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AGENDA

Committee of the Whole

5:30 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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Committee of the Whole - June 26, 2023

	Page
1. Call to Order	
2. Roll Call	
3. Approval of Minutes	
A. May 22, 2023, Committee of the Whole 05222023 COW - FINAL	3 - 7
4. Business	
A. Solid Waste and Recycling Update Memo: Solid Waste and Recycling Update - Pdf	8 - 15
B. Proposed changes to Chapter 1115.04 Hilliard Conservation District Requirements Memo: Proposed changes to Chapter 1115.04 Hilliard Conservation District Requirements - Pdf	16 - 24
5. Items for Discussion	
6. City Manager Updates	
7. Adjournment	



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Committee of the Whole - May 22, 2023

CALL TO ORDER

President Tarazi call the meeting to order at 6:15 PM.

ROLL CALL

Council Members Present:

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

Excused:

Mr. Andy Teater

Staff Members Present:

City Manager Michelle Crandall, Clerk of Council Diane Werbrich, Assistant City Manager Dan Ralley, Law Director Phillip Hartmann, Deputy Chief of Police Ron Clark, and Planning Director John Talentino

APPROVAL OF MINUTES

President Tarazi asked if there were any changes to the March 27, 2023, Committee of the Whole meeting minutes. Hearing none, the minutes were approved as submitted.

BUSINESS

A. Charter Review Discussion

President Tarazi stated last year he proposed allowing virtual attendance at meetings and he noticed the City of Reynoldsburg just passed a Charter change to allow virtual or electronic meetings. He quoted "specifically for special or emergency meetings to be held virtually or electronically under the discretion of the President of Council or Chair of any board or commission if the meeting is broadcast live in a manner generally accessible by the public." He noted this is worth Council consideration because when something has come up in the news or the City Manager sent an email that Council would like to discuss it. President Tarazi felt that rather than a lot of emails going back and forth, a virtual meeting could be held on a special or emergency basis and is worth considering. Mr. Carrier remarked he does not think it is a bad thing. President Tarazi restated that it is worth considering.

President Tarazi reported the City's current Charter states the Director of Law and Director of Finance are both to be approved by the City Manager and work at the City Manager's discretion. He stated in the City of Dublin the Director of Law and Director of Finance shall be appointed and removed by the City Manager subject to the consent and approval of Council. The Director of Law and Director of Finance shall serve at the pleasure of the City Manager and Council. President Tarazi added both the City Manager and Council oversee those positions. He reported in the City of Upper Arlington, the City Attorney shall be appointed and serve at the pleasure of Council so the City Manager does not appoint this position, Council does. The Finance Director in Upper Arlington shall serve at the pleasure of the City Manager but may be removed at the recommendation of the City Manager upon approval of such recommendation by at least five Council members. President Tarazi said there are levels of protection for both the Finance Director and Law Director, which are treated different than any other director for a reason. He noted the City of Columbus Charter states the City Attorney is elected for a term of four years as well as an elected Auditor, which is similar to the City of Lima where both the City Auditor and Law Director are both independently elected. President Tarazi continued the idea is those two positions need separated to some degree from both Council and the Administration so there is independence or to avoid a scenario where there is pressure from one side or the other to give either biased legal or financial advice. He thinks any one of these are worthwhile improvements that Council could make to the Charter but he personally prefers an independent Law Director and the Finance Director to be terminatable upon approval of Council but he is open for discussion to see if Council is open to any of these changes in order to make the City more consistent with surrounding jurisdictions on how those things are handled.

Mr. Carrier stated if the goal is to create an independent Law Director, then he would prefer that it be an elected position, then that person answers to the public every so many years like in the Cities of Lima and Columbus. President Tarazi added there are many other examples, but he just selected those to show how they operate. Mr. Carrier continued that for him, the people having a say and the ability to do that, he does not know where you could go wrong. He asked that Mr. Teater's email of his opinion on this matter be added to the record. He stated he understands what Mr. Teater said that doing these things without a Charter Commission could be problematic, but he feels this is cut and dry. Mr. Carrier continued that what Council has run into and continues to run into is disagreements around communication or some of the things that are happening and this might be one way that can solve some of those disagreements. He added that he was not a fan of electric aggregation but when it was brought before Council, there was no way he was not going to bring it to the public for a decision. If the community wants electric aggregation the community can vote on it and he does not see that as being any different than bringing the Law Director issue to the forefront and to the community. Mr. Carrier commented that Council gets into a dangerous situation when they decide the community does not have a say in a change in government. He noted no one is perfect, they drafted the City Charter and the Charter Commission approved it but have run into some kinks. It is not impossible to ask the community to think about this change and then let the community decide. He is for the community looking at this and to have a say and feels it would be very problematic to not let the community chime in as to whether this makes sense or not. Mr. Carrier stated he has a lot of questions about the position itself since it is tucked in the budget. President Tarazi clarified that if the Law Director is elected that does not mean that elected person could not hire a firm like Frost, Brown, Todd or another big firm to do most of the work. It just means that person is an attorney and an elected person in the City of Hilliard and their responsibility would be that independent conscience and voice to tell the City Manager and Council when they are out of line and neither can do anything about it because they are independently elected. He said that makes the most sense to him and other cities do it that way but he did not find any city that does it the way the City does it. This is about structural improvement as to whether there is an independently elected Law Director who then can hire any outside counsel they choose for specialized skill sets that may be needed. President Tarazi mentioned Ms. Werbrich asked what happens if a Law Director is elected who does not have municipal experience and said that is not a huge deal because a lot of the judges who get elected downtown initially do not have any experience and they learn on the job. In this instance, the Law Director would be learning on the job but could hire any outside counsel if this is the method that is approved. Mr. Carrier asked if President Tarazi envisions the Law Director position as a full- or part-time position. President Tarazi replied that gets into the scope and in other cities Council sets the salary for the Law Director. Mr. Carrier stated and that would determine if the position is full-time or part-time. President Tarazi agreed.

