildings shall be screened from view with material harmonious with the building.”

## COMMISSION ROLE

The Commission is to review the proposal for conformance to the provisions of Hilliard Code Section 1117.08 and the Ansmil PUD Concept Plan. The Code specifically provides the following requirements for making modifications to an approved PUD Final Development Plan, development text or zoning map in Section 1117.06 of the Code:

- The proposed development is consistent with the purpose of the PUD in Section 1117.01;
- The proposed development meets the qualifying conditions as outlined in Section 1117.02;
- The PUD is consistent with the recommendations of the Hilliard Comprehensive Plan;
- The development is compatible with the existing and intended uses surrounding the site;
- The design and layout is harmonious with the natural character of the site and surrounding area and employs best management practices to ensure their conservation;
- The proposed development does not place undue burdens on public facilities and services;
- The PUD includes uses or conditional uses that are not injurious to public health, safety and welfare;
- The development conforms to the requirements of the Code unless specifically modified and approved;
- The final development plan is substantially consistent with the approved Concept Plan for the PUD; and
- Approval will result in a recognized and substantial benefit to the users of the project and the community in a way not otherwise feasible under conventional zoning.

Following a recommendation by the Commission, a resolution for the proposed PUD text modification will be forwarded to City Council for review and approval. The proposed change in use will become effective upon Council’s approval. The applicant in accordance with the approved final development plan may submit for a fence permit prior to construction.

## STAFF RECOMMENDATION

Staff finds that the proposed PUD modification is consistent with the approved Ansmil PUD Concept Plan and the recommendations for land use contained within the Hilliard Comprehensive Plan. Based on these findings, staff recommends approval of the proposed PUD text modifications with the following two conditions:

1. That the 20-foot-tall building wall extension is located only along the north boundary of the outdoor storage area to connect to two buildings and that a maximum 10-foot-tall fence may only be used for screening the balance of the outdoor storage area; and
2. That the Development Text is revised to conform to all conditions of Planning and Zoning Commission approval prior to being scheduled on a City Council agenda.

## ATTACHMENTS

### [ADS ATTACHMENTS](#)



Resolution: 23-R-50

Adopted:  
Effective:

**APPROVING CHANGES TO THE PLANNED UNIT DEVELOPMENT (PUD) TEXT FOR +/-17.593 ACRES AT 4381 DAVIDSON ROAD LOCATED ON THE WEST SIDE OF I-270 SOUTH OF DAVIDSON ROAD KNOWN AS ADVANCED DRAINAGE SYSTEMS AS PART OF SUBAREA C2 OF THE ANSMIL PLANNED UNIT DEVELOPMENT ("PUD") PLAN AND TEXT FOR MODIFIED FENCE STANDARDS.**

**WHEREAS**, Advanced Drainage Systems Inc. (the "Owner") owns approximately 17.593 acres west of I-270 and existing Lyman Drive south of Davidson Road, identified by the Franklin County Auditor's Office as Parcel No. 050-011833; and

**WHEREAS**, City Council approved a Planned Unit Development District (PUD) consisting of 320± acres of land for the Ansmil PUD by passage of Ordinance No. 99-57, effective January 12, 2000 (the "Ansmil PUD"); and

**WHEREAS**, City Council approved a first modification to the Ansmil PUD to modify the provisions of the General Development Standards, to create Subareas A1, A5 and A6, and to modify the boundaries and standards for Subareas A2, A3, A4, B1 and B3 by approving Resolution No. 06-R-07 on February 13, 2006; and

**WHEREAS**, City Council approved a second modification to the Ansmil PUD to modify the provisions and requirements of the General Development Standards. Create Subarea E1, eliminate Subareas B3 and B4, and modify the boundaries and development standards and requirements for Subareas B1, B2, C1, C2, C3, C4, C5, C6, C7, C8 and D1 by approving Resolution No. 07-R-08 on March 26, 2007; and

**WHEREAS**, City Council approved a third modification to the Ansmil PUD to modify subareas, permitted uses and development standards for a portion of Subarea E1 to permit the following uses: senior residential, non-age restricted residential dwellings (not to exceed 500 dwelling units), public library, public or private parks, recreational activities or uses, office and ancillary services, bank and financial institutions, eating and drinking places, neighborhood businesses, personal services and home occupations by approving Resolution No. 14-R-86 on February 9, 2015; and

**WHEREAS**, City Council approved a fourth modification to the Ansmil PUD to modify subareas, uses and development standards for Subareas C2 and C1A to permit medical offices and hospitals by approving Resolution No. 16-R-61 on July 11, 2016; and

**WHEREAS**, City Council approved a fifth modification to the Ansmil PUD to modify the development plan and text for Subarea B2 to permit senior continuum of care facilities and to modify related development standards by approving Resolution No. 18-R-15 approved on April 23, 2018; and

**WHEREAS**, City Council approved a sixth modification to the Ansmil PUD to modify minimum building and pavement setbacks and to modify exterior building materials and lighting standards for Subarea E1 by approving Resolution No. 22-R-36 on April 25, 2022; and

**WHEREAS**, City Council approved a seventh modification to the Ansmil PUD to modify setbacks and development standards for Subarea C2 by approving Resolution No. 22-R-69 on September 12, 2022; and

**WHEREAS**, City Council approved an eighth modification to the Ansmil PUD to modify the number and type of housing units and exterior building materials for Subarea E1 by approving Resolution 23-R-13 on February 27, 2023; and

**WHEREAS**, Advanced Drainage Systems and Geis Companies, c/o Rene Jimenez, (the “Applicant”) submitted application number PZ-23-19 to the City’s Planning and Zoning Commission to modify the Ansmil PUD Development Text concerning standards for maximum fence height in Subarea C2; and

**WHEREAS**, staff finds that the proposal represents a reasonable effort toward the accomplishment of the original PUD Development Plan as approved by Council and such requested modifications are not in conflict with the general health, safety and welfare of the public or the development standards of the Planned Unit Development District; and

**WHEREAS**, at its regularly scheduled and advertised meeting on June 8, 2023, the City’s Planning and Zoning Commission voted to forward a positive recommendation to City Council (5-0) to modify the Ansmil PUD to update fence heights for a portion of Subarea C2 as requested by the applicant; and

**WHEREAS**, a copy of the amended portions of the PUD Development Text for the Ansmil PUD Subarea C2 are attached hereto as Exhibit “A” and incorporated herein by reference (Ansmil PUD Development Text - Subarea C2 dated June 8, 2023).

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

**SECTION 1.** The Ansmil PUD Subarea C2 Development Text is hereby amended to modify the permitted fence height.

**SECTION 2.** The amended development text, attached hereto as Exhibit “A” and incorporated herein by reference, is approved and shall hereafter be referred to as the “Ansmil PUD Development Text - Subarea C2.”

**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**

**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: **23-R-50** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

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

**SUBAREA C2**

EXHIBIT A – JUNE 8, 2023

Subarea C2 is located south of Davidson Road, west of I-270, east of Britton Parkway and north of Arthur Drive. The site is +/-25.4 acres.

**I. Permitted Uses**

1. The uses listed below shall be permitted uses within this Sub Area. Unless the definition of a use is provided in this Development Text, the use definitions contained in the City's codified ordinances shall apply.
  - a) Institutions and Offices
  - b) Public Uses
  - c) Regional and Professional Offices
  - d) Professional Activities
2. Restaurants and Banks are permitted within office buildings, subject to receiving conditional use approval by the Planning and Zoning Commission.
3. Parking Garages are permitted, subject to receiving conditional use approval by the Planning and Zoning Commission.
4. Hospitals are permitted, subject to receiving conditional use approval by the Planning and Zoning Commission.

**II. Unit Types**

All buildings shall comply with the design guidelines of the development standards in this text.

**III. Development Standards**

Unless otherwise specified in this written text, the development standards of Chapter 1117 of the Codified Ordinances of the City of Hilliard shall apply to this sub area. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape and architectural standards. These component standards ensure consistency and quality throughout the parcel's development.

**C2.01 Density, Height, Lot and/or Setback Commitments**

1. There shall be a maximum density of 18,000 square feet per acre.
2. There shall be a minimum building footprint of 25,000 square feet and a minimum height of 3 stories except for hospitals which shall have no minimum height, and office buildings which shall not be less than 2 stories.



3. The lot coverage shall not exceed 40% as defined by Hilliard City Code Chapter 1105.
4. The maximum height limit shall be 100 feet within 400 feet of I-270. Buildings next to Britton Parkway Extension shall have a maximum height limit of 45 feet within 300 feet. The balance of the site shall have buildings with a maximum height limit of 65 feet.
5. There shall be a minimum side yard of 20 feet.
6. There shall be a minimum rear yard of 30 feet.
7. There shall be a 40-foot building and pavement setback from the right-of-way of Davidson Road.
8. There shall be a 50-foot building setback and no minimum pavement setback from the right-of-way of I-270.
9. There shall be a minimum 30-foot pavement and 30-foot building setback from the right-of-way of the east-west road connecting Britton Parkway and Lyman Drive along the southern portion of Sub Areas C1a and C2.
10. There shall be a 40-foot building and pavement setback from the Britton Parkway Extension right-of-way.

**C2.02 Access, Loading, Parking and/or Traffic Related Commitments**

1. Unless otherwise specified in this text, parking and loading requirements for an individual use within Sub Area C2 shall be as set forth in Hilliard City Code Chapter 1127. For hospital uses there shall be 1 space per 2 beds, and 1 space per peak staff. For medical office uses there shall be 1 space per 300 square feet of usable floor area. The maximum parking requirement shall be no greater than 32 percent above the minimum requirement.
2. Cross-access easements are required within this sub area between adjoining uses subject to approval of the City Law Director.
3. Lyman Drive shall be removed as a through roadway when Britton Parkway Arthur Drive and Clara Circle are open to public traffic.
4. See Exhibit E, Access Management Plan for all access locations.
5. Five-foot-wide sidewalks shall be provided along all sides of streets within this sub area where bike paths are not present. The sidewalk shall be installed with roadway improvements and will be dedicated to the City of Hilliard.

**C2.03 Architectural Standards**

The building materials and design shall be consistent and compatible with the freeway-oriented office buildings along the west side of the I-270 outer belt between Tuttle Crossing and Davidson Road.

1. Color Palette: Buildings shall be constructed of subdued, earth tone materials; muted colors are preferred. Accent colors brighter hues are permitted for building accent features only.
2. Materials: Brick, stone, stucco stone, pre-cast concrete, metal panel, metal window frames and glass are all permitted building materials.
3. Roof: Mansard roofs are permitted so that the roof appears to be pitched when viewed from each side provided all roof top mechanical units are fully screened from view. Flat roofs are permitted provided that screening materials for all rooftop mechanical units shall extend above the height of each unit.
4. Articulation and Fenestration: Buildings shall have four-sided architecture and a consistent finish on all four sides of each independent building.
5. Lot Coverage: Lot coverage shall not exceed 70% impervious surface. Impervious surface shall be defined as the building footprint and all paved surfaces including parking lots, but shall include any interior parking lot landscaping or other similar unpaved surfaces.
6. Side Yard Standards: There shall be no minimum side yard requirement.