Mr. Carrier asked if Mr. Hartmann is considered full- or part-time with the City of Hilliard. Mr. Hartmann replied he is an independent contractor. Mr. Carrier followed up that Mr. Hartmann works for Hilliard and does what is required under his contract and asked if he works for other municipalities or does other things. Mr. Hartmann replied yes. Mr. Carrier reported the City spends approximately \$600,000.00/year in legal expenses and asked if the cost is more than that. Ms. Crandall replied that the City has two staff attorneys but she does not have the budget in front of her to know what the numbers are. Mr. Carrier asked if Frost, Brown, Todd hires and pays others from their firm to do things like collective bargaining and other specialized services and if so does Mr. Hartmann get paid also. Mr. Hartmann replied that he is a partner so he does not get paid or a portion of anything. Mr. Carrier asked if Mr. Hartmann does not get a fee on top of what he is paid by contract from the City. Mr. Hartmann replied no. Mr. Carrier reported that he noticed in Mr. Hartmann's contract that he makes \$20,000.00/month for services to the City and asked if Mr. Hartmann knows how much he made per month when he started with the City. Mr. Hartmann replied that he knows it is not a lot but it is actually \$19,500.00/month and not \$20,000.00/month. When he started with the City under the Mayor, the Mayor had received bids from him and one other who was at \$25,000.00/month and he was at \$20,000.00/month. Then the Mayor whittled down the services they had to do because the Mayor just thought they would come to meetings. He believed it went down to \$13,500.00/month. Mr. Carrier asked how long Mr. Hartmann has been the Law Director for the City. Mr. Hartmann replied he was hired in 2018 or 2019.

President Tarazi clarified that the current Organizational Chart, the City Manager appoints the Law Director who serves at the pleasure of the City Manager and additionally there is a legal staff. It has never made sense to him what the legal relationship in terms of responsibility is between the two. He noted it has been explained to him before and he is not saying anyone is doing anything wrong but feels it is much cleaner if there is one elected person, one person appointed by Council or any of the options discussed and then all legal staff report directly to that person. President Tarazi reported it is a cleaner way and other cities do it which he thinks there is room for improvement.

Mr. Marsh recalled when Mr. Hartmann's firm was selected the City would get the benefit of the entire firm at a monthly rate, because clearly the City is not going to hire 4 to 10 staff attorneys. From a budgeting standpoint, it made sense to use the expertise of his firm as needed and sometimes Mr. Hartmann works on things and sometimes others in his offices do and is why Council thought it made financial sense. He stated he would challenge the base premise that our Law Director is not independent and a specific question in April 2018 was who does the Law Director work for, the City Manager or Council and the person who answered that was Mr. Carrier who said the Law Director works for the City. Mr. Marsh continued that means Mr. Hartmann sometimes gives advice that the City Manager, Council members or the audience does not like but that is what he is supposed to do in that role. His concern, and he does not think the City has a problem, is that if there were a problem, he cannot think of one time in his life that he said that problem needs a politician because that will fix it and have seen how that works. Mr. Marsh continued there are not a whole lot of republicans that would say the Franklin County Prosecutor or Columbus City Attorney are doing a good job and there are not many democrats who would say the State Attorney General is doing a great job. He explained that when the position is elected, politics is introduced and you cannot get around that because that person is inevitably part of that. He said another reason he does not think an elected person is the right choice is that he went back and former Council member Tom Baker did a five point chart on why he believed it was important for the City to move from an elected administrative leader to a professional administrative leader. Tweaking the first two to fit the Law Director role he read the following: Can we consistently find a Law Director who 1) has experience in municipal law, 2) has experience in city charters, state laws and local government and their interactions, 3) has the personnel management expertise to direct staff that includes in-house attorneys, diversion program staff and potential outsourced law firms, 4) given that the person meets this criteria is the person a) in the right time of their life from a business employment standpoint to leave behind a practice to take on this role and b) in the right time of their life from a family time commitment standpoint to run a campaign for election and potentially take on the responsibilities of the Law Director and 5) given that they meet everything else above, can they get elected to the position. Mr. Marsh stated he has come to the same conclusion on this as when Council decided to move to a City Manager form of government. The Central Ohio marketplace is far too competitive to risk the reputation of the City of Hilliard on an elected politician being the Law Director and is why he cannot support that concept at all. He continued that he wanted to address the argument to "just put it on the ballot and let the people decide" and certainly there is a school of thought of elective representatives that were simply tribunes of the people and the right way to represent is to stick your finger in the air to find which way the wind is blowing. You see that all over the place sometimes all of the time and sometimes selectively. Mr. Marsh noted that he has stated in emails, that he does not subscribe to that philosophy. The philosophy he subscribes to as an elected representative is the same as Edmund Burke, an 18th century political philosopher/statesman in Britain who said it is Council's responsibility to provide their best judgement. The full quote is as follows: "Your representative owes you not his industry only but his judgement and he betrays instead of serving you if he sacrifices it to your opinion." Mr. Marsh commented that if he believed in an idea as bad and as dangerous as the one presented, it would be a betrayal of his Oath of Office to put it in front of the people. He thinks it is Council's duty to use their faculties and make the best decisions as they can and others can have different opinions on it and for those reasons he is not supportive of moving the proposal of an elected Law Director proposal forward. President Tarazi replied that he is open to any of the three proposals for the Law Director position because all of them are an improvement to where the City is now and asked if Mr. Marsh is open to supporting the way either the Upper Arlington, Dublin a combination thereof or no change at all. Mr. Marsh replied no because that goes back to the question, before the Law Director, was about Council approval of three different offices: Law Director, Finance Director and Public Service Director which was part of the conversation five years ago. He recalled there was a robust debate on that and at the time Mr. Teater thought Council should approve certain positions but ultimately Council decided as a body, and he still thinks this is best. If Council is going to hold the City Manager to the high standards, responsibilities and expectations it only makes logical sense to allow the City Manager to put together a team that he/she would feel is best to deliver on those expectations. If Council starts hamstringing things or introducing their own politics into those decisions, then Council is potentially causing detriment to the City. Mr. Marsh thinks that what was settled on was the best course of action and he has not seen anything to date to give him any reason to think otherwise. President Tarazi asked Mr. Marsh why the Cities of Dublin, Upper Arlington and others specifically call out the Director of Law and Director of Finance for special treatment. He continued that everyone is wrong in all of this and Hilliard has found the right way. President Tarazi remarked here is where the push back is and he does not want to personalize it, but in an abstract world, City Council is dependent on the financial information they receive from the Finance Director, the legal advice from the Law Director and advice from the City Manager. If those two jobs can be terminated at any moment at the pleasure of the City Manager or if there is any kind of conflict and they know what the City Manager wants versus what Council wants there would be an imbalance in the system. If a Finance Director sees things going in the wrong direction and the City Manager does not want that information out, how would that affect their job. If the Finance Director knows they cannot be

fired by just the City Manager acting alone or on a moment's notice because they would also have to get five votes of Council so there is a balance of protection so Council will have truly independent advice from the Finance and Law Directors. President Tarazi noted structurally that makes a lot of sense and is why it is done that way. Mr. Marsh replied that is certainly a reason it could be but not necessarily the reason and it could be the seven members of Dublin City Council at that time wanted power and authority of their own but he does not know because he was not there. He added it introduces politics into some of the decision making, particularly in the hiring process. For example if our or the Dublin City Manager has a great candidate they like and whatever the political issue may be, there are four council members who decide they do not want that kind of person to be the Finance Director and that decision is not based on that candidate's performance as a Finance Director or their financial mind. He does not believe that should be an option because then Council is hamstringing the City Manager who ultimately is the one Council can still hold responsible. If there is a pattern of firing or false information, those are things Council has recourse to address with the City Manager if those ever happen. He added he has not even seen that come close to happening and to him this is a solution in search of a problem. President Tarazi remarked that he does not want to get into a contentious debate but feels there has been problems as it relates to multiple instances where Council was given misleading or incomplete information. He added this is not personal and is something for the next 50 years and does address some things that this would fix but if this was in place a number of meetings or issues would have been handled or have come out differently. Mr. Marsh replied that one thing that Council needs to keep in mind is that the City Manager does not work for any one Council member but for the majority and if one Council member does not feel like they received some information, then have a personal conversation with the City Manager. If the entire body of Council thought it was a problem, it would have been raised by now so changing the City Charter because one, two or even three members are not happy with a particular thing does not make sense to him. President Tarazi stated that Mr. Marsh's position is clear that he thinks how Dublin, Upper Arlington, Columbus and all of the rest that do it that way and how it is done here is better and he does not want any question brought to the voters. He asked if that summarizes his position. Mr. Marsh agreed.