**C2.04 Buffering, Landscaping, Open Space and/or Screening Commitments**

1. Landscaping
  - a) All landscaping shall be in accordance with the requirements of Hilliard City Code Chapter 1125.
  - b) Any portion of a lot upon which a building or parking area is not constructed shall be landscaped with lawn as a minimum. Those areas designated as landscaped buffers, tree lawns, tree preservation zones, entry features or other landscaped features shall be maintained meeting the minimum standards in Hilliard Codified Ordinances Chapters 917, 921 and 1307. The use of in-ground sprinkler systems, where appropriate, is strongly encouraged.
  - c) Interior landscaping for vehicular use areas: Any open vehicular use area,

excluding loading, unloading and storage areas in an industrial zone or business zone, containing more than 6,000 square feet of area, or twenty or more vehicular parking spaces, shall provide interior landscaping in addition to previously required perimeter landscaping. Interior landscaping may be peninsular or island types.

- d) Landscape Area: For each 100 square feet or fraction thereof, of vehicular use area, a minimum total of five (5) square feet of landscaped area shall be provided.
  - 1. Minimum area: The minimum landscape area permitted shall be sixty-four square feet with a four-foot minimum dimension to all trees from edge of pavement where vehicles overhang.
  - 2. Maximum contiguous area: In order to encourage the required landscape areas to be properly dispersed, no individual landscape area shall be larger than 350 square feet in size, and no individual area shall be larger than 1,500 square feet in vehicular use areas over 30,000 square feet. In both cases, the least dimension of any required area shall be four feet minimum dimension to all trees from edge of pavement where vehicles overhang. Individual landscape areas larger than above are permitted as long as the additional area is in excess of the required minimum total.
  
- e) Minimum trees: The following minimums are required, based upon total ground coverage of structures and vehicular use areas:
  - 1. Up to 20,000 square feet: A minimum of one tree per 5,000 square feet of ground coverage, and a total tree planting equal to 1 inch in tree trunk size for every 2,000 square feet of ground coverage.
  - 2. Between 20,000 and 50,000 square feet: A minimum of one tree for every 5,000 square feet of ground coverage, and a total tree planting equal to ten inches plus one-half inch in tree trunk size for every 2,000 square feet over 20,000 square feet in ground coverage.
  - 3. Over 50,000 square feet: A minimum of one tree for every 5,000 square feet of ground coverage, and a total tree planting equal to twenty-five inches plus one-half inch in tree trunk size for every 4,000 square feet over 50,000 square feet of ground coverage.
  - 4. Trees shall have a clear trunk of at least five feet above the ground, and the remaining area shall be landscaped with shrubs, ground cover, not to exceed two feet in height.

- f) Protection of Landscaped Islands: Parked vehicles may hang over the interior landscaped area not more than two and one-half feet, as long as concrete or other wheel stops are provided to insure no greater overhang or penetration of the landscaped area. All parking spaces and landscaped islands shall meet the requirements of the Hilliard Codified Ordinances, Chapters 1127 and 1307.
- g) Curbs to protect screening material: Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening materials on those sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.
- h) Tree Planting Requirements: There shall be tree plantings equal to one-half inch in tree trunk size for every 500 square feet in ground coverage by a residential structure. These trees shall be a minimum of 2.5-inch caliper at the time of installation.
  - 1. No new tree planting shall be required if existing trees and the aggregate trunk sizes of such trees meet or exceed the requirements as set forth in this chapter. The minimum tree size for such tree plantings shall be no less than two and one-half inch in trunk diameter.
  - 2. The applicant or owner shall plant such trees as may be required within one year or the next planting season after issuance of a building permit. Failure to comply with the landscaping requirements shall be in violation of this section and be subject to citation.
- i) Within the 40-foot pavement and building setback from the Davidson Road right-of-way, there shall not be a required 4-foot-high continuous meandering and undulating earth mound. There may be a 3-foot-high earth mound in this area. Mounding may not be feasible along the ramped area of Davidson Road over I-270. The mound may have a  $\pm 4:1$  slope that will begin at the right-of-way line. The mound may also have a  $\pm 3:1$  slope on the opposite side.
- j) In addition to the street tree planting, there shall be a 100-foot landscape buffer along Davidson Road. This buffer will be planted with a mixture of deciduous shade and ornamental, and evergreen trees at a rate of 8 trees per 100 lineal feet.

- k) Street trees shall be planted at a minimum distance of 40 feet on center along Arthur Drive and Clara Circle. Trees will be of a deciduous species normally attaining full grown height in excess of 50 feet and will be of 2-2 ½" caliper or greater at the time of planting.
- l) There shall be a 3-foot-high evergreen hedge and a 3-foot-high earth mound along the pavement setback of Davidson Road, and Arthur Drive wherever structures do not exist at the building setback line.
- m) Fencing within this subarea is permitted upon receiving approval of a fence permit.

**C2.05 Dumpsters, Lighting, Outdoor Display Areas and/or other Environmental Commitments**

1. All parking lot lighting shall not exceed 25 feet in height from finished grade.
2. External lighting shall be cut-off type fixtures.
3. There shall be a consistent and uniform lighting fixture for parking lot lighting within all office areas, as approved by the Hilliard City Engineer.
4. All types of parking, pedestrian and other lighting shall be on poles or wall mounted cut-off fixtures and shall be from the same type and style.
5. All light poles and standards shall be metal and shall be dark bronze or black in color.
6. Parking lot lighting shall be metal halide or LED. Building and landscaping lighting shall be incandescent, metal halide or LED.
7. Landscape and building uplighting from a concealed source shall be permitted, as accent lighting, subject to staff approval.
8. All lights shall be arranged to reflect light away from any street or adjacent property.
9. All building illumination shall be from concealed sources.
10. No colored lights shall be used to light the exterior of the buildings.
11. Waste and Refuse:
  - a) All waste and refuse shall be containerized and screened from view on all three sides by a solid brick wall, wood fence, or materials compatible with building materials. The fourth side shall be a gate with a frame made of

durable metal, resin or similar material, and the outer material shall be wood, metal, resin or similar material. The gate shall be at least 6 inches taller than the height of the dumpster.

12. Storage and Equipment and Service Areas:
- a) No materials, supplies, equipment, or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure except within one contiguous area within the entire Sub Area C2 not to exceed 80,000 square feet that is accessory to an approved office building and which area shall be screened from view from adjacent properties and rights-of-way with a **6-foot-tall** fence **of maximum height of 10 feet** and a combination of mounding, evergreen trees, and deciduous trees. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from view with material harmonious with the building.
  - b) All refuse trash and garbage collection shall be enclosed.
  - c) No noises, smoke, odors, vibration, or other nuisances shall be permitted above code requirements.
  - d) Service courts and loading docks shall be screened from all streets or adjacent buildings by landscaping, mounding or walls.

#### **C2.06 Graphics and Signage Commitments**

1. All signage and graphics shall conform to the Hilliard Graphics and Sign Code Chapter 1129.
2. Other signage may be used subject to approval by the City Planning and Zoning Commission.
3. A temporary marketing sign similar to the temporary marketing sign in Sub Area B2T may be permitted to be placed within this Sub Area C2 for a maximum of five (5) years or until it is replaced by the permanent Freeway Oriented Icon or until such time as construction begins with any portion of Sub Area C2. This sign shall be located so as to be seen from I-270 and be approved by City Staff.
4. Once Lyman Drive is vacated and the construction of the roundabout at the intersection of Arthur Drive and Lyman Drive is completed the Freeway Oriented Icon is to be built within the reserve. The maximum height shall be 35 feet. Any departure from the approved concept (See Exhibit L) will require approval by the Planning and Zoning Commission.

**C2.07 Miscellaneous Commitments**

1. Utilities: All utility lines including water service, electricity, telephone and gas, and their connections or feeder lines shall be placed underground. Where feasible, all above ground utility boxes shall be placed at the rear lot lines or sufficiently screened, subject to staff approval.



## City Council

Real People. Real Possibilities.

<b>Subject:</b>	Authorizing Conditional Use - 3810 Lacon Road
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	Carson Combs, Planning Manager, Planning Division John Talentino, Planning Director, Planning Division
<b>Meeting Date:</b>	June 26, 2023

### Executive Summary

The proposal is for the approval of a Conditional Use request at 3810 Lacon Road to allow “Truck and Heavy Equipment Repair” and “Outdoor Storage Accessory to a Permitted Use Exceeding 10% of the Total Area of the Lot or Parcel” to permit a truck repair facility within the M-1 Restricted Industrial District.

### Staff Recommendation

Staff recommends that Council adopt this resolution based on the finding that the proposed conditional uses and proposed site improvements meet the requirement and intent of the Code and will address ongoing code enforcement issues for the former Sparks Commercial Tire property.

### Background

In 2022, City Council adopted Ordinance No. 22-01 amending Chapters 1107 and 1123 of the Codified Ordinances regarding the approval process for conditional uses. That ordinance, which took effect on February 24, 2022, modified the zoning process so that the Planning and Zoning Commission makes a recommendation to City Council for a final decision on all conditional use applications.

On June 8, 2023, the Planning and Zoning Commission considered a conditional use request to allow the truck repair business. The proposed improvements will address property maintenance issues, upgrade the site to clearly identify outdoor storage areas and provide screening and landscaping. Opportunity was made available for public input, and the Commission voted to approve the request (5-0). The Commission recommended the following conditions:

1. That a zoning certificate is obtained following construction and prior to any conditional use operation on the property;
2. That all plan notes are revised to identify the proposed use as "Truck and Heavy Equipment Repair" and to correctly identify the extent and purpose of the "Outdoor Storage Area;"
3. That the proposed use conforms to the provisions of Hilliard Code Section 1123.17(c) for outdoor storage as approved;
4. That leasing of truck parking spaces is not permitted on the site and that the outdoor storage of truck parts on the site is prohibited unless otherwise specifically approved by City Council; and
5. That any expansion of the approved conditional uses require prior approval by City Council.

Additional conditions were established by the Commission as part of the Level "B" Site Plan review for the site. The positive recommendation of the Planning and Zoning Commission for the conditional use is being forwarded to City Council for final consideration.

### Financial Impacts

There are no anticipated financial impacts.

### Expected Benefits

Approval of the Conditional Use for “Truck and Heavy Equipment Repair” and “Outdoor Storage Accessory to a Permitted Use Exceeding Ten Percent of the Total Area of the Lot or Parcel” will enable the applicant to move forward with civil plan review to initiate construction and a zoning certificate that will permit operation following completion of the improvements.



**Attachments**

[Conditional Use Plan.3810 Lacon Road](#)

[Record of Action.3810 Lacon Road](#)

[P&Z Draft Minutes. 3810 Lacon Road](#)

[Staff Report.3810 Lacon Road](#)

[Resolution No. 23-R-51 \(Authorizing Conditional Use - 3810 Lacon Road\) - Pdf](#)

# HILLIARD / FRANKLIN COUNTY, OHIO SITE PLAN FOR STAR COLUMBUS TRANSPORTATION 2023

**OWNER**  
SHIKHA SAHA  
STAR COLUMBUS TRANSPORTATION, LLC  
3810 LACON ROAD  
HILLIARD, OH 43026  
PHONE: (330) 313-0512  
EMAIL: STARCOLUMBUS1@GMAIL.COM

**PLAN DESIGNER**  
ABOVE GRADE, LLC  
7901 GREENSIDE LN  
COLUMBUS, OH 43235  
PHONE: (614) 365-0578  
EMAIL: BRYAN@ABOVEGRADECONSULTANTS.COM

**SITE DATA**

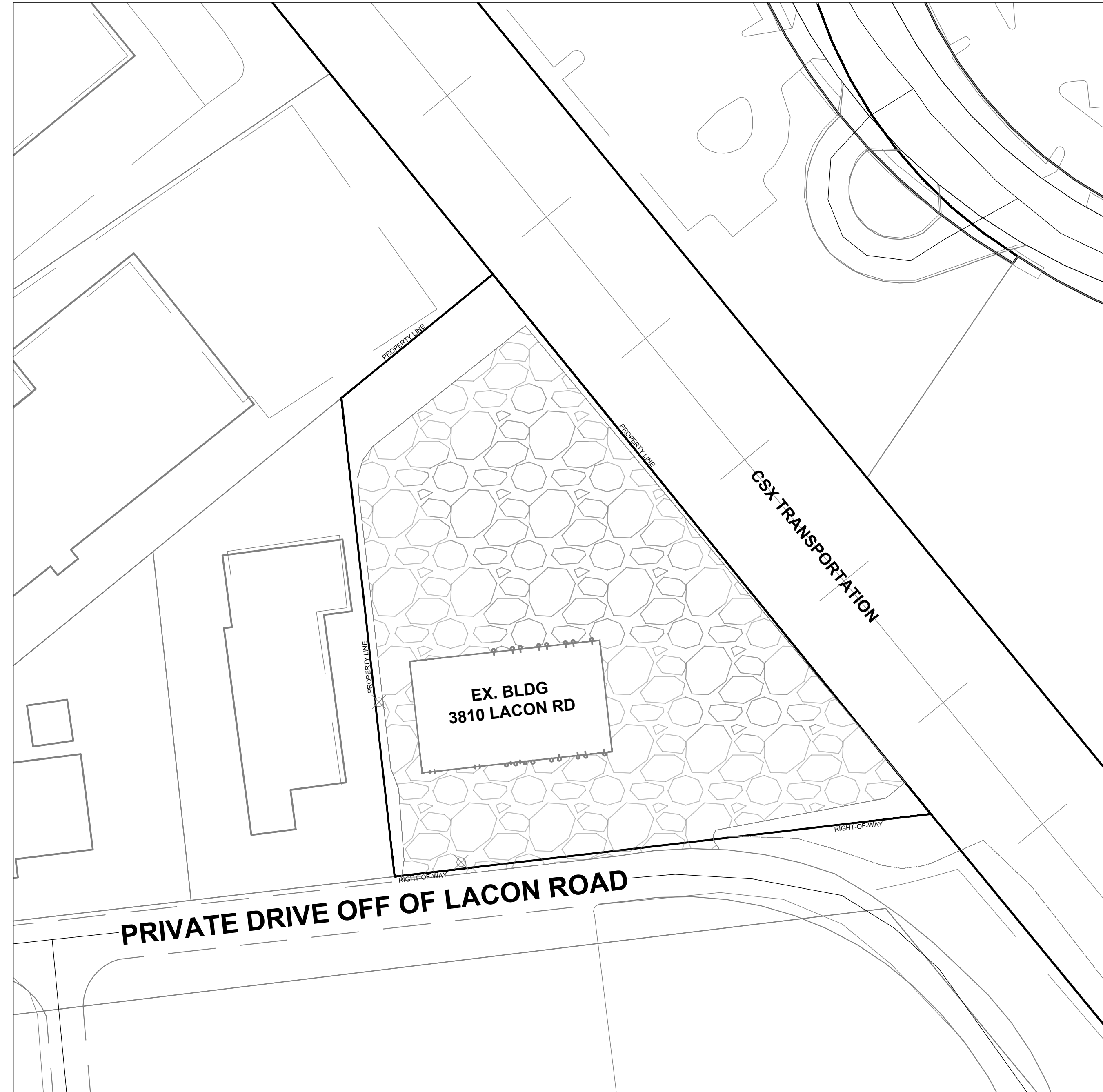
- A. **PROJECT ADDRESS:** 3810 LACON ROAD, HILLIARD, OHIO 43026
- B. **PID:** 050-004914-00
- C. **DISTURBED AREA:** 0.79 AC
- D. **TOTAL SITE AREA:** 1.85 AC
- E. **ZONING:** M1, RESTRICTED INDUSTRIAL DISTRICT
- F. **SETBACKS:** FRONT (PARKING): 25 FT  
FRONT (BLDG): 50 FT  
SIDE: 20 FT  
REAR: 40 FT
- G. **MAXIMUM BLDG HEIGHT:** 45 FT
- H. **BLDG USE & SPACES:** VEHICLE REPAIR - MINOR  
TOTAL BLDG AREA - 8,400 S.F.  
SHOP - 7,076 S.F.  
OFFICE - 1,324 S.F.
- I. **LOT COVERAGE:** 30% MAX = 24,175 S.F., PROPOSED = 8,400 S.F. (10.4%) INCLUDES EXISTING BUILDING AREA
- J. **OUTDOOR STORAGE:** 10% MAX STORAGE, 9.6% PROVIDED (108 FT X 72 FT)
- K. **IMPERVIOUS ADDED:** 10,798 S.F.
- L. **FLOOD DESIGNATION:** ZONE X, MAP 39049CO327K, 06/17/2008
- M. **MINIMUM PARKING SPACES:** 19 SPACES MINIMUM  
20 SPACES MAXIMUM  
OFFICE: 1 PER 300 S.F. (5 SPACES MIN)  
VEHICLE REPAIR ESTABLISHMENT: 2 PER SERVICE STALL (4 SERVICE STALLS), PLUS 1 PER EMPLOYEE (6) = (14 SPACES MIN)
- N. **PROVIDED PARKING SPACES:** 13 SPACES TOTAL (1 HANDICAP, VAN ACCESSIBLE, 4 SERVICE BAY SPACES)

**APPLICABLE CODE SECTIONS:**

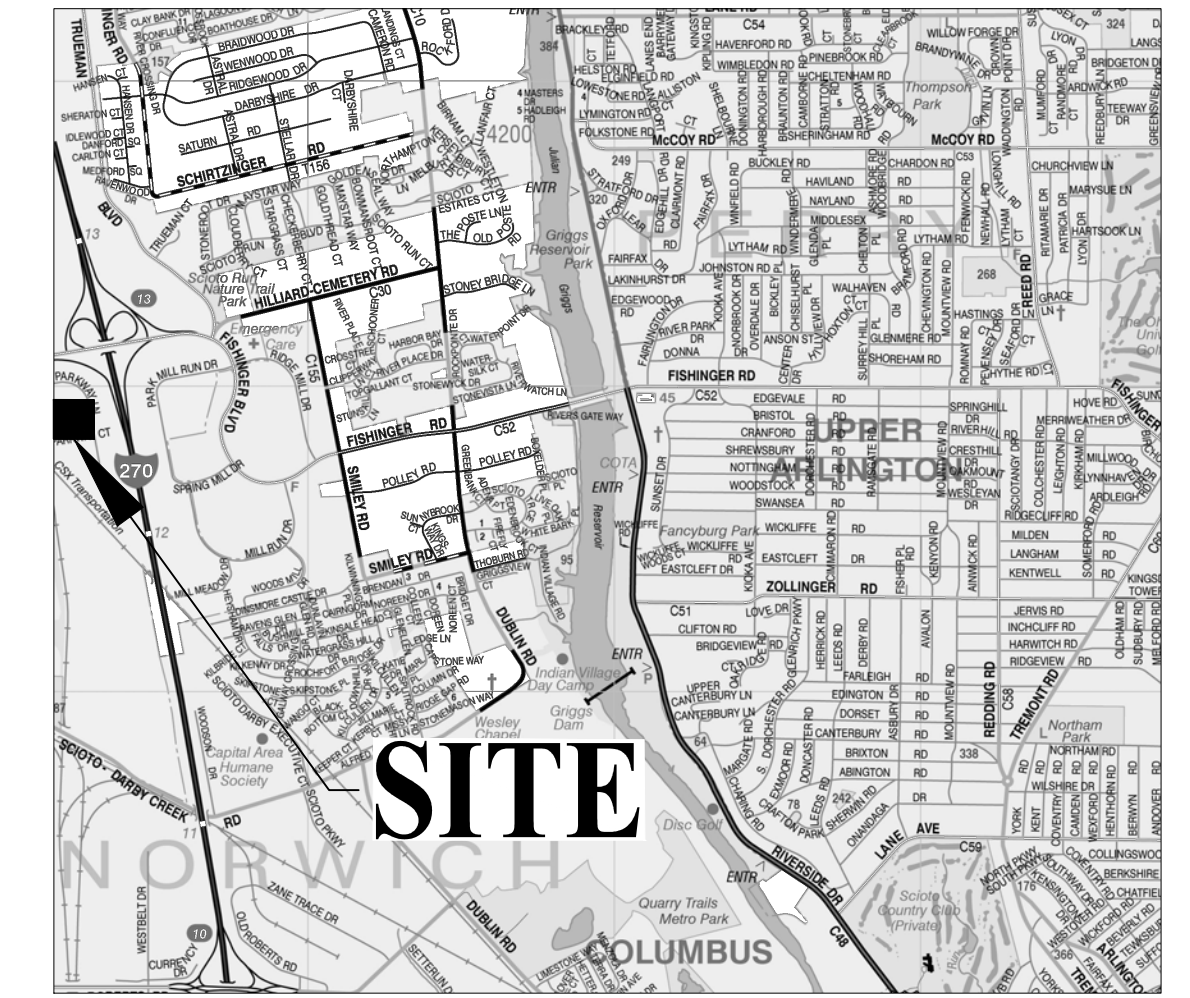
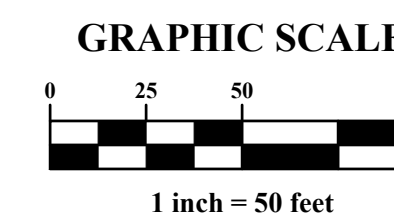
- CHAPTER 1113 - INDUSTRIAL DISTRICTS
- CHAPTER 1121 - ZONING GENERAL PROVISIONS
- CHAPTER 1123 - CONDITIONAL USES
- CHAPTER 1125 - LANDSCAPE AND TREE STANDARDS
- CHAPTER 1127 - OFF-STREET PARKING AND LOADING
- CHAPTER 1131 - SITE PLAN REVIEW

**SURVEY NOTE:**

NO FIELD SURVEY HAS BEEN PERFORMED. THE EXISTING CONDITIONS ARE BASED OFF OF THE LATEST AVAILABLE DATA FROM FRANKLIN COUNTY G.I.S. INFORMATION AND FROM SITE VISITS AND PHOTOGRAPHS.