Vice President Vermillion stated the question on the electric aggregation, which keeps coming up at every meeting, is a very different situation than the proposed Charter changes. She reported City Charter Section 12.07 addresses the Charter Review Commission and she believes it is there for a reason because Council does want that community input. A mechanism for community input is to have a Charter Review Commission and in order to do this correctly, that is the way Council needs to go. Vice President Vermillion reported there was reference made to some kinks in the Charter and is largely sometimes a personal perception because some perceive there are major problems with the Charter but as Mr. Marsh just mentioned, most of Council believe there are no major problems. There may be some things that Council could look at but again she believes the proper forum is to go through a Charter Review Commission to do that. She acknowledged that it was brought up that if Council members did not support this effort that they somehow do not want the community to have a say or voice, which is not true. She referenced the Charter Review Commission again and said they want the community to have a voice, a thoughtful voice to discuss and think about it. Vice President Vermillion noted the last Charter Review Commission met for a long time discussing the entire Charter and she feels is the appropriate way to do this by really looking and analyzing things. She mentioned this is a huge change that President Tarazi is proposing and she does not think doing it this way does the residents any good. She noted that the Charter Review Commission that did consist of residents was ignored on the question of the form of government and not that she is unhappy with the form of government because she likes it. Vice President Vermillion cautioned about throwing out that "we" do not want the community to have a say, when we actually do. Vice President Vermillion believes the Council in place in 2019 hired an excellent City Manager and she is happy with Ms. Crandall's knowledge and capability and she has what it takes to make those important decisions about the legal team, Finance Director and finance team. She added the discussions that have taken place at the last few meetings have devolved into very political discussions so she understands where Mr. Marsh is coming from. Vice President Vermillion stated they want to make this a body that works for the people of Hilliard and not just always making everything political. She believes the proposed changes have their basis in certain Council members feeling personally aggrieved for whatever reason and this needs to be done thoughtfully through a Charter Review Commission. President Tarazi responded that Vice President Vermillion is taking one part of the Charter which talks about the Charter Review Commission every ten years. If Council was to exclusively use that for any Charter change then there would not be the other part that calls for a citizen-lead petition drive and any one of them can collect 950 signatures on any Charter change and send it to the voters. The Charter also says seven members can choose to send something to the voters for approval because ultimately taking it to the voters, is the vote and is what matters. He continued that if it is Vice President Vermillion's view that there is one part of the Charter, therefore the other two parts do not exist, they are both equally there and it can be done in any one of those three ways. President Tarazi reported if Vice President Vermillion does not believe this should be talked about for another ten years through the Charter

Review Commission, that does not mean the other two methods do not exist and are equally valid ways of addressing Charter changes. Vice President Vermillion agreed and stated a Charter review is at a minimum of every ten years and Council does not have to wait ten years. She thinks these are major changes that need a very thoughtful, methodical approach and is not what has happened here. President Tarazi replied that what they are talking about are the Cities of Columbus, Upper Arlington and Dublin who are located immediately next door to Hilliard and all have it different than Hilliard. President Tarazi asked if Council were to empanel a Charter Review Panel of some variety of the public to look at this issue, would Vice President Vermillion support that or does she want to wait ten more years. Vice President Vermillion replied that she is not prepared to answer that right now and is only looking at what was handed to her as she sat down at the meeting and she had not had the opportunity to look at it before the meeting.

Mr. Carrier stated the ultimate community input is by the community voting. President Tarazi said that this idea that there is anything removed from politics, he completely disagrees with that argument. He continued that how the City changed to a City Manager form of government was all politics, Mr. Marsh's presence on Council is all politics. In fact, Mr. Marsh was the deciding vote on a lot of it is all about politics. He noted Council still has to make the best decision on how to proceed.

Ms. Cottone reported that she has nothing to add that has not been said in Mr. Teater's email or in Mr. Marsh or Vice President Vermillion's comments. President Tarazi commented that it sounds like four Council members have decided that they would not support any Charter change or Charter Review Commission at this time. Ms. Cottone replied she has not talked to any other Council members if that is what President Tarazi is suggesting, but they have said everything that she would have said and there is no reason to add to what has been said or to what she said two weeks ago. President Tarazi asked if Ms. Cottone would support a Charter Review Commission to review this topic. Ms. Cottone replied she would not at this time.

Procedures were discussed: Council Rules 4.02, 4.03, Charter Section 3.02 and 3.03.

Ms. Cottone asked if Council was not going to vote on this now. Mr. Hartmann replied that someone could make a motion then it could be voted on. President Tarazi commented that it is pretty obvious that it is three to three or four to three. Ms. Cottone stated she just wanted to understand the process and if Council quits talking about it, then nothing happens. President Tarazi replied potentially nothing could happen but he thinks there are things in the Charter of merit to such a degree that is worth his time to start circulating a petition and he has volunteers to do that. He continued if Council is uninterested in making these improvements, we will go from there.