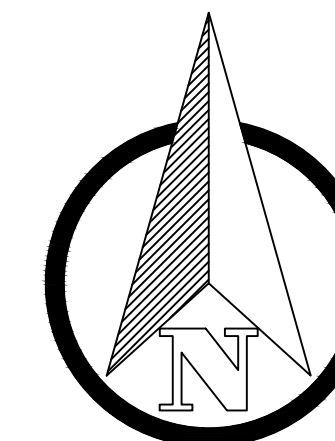
**INDEX MAP**  
1" = 50'



**LOCATION MAP**  
NOT TO SCALE

**SHEET INDEX**

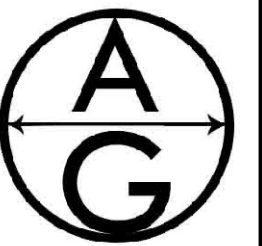
TITLE SHEET.....	1
EXISTING CONDITIONS PLAN.....	2
SITE PLAN.....	3



MARK	DATE	DESCRIPTION

HILLIARD / FRANKLIN COUNTY, OHIO  
SITE PLAN  
FOR  
STAR COLUMBUS  
TRANSPORTATION

PLANS PREPARED BY:



**ABOVE GRADE LLC**  
7901 GREENSIDE LANE  
COLUMBUS, OH 43235  
PH: 614-365-0578

DATE

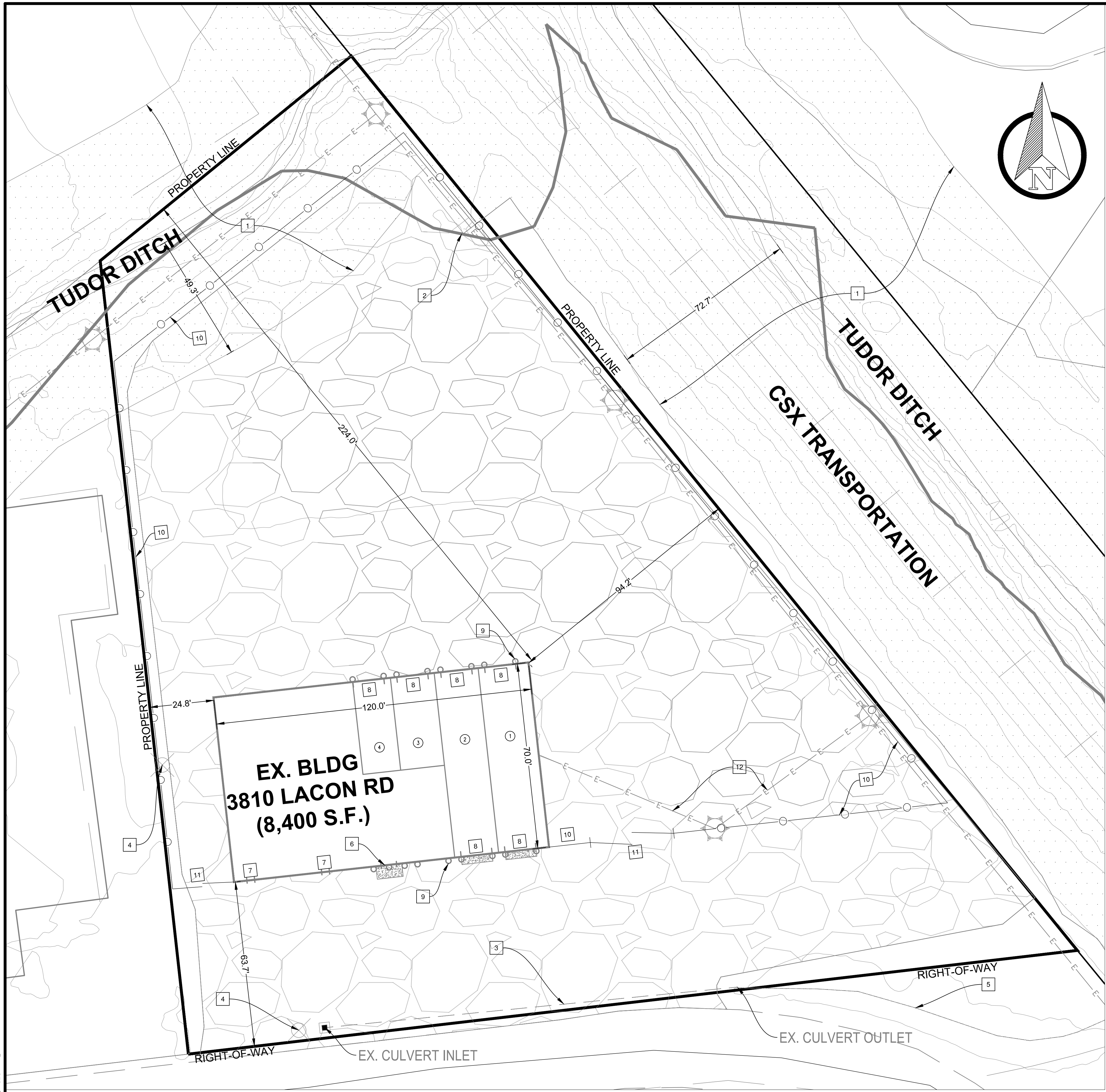
May 23, 2023


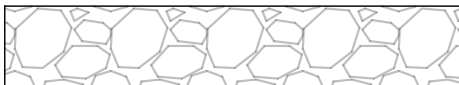
SCALE

As Noted

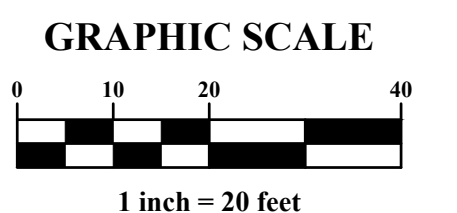
SHEET

1/3



 STREAM CORRIDOR PROTECTION ZONE  
 EX GRAVEL

KEYED NOTES	
1	STREAM CORRIDOR PROTECTION ZONE LIMITS.
2	100-YR. FLOODPLAIN
3	EXISTING 12" CMP STORM CULVERT
4	EXISTING COMMUNICATIONS ENCLOSURES (TO REMAIN)
5	EXISTING SWALE
6	EXISTING DOUBLE MAN DOOR (SLIDER)
7	EXISTING MAN DOOR TO OFFICE SPACE
8	EXISTING OVERHEAD DOOR (SERVICE BAY)
9	EXISTING BOLLARD (TYP.)
10	EXISTING 6 FT CHAIN LINK FENCE
11	EXISTING GATE (6 FT TALL CHAIN LINK)
12	EXISTING OVERHEAD ELECTRIC



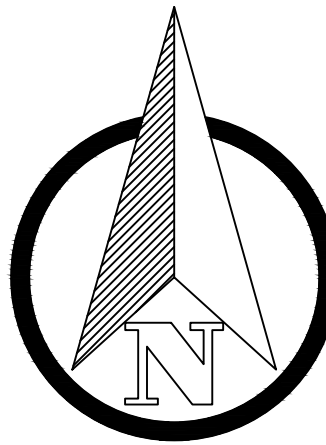
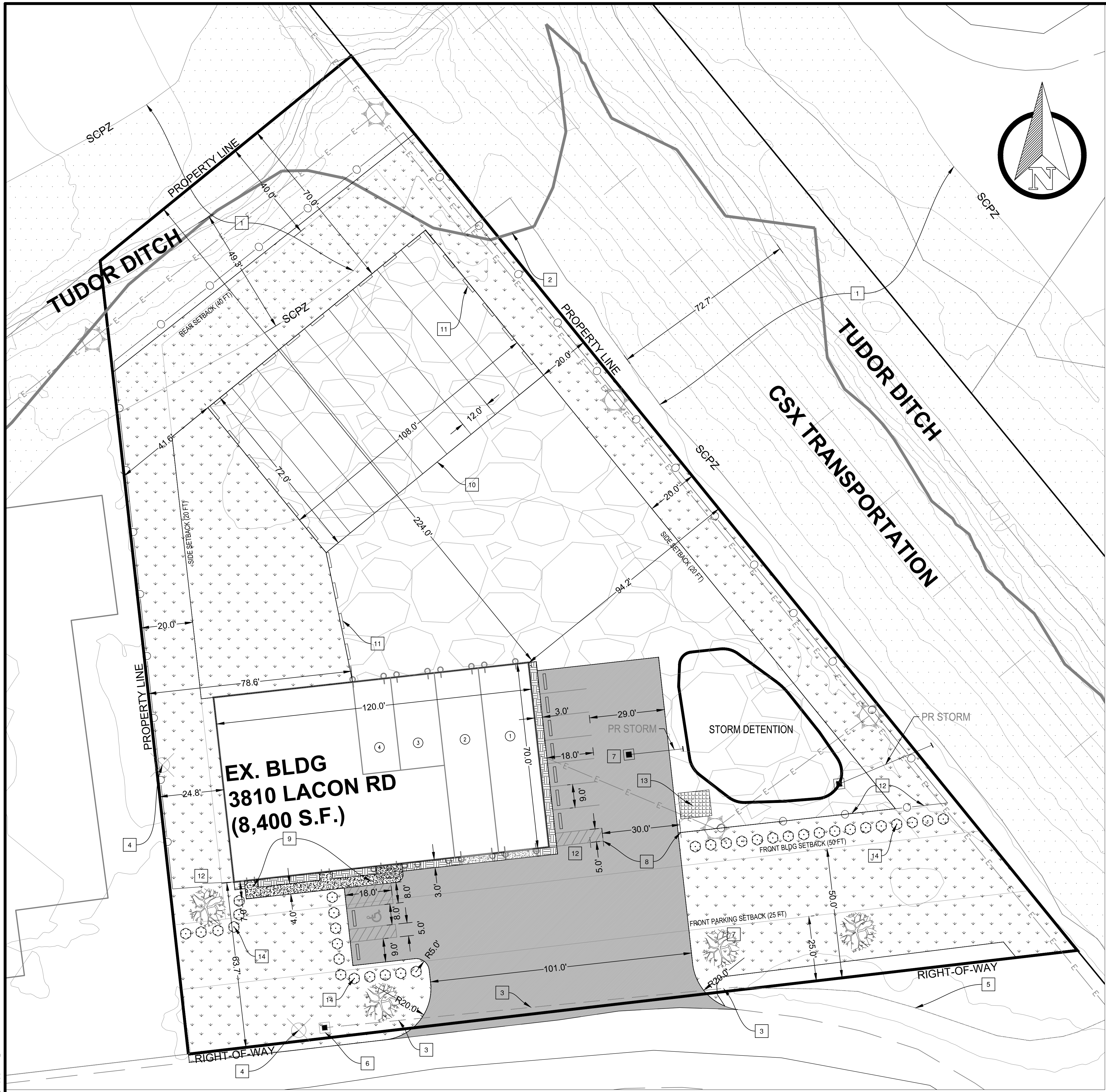


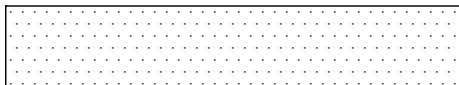

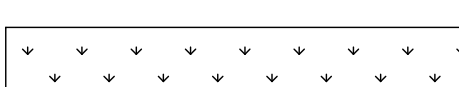

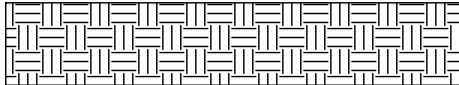
MARK	DATE	DESCRIPTION

HILLIARD / FRANKLIN COUNTY, OHIO  
 EXISTING CONDITIONS PLAN  
 FOR  
**STAR COLUMBUS**  
 TRANSPORTATION

PLANS PREPARED BY:  
  
**ABOVE GRADE LLC**  
 7901 GREENSIDE LANE  
 COLUMBUS, OH 43235  
 PH: 614-385-0578

DATE	May 23, 2023
SCALE	As Noted
SHEET	2/3

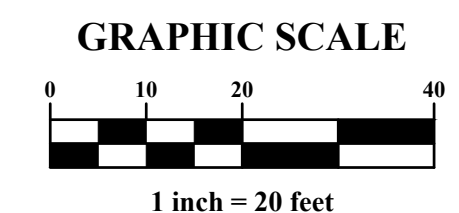


-  STREAM CORRIDOR PROTECTION ZONE
-  EXISTING GRAVEL (TO BE MAINTAINED WITH ADDITIONAL GRAVEL AS REGULAR MAINTENANCE), ADD INITIAL 1 INCH GRAVEL OVERLAY
-  PROPOSED LAWN (GRASS) AREA. REMOVE GRAVEL, FINE GRADE, AND REPLACE WITH 3-4 INCHES OF TOPSOIL AND PLANT GRASS.
-  PROPOSED ASPHALT PAVEMENT OR CONCRETE (10,798 S.F.)
-  PROPOSED 3 FT MULCH BED AGAINST EXISTING BUILDING

KEYED NOTES	
1	STREAM CORRIDOR PROTECTION ZONE LIMITS.
2	100-YR. FLOODPLAIN
3	EXISTING 12" CMP STORM CULVERT (TO REMAIN)
4	EXISTING COMMUNICATIONS ENCLOSURES (TO REMAIN)
5	EXISTING SWALE
6	EXISTING CATCH BASIN (TO REMAIN WITH NEW CASTING)
7	PROPOSED STORM CATCH BASIN.
8	ADJUST FENCE OPENING TO COVER THE END OF THE PROPOSED PARKING STALLS AND 1 FT BEYOND THE PROPOSED PAVEMENT ON THE EAST END AS SHOWN.
9	PROPOSED CONCRETE SIDEWALK. PROVIDE STOOP FOR MAN DOOR LOCATIONS.
10	PROPOSED OUTDOOR STORAGE ACCESSORY TO MINOR VEHICLE REPAIR. 7,776 S.F. (9.6%)
11	PROPOSED PARKING BLOCKS TO DEFINE OUTDOOR STORAGE AREA SPACED WITH 6 FT BETWEEN BLOCKS.
12	PROVIDE SCREEN ON BACKSIDE OF EXISTING FRONTAGE FENCE TO PROVIDE ADDITIONAL OPAQUENESS AND BLOCK VIEWS TO REAR YARD AREAS FROM THE ROAD FRONTAGE. OTHER AREAS ARE SCREENED NATURALLY OR HAVE SIMILAR USES AND ZONING.
13	PROPOSED DUMPSTER. SCREENING PROVIDED BY PROPOSED FENCE SCREEN.
14	PROPOSED BUSHES (34 IN TOTAL).

**STORM WATER MANAGEMENT SUMMARY:**

THE EXCESS STORM WATER RUNOFF, INCREASED FROM THE EXISTING GRAVEL TO THE PROPOSED PAVEMENT AREA, WILL BE ROUTED TO A STORM WATER POND/DEPRESSION AND ALLOWED TO POND THE NEW PARKING LOT AREA DURING THE HIGHER INTENSITY STORM EVENTS. FINAL ENGINEERING CALCULATIONS AND STUDY WILL BE REQUIRED TO VERIFY THE VALIDITY OF THIS STRATEGY. ADDITIONAL OR LARGER PIPE MAY BE NECESSARY AS WELL AS ADDITIONAL CATCH BASINS TO COLLECT AND EFFECTIVELY POND THE STORM WATER RUNOFF GENERATED FROM THE INCREASED RUNOFF.



MARK	DATE	DESCRIPTION

HILLIARD / FRANKLIN COUNTY, OHIO  
 SITE PLAN  
 FOR  
**STAR COLUMBUS  
 TRANSPORTATION**

PLANS PREPARED BY:



**ABOVE GRADE LLC**  
 7901 GREENSIDE LANE  
 COLUMBUS, OH 43235  
 PH: 614-385-0578

DATE  
 May 23, 2023

SCALE  
 As Noted

SHEET  
 3/3

# RECORD OF ACTION



## Planning & Zoning Commission

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

Thursday, June 8, 2023 | 7:00 pm

**CASE 1: PZ-23-3 – STAR COLUMBUS TRANSPORTATION LLC. – 3810 LACON ROAD**

**PARCEL NUMBER(S):** 050-004914 (3800 & 3810 LACON SUBDIVISION)

**APPLICANT:** Star Columbus Transportation LLC., c/o Kultar Singh, 3810 Lacon Road, Hilliard, OH 43026; represented by Underhill & Hodge, LLC., c/o David Hodge and Eric Zartman, 8000 Walton Parkway, Suite #260, New Albany, OH 43054.

**REQUEST:** Review and approval of a conditional use under the provisions of Sections 1123.03 and 1123.04 to permit an 8,400-square-foot "truck and heavy equipment repair" facility and Section 1123.17 to permit "outdoor storage accessory to a permitted principal use exceeding 10 percent of the total area of the lot or parcel" on 1.85 acres and review and approval of a Level "B" Site Plan under the provisions of Hilliard Code Chapter 1131.

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

**MOTION 1 (CONDITIONAL USES):**

Mr. Lewie made a motion to approve a conditional use under the provisions of Sections 1123.03 and 1123.04 to permit an 8,400-square-foot "truck and heavy equipment repair" facility and Section 1123.17 to permit "outdoor storage accessory to a permitted principal use exceeding 10 percent of the total area of the lot or parcel" on 1.85 acres with five conditions:

- 1) That a zoning certificate is obtained following construction and prior to any conditional use operation on the property;
- 2) That all plan notes are revised to identify the proposed use as "Truck and Heavy Equipment Repair" and to correctly identify the extent and purpose of the "Outdoor Storage Area;"
- 3) That the proposed use conforms to the provisions of Hilliard Code Section 1123.17(c) for outdoor storage as approved;
- 4) That leasing of truck parking spaces is not permitted on the site and that the outdoor storage of truck parts on the site is prohibited unless otherwise specifically approved by City Council; and
- 5) That any expansion of the approved conditional uses require prior approval by City Council.

Mr. Pannett seconded the motion.

**VOTE:**

Chairman Muether	Excused
Vice Chair Schneck	Yes
Mr. Gutknecht	Excused
Mr. Lewie	Yes
Ms. Nixon	Yes
Mr. Pannett	Yes
Mr. Uttley	Yes

**STATUS:**

**Case #1: The conditional use is approved (5-0) with five conditions. A positive recommendation will be forwarded to City Council.**

**CERTIFICATION:**

  
\_\_\_\_\_  
Carson Combs, Planning Manager  
June 9, 2023

**MOTION 2 (LEVEL “B” SITE PLAN):**

Mr. Lewie made a motion to approve a Level “B” Site Plan under the provisions of Hilliard Code Chapter 1131 with eight conditions:

- 1) That variances for parking and the use of gravel as an approved surface are obtained from the Board of Zoning Appeals or that Code is met;
- 2) That portions of the site within the floodplain and SCPZ are fine graded and seeded with an approved mix of grasses/wildflower and not mowed;
- 3) That portions of the site containing the stormwater detention area be fine graded and seeded with turf grass and that all stormwater management meet the requirements of the City Engineer;
- 4) That revised landscape plans are submitted that meet Code requirements and include one interior parking lot island with required landscaping, subject to staff approval;
- 5) That material samples for the proposed fence screening be provided, subject to staff approval;
- 6) That the dumpster is relocated to the rear of the building and screened per Code and that no outdoor storage of parts is permitted;
- 7) That parking lot lighting required by Section 1127.04(b)(10) is provided; and
- 8) That the proposed wheel stops are replaced with a bollard and chain system or equivalent alternative, subject to staff approval.

Mr. Pannett seconded the motion.

**VOTE:**

Chairman Muether	Excused
Vice Chair Schneck	Yes
Mr. Gutknecht	Excused
Mr. Lewie	Yes
Ms. Nixon	Yes
Mr. Pannett	Yes
Mr. Uttley	Yes

**STATUS:**

Case #1: PZ-23-3 is approved (5-0) with eight conditions.  
The Level “B” Site Plan is approved.