ITEMS FOR DISCUSSION - NONE

CITY MANAGER UPDATES - NONE

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

STATUS:	Carried 7-0
MOVER:	Mr. Carrier
SECONDER:	Mr. Marsh
AYES:	Carrier, Marsh, Tarazi, Vermillion, Cottone, Hale
EXCUSED	Teater

ADJOURNMENT

Omar Tarazi, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____



Committee of the Whole

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Subject:	Solid Waste and Recycling Update
From:	Michelle Crandall, City Manager
Initiated by:	Dan Ralley, Assistant City Manager, Community Development Larry Lester, Director of Operations, Operations
Meeting Date:	June 26, 2023

Executive Summary

The City of Hilliard's contract with Local Waste for curbside solid waste, recycling and yard waste pick-up will expire on June 30, 2024. With assistance from SWACO, the City of Hilliard has been exploring options for providing solid waste services starting in July 2024. SWACO has established a consortium bidding process for Central Ohio communities in an effort to improve services and standardize portions of the collection process.

Andrew Booker from SWACO and Joe Durham from Eastman & Smith will present an option for Hilliard to join an existing consortium contract for solid waste, recycling and yard waste in July 2024. This consortium contract, which is utilized by Gahanna and Reynoldsburg, would allow Hilliard to continue the same service levels and collection day with Local Waste for an additional two and a half years at a price significantly below recent bids for these same services in Central Ohio.

Attachments

[2-28-23 E&S Memo re Comparison of Reynoldsburg Gahanna and Hilliard collection and RPA Solid Waste Presentation](#)

EASTMAN & SMITH LTD., MEMORANDUM

To: Andrew Booker, SWACO; Joseph R. Durham, Esq.

From: Elizabeth A. Johnson, Esq.

Date: 2-28-23

Re: Comparison of Gahanna/Reynoldsburg and Hilliard collection and Recycling Processing Agreements

COLLECTION AGREEMENTS

	Gahanna/Reynoldsburg	Hilliard
Hauler	Local Waste	Local Waste
Contract end date	12/31/2024 (2 additional 1-year ext.)	6/30/2024
Price	\$20.47 per month (contract and extensions)	\$19.73 per month
3.1 Frequency	Weekly SW, Recycling, YW	Weekly SW, Recycling, YW
3.6 Recycling containers	City provides 64 gal. Residents can rent add'l for \$3.50/ mos.	City provides 65 ga. (95 gal available at no cost)
3.7 Collection containers for SW and YW	SW – Contractor provides 95 gal. YW- Residents provide Residents can rent add'l containers for \$3.50/mos.	SW – City provides 65 gal. (95 gal. available for \$50) YW- per RFP, residents provide
3.8 Bulk collection	On regular collection day	RFP states on regular collection day
3.12 Collection at special events	Contractor provides 40yd containers for SW and Recycling, for special events, upon request, plus up to 2 additional special events per year, at no cost. Also, provide up to 30 yards capacity for minor remodeling of City facility, up to 5 pulls/ year, at no cost.	Contractor provides 30 yd for up to 5 special events/ year (incl. spring cleanup, July 4 th , Fall fest) at no cost. RFP indicates base bid price includes special event collection at no charge
6.1 Billing	Collection contractor bills City monthly, City bills residents, City to pay within 30 days.	City bills for SW, Recycling, YW and pays contractor monthly
Billing charge	--	
6.5 Fuel Adjustment	For CNG quarterly adjustment (+/- \$.25), upon request. CNG base \$2.459.	PER RFP -Calculated each month, and paid to the contractor on a quarterly basis. Current Month Cost per gallon minus \$3.009 (base cost). This difference shall be multiplied times the actual fuel used to calculate the monthly fuel adjustment. The adjusted fuel cost per quarter billing shall be the sum of the three-monthly fuel adjustments in that quarter
6.8 Sr. Citizen Discount	For residents 60 years and older, discount of 10% or \$1.50 (whichever is greater)	For residents 65 years and older \$17.76/mos.

RECYCLING PROCESSING AGREEMENTS

	Gahanna/Reynoldsburg	Hilliard
Contractor	Rumpke	Local Waste
Contract end date	12/31/2023	6/30/2024
Renewal	Yes, 3 additional 1-year terms	No
Price	\$35/ ton maximum (entire term and renewals)	Covered in annual fee?
Revenue Sharing	Yes- rebates up to \$20 per ton	NO
Residuals cost	\$59 per ton	--
Processing fee	\$90 per ton	--
Net Value	Same	--
Fee Adjustments	Rumpke reserves the right to adjust processing fee annually.	--

Solid Waste and Recycling Update

City Council

June 26, 2023



Date

Current Contract Expires 6/30/24

- Service Provider – Local Waste
- \$19.73 Rate – City bills 2x a year
- Local bills City monthly & includes recycling processing - (\$173k monthly – residential/seniors split out)
- Seniors \$17.76
- Hardship discount available but not part of the contract – this discount is absorbed by Hilliard and can be 50% of total amount – small number (100)
- Back door 38 & Seniors 1,895
- Total Units – 10,339
- Carts - Trash & Recycling 65 gallon* (City owned)
- Condos trash 35 & 65* recycling (most 1 or 2 story with cart service)
 - *95 gallon recycling available for free; 95 gallon for trash available for \$ 50.00



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THIS IS NOT A BILL – BILLS WILL BE MAILED IN JULY

Hilliard Trash Collection Fact Sheet Effective July 1, 2021– June 30, 2022

Recycling Saves Money

Recycling preserves the environment, saves energy, keeps recyclable materials out of landfills and creates and maintains local jobs. Increasing our recycling rate by just 1% saves money and this savings can be passed on to residents.