**CERTIFICATION:**



Carson Combs, Planning Manager  
June 9, 2023

[END OF RECORD]

**7. New Cases**

**Case 1: PZ-23-3 – STAR COLUMBUS TRANSPORTATION LLC. – 3810 LACON ROAD**  
**PARCEL NUMBER(S):** 050-004914 (3800 & 3810 LACON SUBDIVISION)  
**APPLICANT:** Star Columbus Transportation LLC., c/o Kultar Singh, 3810 Lacon Road, Hilliard, OH 43026; represented by Underhill & Hodge, LLC., c/o David Hodge and Eric Zartman, 8000 Walton Parkway, Suite #260, New Albany, OH 43054.  
**REQUEST:** Review and approval of a conditional use under the provisions of Sections 1123.03 and 1123.04 to permit an 8,400-square-foot "truck and heavy equipment repair" facility and Section 1123.17 to permit "outdoor storage accessory to a permitted principal use exceeding 10 percent of the total area of the lot or parcel" on 1.85 acres and review and approval of a Level "B" Site Plan under the provisions of Hilliard Code Chapter 1131.

[Case PZ-23-3 – STAR COLUMBUS TRANSPORTATION LLC. – 3810 LACON ROAD - Pdf](#)

David Hodge, attorney for applicant Star Columbus Transportation talked about how the code has changed since 1973 and this will bring the property more into full compliance with the Zoning Code. Mr. Lewie asked for a clarification on the fourth and fifth recommendations in the staff report; Staff Attorney Clodfelder explained that any conditional use would require City Council approval and that it would follow the required process of obtaining a recommendation first from the Planning and Zoning Commission.

There were no additional questions from Commission members and no input from the public.

Member Lewie moved, seconded by Member Pannett, to approve a **Conditional Use** under the provisions of Sections 1123.03 and 1123.04 to permit an 8,400-square-foot "truck and heavy equipment repair" facility and Section 1123.17 to permit "outdoor storage accessory to a permitted principal use exceeding 10 percent of the total area of the lot or parcel" on 1.85 acres with five conditions:

1. That a zoning certificate is obtained following construction and prior to any conditional use operation on the property;
2. That all plan notes are revised to identify the proposed use as "Truck and Heavy Equipment Repair" and to correctly identify the extent and purpose of the "Outdoor Storage Area;"
3. That the proposed use conforms to the provisions of Hilliard Code Section 1123.17(c) for outdoor storage as approved;
4. That leasing of truck parking spaces is not permitted on the site and that the outdoor storage of truck parts on the site is prohibited unless otherwise specifically approved by City Council; and
5. That any expansion of the approved conditional uses require prior approval by City Council.

<b>Status:</b>	<b>Carried (5-0)</b>
<b>Mover:</b>	Member Lewie
<b>Seconder:</b>	Member Pannett
<b>Ayes:</b>	Schneck, Uttley, Lewie, Nixon, and Pannett
<b>Excused:</b>	Muether and Gutknecht

Member Lewie moved, seconded by Member Pannett, **(LEVEL “B” SITE PLAN):**

to approve a Level “B” Site Plan under the provisions of Hilliard Code Chapter 1131 with eight conditions:

1. That variances for parking and the use of gravel as an approved surface are obtained from the Board of Zoning Appeals or that Code is met;
2. That portions of the site within the floodplain and SCPZ are fine graded and seeded with an approved mix of grasses/wildflower and not mowed;
3. That portions of the site containing the stormwater detention area be fine graded and seeded with turf grass and that all stormwater management meet the requirements of the City Engineer;
4. That revised landscape plans are submitted that meet Code requirements and include one interior parking lot island with required landscaping, subject to staff approval;
5. That material samples for the proposed fence screening be provided, subject to staff approval;
6. That the dumpster is relocated to the rear of the building and screened per Code and that no outdoor storage of parts is permitted;
7. That parking lot lighting required by Section 1127.04(b)(10) is provided; and
8. That the proposed wheel stops are replaced with a bollard and chain system or equivalent alternative, subject to staff approval.

<b>Status:</b>	<b>Carried (5-0)</b>
<b>Mover:</b>	Member Lewie
<b>Secunder:</b>	Member Pannett
<b>Ayes:</b>	Schneck, Uttley, Lewie, Nixon, and Pannett
<b>Excused:</b>	Muether and Gutknecht

**Case 2: PZ-23-18 – MOO MOO EXPRESS CAR WASH – 3880 BROWN PARK DRIVE**  
**PARCEL NUMBER(S):** 050-007563 (BROWN COMMERCE PARK)  
**APPLICANT:** Moo Moo Cemetery Hilliard LLC., 13375 National Road SW, Suite D, Reynoldsburg, OH 43068; c/o Jeff Gilger, Express Wash Concepts, 13375 National Road SW, Suite D, Etna, OH 43068; c/o Kelly Roth, Morrison Sign Company Inc., 2757 Scioto Parkway, Columbus, OH 43221.  
**REQUEST:** Review and approval of variances under the provisions of Hilliard Code Section 1129.08 for additional signage to an approved comprehensive sign package for a 4,900-square-foot car wash.

[Case PZ-23-18 – MOO MOO EXPRESS CAR WASH – 3880 BROWN PARK DRIVE - Pdf](#)





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# STAFF REPORT

## Planning & Zoning Commission

City Hall | 3800 Municipal Way | Hilliard, Ohio 43026

and Live-Streaming on YouTube

**Meeting Date: June 8, 2023**

### Case: PZ-23-3 – STAR COLUMBUS TRANSPORTATION LLC. – 3810 LACON ROAD

**PARCEL NUMBER(S):** 050-004914 (3800 & 3810 LACON SUBDIVISION)

**APPLICANT:** Star Columbus Transportation LLC., c/o Kultar Singh, 3810 Lacon Road, Hilliard, OH 43026; represented by Underhill & Hodge, LLC., c/o David Hodge and Eric Zartman, 8000 Walton Parkway, Suite #260, New Albany, OH 43054.

**REQUEST:** Review and approval of a conditional use under the provisions of Sections 1123.03 and 1123.04 to permit an 8,400-square-foot "truck and heavy equipment repair" facility and Section 1123.17 to permit "outdoor storage accessory to a permitted principal use exceeding 10 percent of the total area of the lot or parcel" on 1.85 acres and review and approval of a Level "B" Site Plan under the provisions of Hilliard Code Chapter 1131.

## BACKGROUND

The site is 1.85 acres located on the north side of Easthill Drive (private), approximately 470 feet east of Lacon Road. The site and properties to the north, west and south are zoned M-1, Restricted Industrial District. Perotta's Marble Shop is located west of the property at 3808 Lacon Road, and the multi-tenant building which includes Dynomite is located to the south at 3700-3720 Lacon Road. The CSX railroad is adjacent to the property along the extent of the east property line, and the Tudor Ditch traverses the northern end of the site. Portions of the north end of the site are located within the 100-year flood plain and Stream Corridor Protection Zone.

The Planning and Zoning Commission approved an M-5 development plan for the site in 1973 for a truck service facility. The 1973 plan included construction of the 8,400-square foot building and related gravel parking. The Commission later approved a conditional use for the site to allow an automobile service station with ancillary service uses in 2010. The Zoning Code was then updated in 2014 and the site was zoned to M-1, Restricted Industrial District.

This is a request for review and approval of a conditional use for a "Truck and Heavy Equipment" repair facility and outdoor storage that exceeds 10% of the site. A Level "B" site plan is also requested for the proposed site improvements.

## CONSIDERATIONS

- **Outdoor Storage Criteria.** In addition to the general criteria for conditional uses, Section 1123.17(c) includes the following specific criteria for outdoor storage accessory to an allowed principal use:
  1. Outdoor storage and display shall be arranged to provide safe pedestrian and vehicular circulation and emergency access free of all obstructions.
  2. A drive shall be provided, graded, paved and maintained from the street permitting free access of emergency vehicles at any time.
  3. Sales or outdoor display of merchandise shall not be permitted within required setback areas.
  4. Storage and display areas on parking lots shall not reduce available parking spaces to fewer than required by Code.
  5. No outdoor display or parking serving an outdoor display shall be located within 75 feet of any residential district boundary line or residential use.
  6. Storage of soil, sand, mulch or similar loosely packaged materials shall be contained and covered to prevent blowing onto adjacent properties (outdoor storage of fertilizers, pesticides and other hazardous materials unless packaged in approved containers is prohibited).
  7. A sight-obscuring screen that meets maximum fence height requirements for the zoning district may be required. Outdoor storage may not be piled or stacked higher than the obscuring screen.

8. Outdoor display and sales areas shall be paved with a permanent, durable and dustless surface and shall be graded/drainage to dispose of surface water.
  9. All loading and truck maneuvering shall be accommodated on-site or on a dedicated easement. Maneuvering in the public right-of-way is prohibited.
  10. Security lighting may be required. All lighting shall be shielded from residential areas and adhere to the Hilliard Design Manual.
- **Additional Review Criteria.** Code Section 1123.04 states that reasonable conditions may be imposed on the approval of a conditional land use to achieve the following:
    1. Ensure public services and facilities affected by the proposed use or activity will be capable of accommodating increased service and facility loads necessitated by the proposed use.
    2. Ensure that the use is compatible with adjacent conforming land uses and activities.
    3. Protect natural resources; the health, safety, and welfare; and the social and economic well-being of those who will use the land or activity under consideration, the residents, business owners and landowners immediately adjacent to the proposed use or activity, and the community as a whole.
    4. Relate to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
    5. Meet the purpose of the zoning code, be in compliance with the standards established in the code for the land use or activity under consideration and be in compliance with the zoning district standards.
  - **Comprehensive Plan.** The newly adopted Hilliard Community Plan identifies the site as Urban Mixed Use. This category recommends a higher-density mix of uses that encourage an urban, walkable environment; however, the site is currently zoned for light industrial uses and the proposed conditional use would improve current site conditions.
  - **Prior Commission Approvals.** An original M-5 industrial site plan approval was granted by the Planning Commission in April 1973 for a truck and trailer service facility. The Commission later approved a conditional use for an automobile service station and ancillary uses in 2010. The old zoning code used a category of "automotive service" that did not differentiate between cars and trucks. The approval included the following conditions:
    1. Operations were limited to automobile service and ancillary service uses
    2. Employee and customer parking south of the building was required to occur on paved surfaces
    3. Outdoor storage was limited to 10% of the site
    4. The conditional use terminated with a change in scope or intensity of the use or if revised plans were not submitted.
  - **Adoption of Zoning Code.** In 2014, a new Hilliard Zoning Code was approved with Ordinance 14-29. The Ordinance created new zoning districts and the site was zoned M-1, Restricted Industrial District as part of that city-wide zoning. The Code specifies "Truck and Heavy Equipment Repair" as a conditional use within the M-1 District. The site also includes Outdoor Storage greater than 10% of the site, which is also a conditional use. No "Truck and Heavy Equipment Repair" uses have been approved for the site since adoption of the Code. Custom Clutch operated on the site until near the end of 2021, but had no valid zoning certificate.
  - **Site Purchase.** The applicant purchased the site on February 28, 2022. No records are available that indicate when operations for Star Columbus Transportation, LLC. commenced. The need for conditional use approval and a site plan was discussed in multiple meetings with the applicant prior to them operating.
  - **Certificate of Occupancy.** A Certificate of Occupancy (CO) was granted for the building on this site on October 10, 2022, as an existing structure/pre-existing condition. The CO generally signifies only that the building is safe to enter/occupy. No zoning approval was obtained to begin operations.
  - **Zoning Certificate to Operate.** On November 14, 2022, a violation notice was sent to both Star Columbus Transportation and Custom Clutch Joint and Hydraulics for not having a valid zoning certificate. A final notice of violation was sent on December 1, 2022; The City was informed on December 21, 2022, that Custom Clutch had not operated at the site for over one year and issued a violation notice to Star Columbus Transportation to remove the abandoned sign. Staff met with the applicant who indicated that no business was in operation.
  - **Conditional Use Application.** After being informed by Norwich Township Fire Department of an operating business, a notice of violation was sent on January 11, 2023. The property owner submitted a conditional use application on January 27, 2023. After no response to a staff comment letter requesting plan materials necessary for their application, a final notice of violation was sent on February 22, 2023. The business continued to operate during this time.
  - **Cease-and-Desist.** Following no response from the property owner a cease-and-desist order was issued on April 3, 2023, to halt operations on the site. The owner indicated to Code Enforcement that operations would continue. On April 20, 2023, Code Enforcement again noted business activity. The premises were secured by Code Enforcement, Service Department and Hilliard Police Department on April 21st.