Tuesday Waste Collection

Trash, recycling, and yard waste must be placed outside for collection between 5 p.m. Monday and 7 a.m. Tuesday. If a holiday falls on a Monday or Tuesday, collection will be on Wednesday. From December 1 to March 31, yard waste is not collected separately and can be merged with other solid waste.

Senior Discount

Residents who are at least 65-years old on or before June 30, 2021 (born before June 30, 1956) can get a senior discount. Visit www.hilliardohio.gov/trash to download an application or visit City Hall at 3800 Municipal Way. ***If you already have the senior discount, you do not need to reapply.***

Billing

The City is responsible for billing. Residents will be billed semi-annually at the rates in the table below.

	Rates	Regular Semi-Annual Billing	Annual Discounted Billing	Annual Discounted Savings
Residents	\$19.73/month	\$118.38	\$213.09*	\$23.67
Seniors (65+)	\$17.76/month	\$106.56	\$191.81**	\$21.31

* Residents receive a 10% discount for paying the annual discounted trash bill by August 31, 2021.

** This amount reflects the senior discount and the 10% annual discount.

Container Sizes

Each single-family residence and condominium receives trash and recycling wheeled containers with hinged lids.

	Trash Container Sizes	Recycling Container Sizes
Single-Family Residence	65-gallon container	65-gallon container
Condominium	35-gallon container	35-gallon container

To encourage recycling, the City will provide a 95-gallon recycling container at no additional cost. A \$50.00 fee will be charged for a 95-gallon trash container. If you need a container or want a larger container call (614) 876-7361 ext. 311.

Contact Us

You can report a missed pick-up by calling (614) 876-7361 ext. 311 or by utilizing Hilliard Mobile 311. (www.hilliardohio.gov/hilliard311)

Still have questions? Please visit our website www.hilliardohio.gov/trash.

SWACO Consortium Option

- Existing Gahanna & Reynoldsburg Contract
- Expires 12/31/24 with two additional option years
- Would allow the continuation of existing service levels with Local Waste
- No changes to services that are utilized by residents
- Same collection schedule
- Very competitive pricing relative to the current market

SWACO

Andrew Booker, SWACO

Joseph Durham, Eastman & Smith



Committee of the Whole

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Subject:	Proposed changes to Chapter 1115.04 Hilliard Conservation District Requirements
From:	Michelle Crandall, City Manager
Initiated by:	Dan Ralley, Assistant City Manager, Community Development
Meeting Date:	June 26, 2023

Executive Summary

Councilmember Marsh will lead a discussion of proposed changes to the Hilliard Conservation District Zoning standards.

Staff Recommendation

That Council discuss the draft code section and any changes they would like to make to this document before referring it to the Planning Commission for their review.

Background

The Hilliard Conservation District zoning code forms that basis for residential development standards within the Big Darby region of Hilliard. Notably, the open space standards for development in this region are regulated by provisions within Chapter 1115.04.

Among the proposed changes included within this draft are the following requirements:

- Increasing the minimum open space requirements from 50% to 65% and requiring that 50% of the gross tract acreage be naturalized open space.
- Formally amending the boards and commissions that are notified of new submissions to include the Environmental Sustainability Commission and Brown Township.
- Clarifying open space and landscaping requirements to prohibit invasive species and formally require a five year maintenance plan for open space.
- Requiring that new residential structures be equipped so as to be ready for solar panel installations and electric vehicle charging.

Attachments

[Hilliard Conservation District Requirements 6.16.23](#)

DRAFT CODE SECTION AS PROPOSED WITH MARKUP CHANGES

1115.04 HILLIARD CONSERVATION DISTRICT REQUIREMENTS.

- (a) *Designing a Conservation Subdivision.*
 - (1) Delineate primary conservation areas as defined in the Big Darby Accord Watershed Master Plan (BDAWMP). Preserve as natural open space.
 - (2) Delineate secondary conservation areas as defined in the BDAWMP; preserve selected areas as common (improved) or natural open space.
 - (3) Draw building footprints outside the conservation areas. Draw the number of dwellings based upon the permitted density calculations, with lot lines.
- (b) *Review Criteria and Design Standards.*
 - (1) Dwellings should be oriented toward interior roads, rather than fronting on perimeter roads.
 - (2) Retain or replant native vegetation adjacent to wetlands and surface waters.
 - (3) Preserve existing hedge and tree lines to the extent practicable.
 - (4) Preserve scenic views and vistas.
 - (5) Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources.
 - (6) Preserve historic or archaeological sites (i.e. earthworks, burial grounds).
 - (7) Landscape or retain vegetation in common areas with native trees and shrubs.
 - (8) Place shade trees along internal roads on at least one side of the road.
 - (9) Provide active recreational areas in proximity to residential concentrations.
 - (10) Include a pedestrian circulation system, meaning a minimum of an eight-foot-wide asphalt multi-use path throughout the development.
 - (11) Protect natural drainage swales and creeks and prohibit buildings within the 100-year floodplain.
 - (12) Provide permanent open space, according in accordance with Section 1115.04(e)(4) and (5).
- (c) *Applicability.* The following Plan Approval Process shall be required for all rezoning and plats within the Hilliard Conservation District:
 - (1) *Pre-application meeting.* Hilliard staff ~~and Planning and Zoning Commission~~ will meet with the applicant and review a preliminary site development plan as presented by the applicant.
 - (2) *Proposal submitted.* Applicant shall submit the proposed development plan to the Planning Director or designee.
 - (3) *Staff Review Application Review.* City of Hilliard staff will review the proposed development plan and certify its completeness. Once certified complete, the application and certification will be forwarded to the Big Darby Accord Advisory ~~Board Panel, the Environmental Sustainability Commission for their advisory recommendations, and, if applicable, Brown Township Board of Trustees.~~ City of Hilliard staff will draft a report of the technical review findings which ~~will shall~~ be forwarded to the Big Darby Accord Advisory ~~Board Panel, the Environmental Sustainability Commission and, if applicable, Brown Township.~~
 - (4) *Big Darby Accord Advisory Meeting.* The Big Darby Accord Advisory ~~Board Panel~~ will hold a public meeting to review and make recommendations on the proposed project.
 - (5) *Big Darby Accord Advisory ~~Board Panel~~ Recommendations.* Recommendations from the Advisory ~~Board Panel~~ meeting will be forwarded to City staff, ~~and~~ the Planning and Zoning Commission, ~~and City Council.~~
 - (6) *Environmental Sustainability Commission and Township Review.* Comments and recommendations from the Environmental Sustainability Commission and Township shall be forwarded to City staff, Planning and Zoning Commission, and City Council.

- (7) City of Hilliard Staff Review. Following the recommendations of the Big Darby Accord Advisory Board Panel, Environmental Sustainability Commission, and Brown Township, the application will be reviewed by the City of Hilliard for compliance with all applicable zoning, engineering and City Codes, and shall follow the applicable review process for the application submitted for zoning and plats.
- (d) Application Requirements. A Final Development Plan shall be submitted which is drawn to a scale of at least 1" = 100' and contains the following information:
- (1) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development.
 - (2) A preliminary drainage plan with a letter of feasibility from a licensed professional engineer.
 - (3) An explanation of the method/structure and proposed documentation and instruments to be used to perpetually preserve the required open space.
 - (4) The proposed uses of the site, including any limitations or controls to be placed on each.
 - (5) A table or narrative description of how the proposed development conforms to all design guidelines in Hilliard Design Manual. This description should include information about how sensitive areas will be protected during construction.
 - (6) Location of buildings and structures.
 - (7) Streets, roadways, pathways, sidewalks and parking areas.
 - (8) Existing utility easements and proposed new easements to the extent known.
 - (9) Proposed lot sizes.
 - (10) Minimum setback and spacing requirements.
 - (11) Recreational facilities.
 - (12) Preserved open space areas and a description of proposed open space improvements.
 - (13) All commonly owned structures.
 - (14) A landscape plan that depicts and identifies all existing and proposed landscaping and entrance features. The landscape plan shall conceptually illustrate the typical elevations and cross sections of landscape features. No invasive species, as identified by the Ohio Department of Agriculture, shall be permitted in landscape plantings of common areas or initial planting installations at homes and/or site structures.
 - (15) Dwelling unit types, the total number of dwelling units proposed for the site density and the method used to calculate density.
 - (16) Primary conservation areas. Provide an initial five-year maintenance plan for all open space and/or wetland restoration areas including clear maintenance schedules that shall be the responsibility of the developer unless otherwise stated in a Development Agreement.
 - (17) Locations of stream channels, watercourses, wooded areas and buffer areas shall be designated. Existing topography and drainage patterns shall also be shown. No structure (other than approved drainage structures as shown on ~~F~~T the Development Plan or other approved structures, such as a park shelter house) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Franklin County.
 - (18) The location of all woodland preservation areas and natural topography preservation areas.
 - (19) Architectural design guidelines including materials, colors and typical renderings for structures and proposed procedures for controlling architectural design elements.
 - (20) Signs, including renderings of the sign elevations.
 - (21) The proposed provisions for water supply, fire hydrants, sewage disposal and surface drainage with engineering feasibility studies or other evidence of reasonableness.
 - (22) A preliminary traffic impact analysis based upon full build-out of the proposed development.
 - (23) The relationship of the proposed development to existing and anticipated uses of surrounding areas during the development timetable.
 - (24) Identification and location of all land dedicated to schools, parks and other public facility sites within or adjacent to the site.
 - (25) The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities. If the proposed timetable for development includes developing the land (including open space) in phases, all phases shall be fully described in textual form in a manner calculated to give City officials definitive guidelines for approval of future phases.