- **Zoning Certificate.** On May 1, 2023, a zoning certificate was issued that approved limited use of the building for administrative office functions *only* at the request of the applicant's legal counsel. No other uses were approved and the service bay doors of the building remain locked in accordance with the Cease-and-Desist order.
- **Land Use Definitions.** Representatives for the applicant insist the proposed use fits under the definition of "Vehicle Repair - Minor", a permitted use within the M-1 District. Section 1103.06(b)(1) of the Code specifies "The particular shall control the general and the use of a general term shall not be taken to have the same meaning as another specific term." Truck and heavy equipment repair is a more specific term than vehicle repair, requiring the conditional use approval for the premises. All plans should be revised to reference the correct zoning use category.
- **Stormwater Management.** The site includes 100-year floodplain and a Stream Corridor Protection Zone. Existing gravel will be removed in these areas and the site will be fine graded and seeded. Plans should note that those areas will be seeded with an approved mix of grasses and/or wildflowers that will be left to grow naturally as part of the stream corridor. Stormwater detention is provided to address runoff and final details will be addressed with the City Engineer as part of permit review. Staff recommends that the area be fine graded and seeded and not indicated as gravel.
- **Parking.** Proposed plans include the paving of a parking lot area on the south and east sides of the building to create a total of 13 spaces, including the service bays. 19 spaces are required and the proposed plan will require a variance from the Board of Zoning Appeals. The Zoning Code prohibits the leasing of spaces for truck parking at this location.
- **Gravel.** The applicant is proposing to maintain a gravel lot behind the building that is approximately 24,000 square feet in area. Section 1127.04(b)(1) of the Code requires that all parking areas are finished with an approved surface such as concrete or asphalt. A variance from the Board of Zoning Appeals will be necessary for the proposed gravel surface.
- **Outdoor Storage.** As part of the gravel lot located behind the building, the applicant is proposing to use wheel stops as a barrier along the edge to prevent its expansion. Submitted plans identify a 108'x72' area as outdoor storage (9.6% of the site). Staff identifies the entire 24,000-square-foot gravel area - including identified truck parking and associated maneuvering space - as outdoor storage (30% of the site) that requires a conditional use. Staff recommends that plans be revised to correctly identify the outdoor storage area and that a less mobile solution to contain the outdoor storage area be provided...such as a bollard and chain system that would prevent expansion of the gravel area and simplify enforcement. Plans should also specify that the outdoor storage area (gravel) will be used for Truck and Heavy Equipment Repair parking and that no outdoor storage of parts is permitted.
- **Landscaping.** The applicant has proposed the incorporation of trees and shrubs across the front of the building. Section 1125.05(b) requires 30 shrubs and 2 trees per 100 linear feet of pavement around the perimeter of parking areas. Section 1125.04(c) also requires general landscape areas for the building that includes 168 square feet and 5.6 inches of trees. One interior landscape island is also required by code that would include one tree and 4 shrubs. Staff recommends adjusting plans to meet these aspects of Zoning Code.
- **Fencing.** The site includes existing fencing that encloses the perimeter of the site behind the front elevation of the building. As part of improvements, the gate at the east end of the building will be adjusted and screening will be incorporated into fencing facing the private street. Staff recommends that details for the fencing be submitted as part of plan review for the site.
- **Service Structures.** Plans indicate a dumpster location behind existing fencing adjacent to the proposed storm water detention area. Code requires service structures to be screened on all four sides and staff recommends that it be relocated to the rear of the building and meet Code requirements for screening.
- **Lighting.** No lighting is proposed as part of the improvements. Hilliard Code Section 1127.04(b)(10) requires parking lots to be illuminated for safety purposes.
- **Signage.** No sign details are provided. Any signage will require a sign permit prior to installation.

## COMMISSION ROLE

Conditional Uses differ from permitted uses in that they may have a greater impact on the surrounding area and thus require special review and approval. The Commission is to ensure that the proposal will be compatible in this location. In considering the application, the Commission may impose such requirements and conditions as the Commission may deem necessary for the protection of adjacent properties and the public interest using the following review criteria as provided in Section 1123.03:

- That the proposed use will be consistent with the intent and purposes of the zoning code and the Comprehensive Plan and is compatible with the character of the general vicinity.
- That the proposed use complies with applicable requirements of the zoning code, except as specifically altered in the approved conditional use.

- That the proposed use and site layout will not impede the orderly development of the surrounding property for uses permitted in the district. Due consideration will be given to the location and height of proposed buildings and structures, location and type of proposed fences or walls, location and screening of parking areas, and the location and type of proposed landscaping.
- That the area and proposed use will be adequately served by essential public facilities and services, as applicable, such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewer. The applicant or landowner will be required to install public utilities, streets or other public infrastructure as required by the city, state or other agencies to applicable specifications that are necessitated by the conditional use development. Dedication of said public infrastructure may be required.
- That the proposed use will not involve uses, activities, processes, materials, equipment or conditions of operation detrimental to any persons, property, or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to permitted uses.
- The location and scale of the use, the nature and intensity of the proposed operations, the site layout and the relation of the proposed use to surrounding streets will not cause undue traffic congestion or hazards beyond that which would be normally expected based on the existing pattern of uses and the planned character reflected in the city's Comprehensive Plan.

Following a recommendation on the conditional use from the Commission, the application will be forwarded to City Council for a final disposition.

The Commission is to also review the proposed Level "B" Site Plan under the provisions of Hilliard Code Chapter 1131. Specifically, the Commission is to utilize the review standards provided in Section 1131.06 which outlines the following review criteria:

- That the site must be designed in a manner that is harmonious to the character of the surrounding area to the greatest extent possible;
- That the site is designed to minimize hazards and reduce negative effects of traffic, noise, smoke, fumes and glare to adjacent properties to the greatest extent possible; and
- That the proposed site plan addresses traffic circulation, stormwater management, landscaping, screening, lighting, utility service, exterior uses, emergency access, water and sewer, and signage as defined within Section 1131.06.

Following approval by the Commission and upon approval of the Conditional Use, the applicant may submit for civil plan approval of final engineering details and building permits to begin construction of the proposed improvements according to the requirements of the Code and conditions set forth by the Commission and City Council.

## STAFF RECOMMENDATION

### ***Motion 1: Conditional Use.***

Staff finds that the proposed truck and heavy equipment repair will generally be compatible with the surrounding area and will bring an aging industrial site further into compliance with the Code. Staff finds that the proposed outdoor storage will also be adequately screened in a manner that meets the intent of the Code and will further protect natural resources on the site. Staff finds that the reuse of the existing site has been designed in a manner, as modified below, to address specific criteria as listed in Sections 1123.03 and 1123.17 and recommends approval with the following five conditions:

1. That a zoning certificate is obtained following construction and prior to any conditional use operation on the property;
2. That all plan notes are revised to identify the proposed use as "Truck and Heavy Equipment Repair" and to correctly identify the extent and purpose of the "Outdoor Storage Area;"
3. That the proposed use conforms to the provisions of Hilliard Code Section 1123.17(c) for outdoor storage as approved;
4. That leasing of truck parking spaces is not permitted on the site and that the outdoor storage of truck parts on the site is prohibited unless otherwise specifically approved by City Council; and
5. That any expansion of the approved conditional uses require prior approval by City Council.

### ***Motion 2: Level "B" Site Plan.***

Staff finds that the proposed site plan is generally consistent with the original approved plan for the site and the overall intent of the Code and addresses basic issues that are outlined as part of the site plan review. The proposed improvements will address Code compliance issues and will blend with the surrounding area in a manner that will minimize off-site impacts. Based on these finding, staff recommends that the proposed Level "B" Site Plan be approved with nine conditions:

1. That variances for parking and the use of gravel as an approved surface are obtained from the Appeals or that Code is met;
2. That portions of the site within the floodplain and SCPZ are fine graded and seeded with an approved mix of grasses/wildflower and not mowed;
3. That portions of the site containing the stormwater detention area be fine graded and seeded with turf grass and that all stormwater management meet the requirements of the City Engineer;
4. That revised landscape plans are submitted that meet Code requirements and include one interior parking lot island with required landscaping, subject to staff approval;
5. That material samples for the proposed fence screening be provided, subject to staff approval;
6. That the dumpster is relocated to the rear of the building and screened per Code and that no outdoor storage of parts is permitted;
7. That parking lot lighting required by Section 1127.04(b)(10) is provided; and
8. That the proposed wheel stops are replaced with a bollard and chain system or equivalent alternative, subject to staff approval.

## ATTACHMENTS

[PZ-23-3 Star Columbus Transp LLC](#)



Resolution: 23-R-51

Adopted:  
Effective:

**AUTHORIZING THE CONDITIONAL USE FOR TRUCKING AND HEAVY EQUIPMENT REPAIR AND OUTDOOR STORAGE ACCESSORY TO A PERMITTED USE EXCEEDING TEN PERCENT OF THE TOTAL AREA OF THE LOT OR PARCEL AT 3810 LACON ROAD WITHIN THE M-1, RESTRICTED INDUSTRIAL DISTRICT.**

**WHEREAS**, on January 24, 2022, City Council approved amendments to Chapters 1107 and 1123 of the City's Codified Ordinances to state that the Planning and Zoning Commission provides a recommendation to City Council on each conditional use application and that City Council would have the final approval for each application; and

**WHEREAS**, on May 10, 2023, a completed application for the review of a conditional use request for "Truck and Heavy Equipment Repair" and "Outdoor Storage Accessory to a Permitted Use Exceeding Ten Percent of the Total Area of the Lot or Parcel" for the property at 3810 Lacon Road (Parcel #050-004914) was submitted to the Planning Director in accordance with Hilliard Code Section 1123.02; and

**WHEREAS**, the Planning and Zoning Commission on June 8, 2023, reviewed the request for a conditional use to permit "Truck and Heavy Equipment Repair" and "Outdoor Storage Accessory to a Permitted Use Exceeding Ten Percent of the Total Area of the Lot or Parcel" within the M-1, Restricted Industrial District for the property located at 3810 Lacon Road under the provisions of Hilliard Code Section 1123.03, 1123.04 and 1123.17(c); and

**WHEREAS**, the Planning and Zoning Commission in accordance with the Code made a positive recommendation to City Council (5-0); and

**WHEREAS**, as prescribed by Section 1107.03(d) upon receipt of a recommendation from the Planning and Zoning Commission, the City Council shall decide upon the conditional use application according to the procedures set forth in Chapter 1123.

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

**SECTION 1.** Star Columbus Transportation LLC, located at 3810 Lacon Road (Parcel #050-004914) is granted a conditional use for "Truck and Heavy Equipment Repair" and "Outdoor Storage Accessory to a Permitted Use Exceeding Ten Percent of the Total Area of the Lot or Parcel" and will comply with the provisions of Hilliard Code Section 1123.17(c) and conditions of approval as set forth by the Planning and Zoning Commission and Board of Zoning Appeals.

**SECTION 2.** Failure to obtain any necessary Zoning Certificate or Certificate of Occupancy shall invalidate the Conditional Use approval granted by City Council.

**SECTION 3.** This Conditional Use approval in accordance with Section 1123.05 of the Hilliard City Code shall expire 12 months after it is granted, unless construction is complete or commencement of the use has begun, or significant progress has been made towards its initiation.

**SECTION 4.** Any expansion of the approved Conditional Use requires a final determination by City Council in accordance with Hilliard Code Chapter 1123.

**SECTION 5.** The Planning Director, City Engineer and Director of Building Standards are authorized to approve any necessary administrative changes to the approved site plan necessary to carry out the terms of this conditional use.

**SECTION 6.** 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**

**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: **23-R-51** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

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



## City Council

Real People. Real Possibilities.

<b>Subject:</b>	2023 Sanitary Sewer Cleaning and CCTV Program, Part 1 (CIP S-33)
<b>From:</b>	Michelle Crandall, City Manager
<b>Initiated by:</b>	Clark Rausch, City Engineer, Engineering Division
<b>Meeting Date:</b>	June 26, 2023

### Executive Summary

This is a project to clean and televise 49,623 linear feet of sanitary sewer ranging in size from 8-inch to 12-inch diameters. These sanitary sewers are located within public right of way and backyard easements in Old Hilliard, as well as the Avery, Colonial Lanes, Highland Meadows, and Villages at Hayden Run subdivisions. The project also includes the cleaning and televising of a 24-inch diameter storm sewer that acts as an outlet for the retention ponds along Heritage Club Drive.

### Staff Recommendation

Staff recommends that Council approve a construction contract with Metropolitan Environmental Services, Inc. in the amount of \$162,700 for the cleaning and closed-circuit televising of sanitary sewer in order to meet the City's requirements to conduct a physical survey of the sanitary sewer system as outlined in the City's Sewer System Evaluation Study (SSES) submitted to the Ohio Environmental Protection Agency (OEPA). Staff also recommends that City Council approve a construction administration contract in the amount of \$16,300 with the City's engineering design consultant, CDM Smith, for construction administration and assistance during construction, as well as \$16,300 allocated for City staff for inspection during construction.

### Background

The City of Hilliard owns and maintains the sanitary sewer collection system in Hilliard. The City of Columbus treats the sanitary sewerage generated and collected by Hilliard. The City of Hilliard is defined as a satellite community of the City of Columbus sanitary sewerage system, as defined in the OEPA's Findings and Orders, authorized in Hilliard Ordinance No. 08-68. The City was required, per the OEPA Findings and Orders, to conduct and submit a Sewer System Evaluation Study (SSES) to OEPA. This SSES must include a physical survey of the sewer system and location identification of material sources of infiltration and inflow (I&I) entry into the sewer system and any structural deficiencies within the sewer system that may cause or contribute to sanitary sewer overflows (SSO) or water in basements (WIB). As a means of meeting the above SSES requirements, the City has established an Annual Sanitary Sewer Cleaning and CCTV Program, CIP S-33, which is included in the City's five-year Capital Improvements Plan.

### Financial Impacts

The approved 2022 Capital Improvement Budget allocated \$112,100 for CIP S-33, and the 2023 Capital Improvement Budget allocated \$104,000 for Sanitary Trunk Sewer Maintenance, CIP S-43. The 2022 budget funds were carried over into fiscal year 2023, providing \$216,100 for the 2023 Sanitary Sewer Cleaning and CCTV Program, Part 1, CIP S-33 (aka "CIP S-33, Part 1"). The CIP S-33, Part 1 included a base bid, as well as alternate bid items to be completed as the City budget allows. The low base bid for CIP S-33, Part 1 was submitted by Metropolitan Environmental Services, Inc. in the amount of \$118,708.04. Metropolitan also submitted a bid of \$29,193.36 for the alternate bid items. This Resolution is requesting City Council approval of a contract with Metropolitan Environmental Services, Inc. for an amount not to exceed \$162,700. This amount includes the base bid and the alternate items, as well as a 10% contingency for any cost overruns during construction. The Council Resolution is also requesting \$16,300 be allocated to the City's engineering design consultant, CDM Smith, for construction administration and assistance during construction, as well as \$16,300 allocated for City staff for inspection during construction.

### Expected Benefits

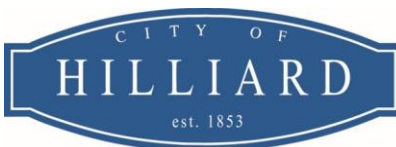
The sewer cleaning portion of the project will ensure the City sewer mains that are part of this project are free of tree roots and/or debris that could potentially cause future sewer backups. The televising portion of the contract will assess the condition of the sewers and note any sections of sewer that are structurally unsound. This information will be useful to both City staff and the City's consultant engineering staff in determining which City sewers require lining to restore



their structural integrity. This work would be performed as part of the City's future CIP S-37, Sanitary Sewer Lining Program.

**Attachments**

[Resolution No. 23-R-52 \(CIP S-33 Sanitary Sewer Cleaning & CCTV\) - Pdf](#)



Resolution: 23-R-52

Adopted:  
Effective:

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**AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR CIP S-33, THE 2023 SANITARY SEWER CLEANING AND CLOSED-CIRCUIT TELEVISIONING (CCTV) PROGRAM, PART 1; AND AUTHORIZING THE EXPENDITURE OF FUNDS.**

**WHEREAS**, the City of Hilliard owns and maintains the sanitary sewer collection system in Hilliard; and

**WHEREAS**, the City of Hilliard is defined as a satellite community of the City of Columbus sanitary sewerage system, as defined in the Ohio Environmental Protection Agency's (OEPA) Findings and Orders, authorized in Ordinance 08-68; and

**WHEREAS**, the City is required, per the OEPA Findings and Orders, to conduct and submit to OEPA a Sewer System Evaluation Study (SSES); and

**WHEREAS**, the SSES must include a physical survey of the sewer system and location identification of the following; hydraulic deficiencies within the sewer system; material sources of infiltration and inflow (I&I) entry into the sewer system; and structural deficiencies within the sewer system that cause or contribute to sanitary sewer overflows (SSO) or water in basements (WIB); and

**WHEREAS**, as a means of meeting the above SSES requirements, the City has established an Annual Sanitary Sewer Cleaning and Closed-Circuit Televising (CCTV) Program (CIP S-33) ("CIP S-33") and a Sanitary Trunk Sewer Maintenance Program (CIP S-43) ("CIP S-43"), which are both included in the City's Five Year Capital Improvements Plan; and

**WHEREAS**, the City has implemented a ten-year rotation cycle to undertake CIP S-33 and CIP S-43 as part of its annual sewer maintenance program, as well as to meet the OEPA's SSES requirements, with 2023 being the eighth year of the program's current rotation cycle; and

**WHEREAS**, CIP S-33, Part 1 includes a base bid and alternate bid items, with the City Engineer's estimated cost for the base bid being One Hundred and Sixty Four Thousand Four Hundred and Thirteen Dollars (\$164,413.00); and

**WHEREAS**, funds for the Project in the amount of \$112,100.00 were appropriated in the 2022 Capital Improvement Budget by Ordinance No. 21-41, passed by Hilliard City Council on December 13, 2021, with such funds carried over into fiscal year 2023; and

**WHEREAS**, funds for the Project in the amount of \$104,000.00 were appropriated in the 2023 Capital Improvement Budget by Ordinance No. 22-38, passed by Hilliard City Council on November 14, 2022; and

**WHEREAS**, pursuant to Section 3.10 of the City's Charter, authorization to fund CIP S-33 may be established by resolution of Council.

**WHEREAS**, after having duly advertised for bids for two consecutive weeks, the City publicly opened bids at 2:00 p.m. on June 13, 2023, and Metropolitan Environmental Services, Inc. ("Contractor"), who submitted a base bid in the amount of \$118,708.04, was determined to be the lowest and best bidder; and

**WHEREAS**, the contractor submitted a bid in the amount of \$29,193.36 for the alternate items in the bid.

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

**SECTION 1.** An expenditure is authorized from Fund 304 Object 55 in an amount not to exceed \$195,300.00 to pay the cost of CIP S-33, Part 1.

**SECTION 2.** The City Manager is authorized to enter into a contract with Metropolitan Environmental Services, Inc. for the 2023 Sanitary Sewer Cleaning and CCTV Program, Part 1 (CIP S-33) in an amount not to exceed \$167,200.00, which includes the base bid, the alternate bid items, and a 10% contingency to pay for any cost overruns associated with the Project.

**SECTION 3.** The City Manager is authorized to enter into a contract modification with CDM Smith, the design engineer for CIP S-33, Part 1, in an amount not to exceed \$16,300.00 to provide required construction administration and assistance services.

**SECTION 4.** The City Manager is authorized to pay the cost of city staff services to provide construction inspection services for CIP S-33, Part 1 in an amount not to exceed \$16,300.00.

**SECTION 5.** The Finance Director is authorized to make any accounting changes necessary to revise the funding source for any contract or contract modification associated with the expenditure of funds.

**SECTION 6.** 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

**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: **23-R-52** passed by the Hilliard City Council on the of

IN TESTIMONY WHEREOF, witness my hand and official seal on the of

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