- (26) Unless specifically superseded by the standards contained in this chapter or those standards approved in the Development Plan, the development shall comply with the requirements contained in the Hilliard Design Manual. Except for density, and the percentage of required open space, the applicant may request a modification from the City of the development standards set forth in this chapter. An applicant making such a request shall specifically and separately list each requested modification and the justification therefore on the Development Plan submittals, with a request that the proposed modification be approved "per plan."
- (27) Deed restrictions, protective covenants, and other legal instruments to be used to control the land which is to be commonly owned and maintained as the open space.
- (28) The various plans that make up the Development Plan shall bear the seal of a professional engineer, surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio, and shall stamp their individual plans.
- (e) *Development Standards.* The following minimum requirements shall apply:
- (1) *Minimum tract size.* 20 acres.
 - (2) *Minimum lot size.* No minimum lot size.
 - (3) *Minimum setbacks.* Minimum required setbacks shall be determined as part of the review and approval process to allow maximum flexibility.
 - (4) *Open space dedication.* At least ~~65~~50 percent of the gross tract acreage shall be designated as permanent open space and at least 50 percent of the gross tract acreage shall be Naturalized Open Space.
Naturalized Open Space shall be defined as land preserved and/or maintained in a natural state to protect and maintain natural processes and the waters of the Big Darby Creek watershed including any paths or trails through them. Naturalized Open Space shall include woodlands of predominately native species, wetlands, or prairiesprairies. Naturalized Open Space shall not include mowed turf, playgrounds, sports fields or maintained landscapes.
Open spaces that have primary functions other than the protection and maintenance of natural processes would qualify towards the overall open space requirement but not the naturalized open space requirement.
 -The location of designated open space shall be identified on the development plan and shall be subject to approval by the City. Open space shall be owned, administered and maintained as identified on the Development Plan, as outlined in this Section. Required open space may be located off site, provided it is within the Big Darby Accord Planning Area.
- (5) *Open space calculation.* The following criteria should be considered when calculating the required open space dedication:
- A. Up to ~~5~~20 percent of the minimum required open space may be used for active recreation purposes in order to preserve a reasonable proportion of natural open space on the site, but cannot be located within any Tier I or Tier II land as outlined within the Darby Accord. The Development Plan shall specify the purposes for which open space areas are proposed. Any recreational facilities proposed to be constructed within open space areas shall be clearly shown on the Development Plan.
 - B. Open space that does not fit the definition of Naturalized Open Space may not be located within any Tier I or Tier II land.
 - CB. In calculating open space, the areas of residential lots conveyed to homeowners shall not be included.
 - DC. Primary conservation areas, stormwater management detention/retention ponds, and constructed wetlands acting as detention basins may count in their combined aggregate for up to 50 percent of the required open space. These areas shall promote the character and purpose of the HCD District, and shall incorporate naturalized edges, native plants and be designed to complement the existing topography and landscape.
 - E. To further the concept of a greenbelt around the western side of Hilliard, open space that is not immediately proximate to a development may be permitted, but for purposes of calculating open space and density this off-site open space shall only be calculated using the existing residential development rights. For example, undeveloped or agricultural land shall utilize Rural Residential

density limits of 0.2 units per acre. Additionally, all off-site open space shall be Naturalized Open Space.

- (6) *Number of dwelling units permitted.*
 - A. Maximum overall gross density for residential development within the Conservation District shall be one dwelling unit per acre.
 - B. Density Bonuses - Overall gross density may be increased as outlined below. Density bonuses are cumulative, but in no case shall the gross density exceed ~~two~~ 1.5 dwelling units per acre.
 - 1. For every additional 10 percent of the site that is dedicated as open space above the required 50 percent, an increase of .10 units per acre of the overall gross density of the site will be allowed.
 - 2. For significant voluntary stream restoration within the development site, an additional .10 units per acre of the overall gross density of the site will be allowed. Final determination will be required by the City.
 - 3. Up to an ~~An~~ additional .10 units per acre of the overall gross density of the site may be granted by the Planning and Zoning Commission, in its sole discretion, for other sustainable design elements.
 - 4. An additional 0.10 units per acre of the overall gross density of the site may be granted by the Planning and Zoning Commission, in its sole discretion, for extraordinary costs for regional serving infrastructure.

(7) Wetlands. A. Wetland creation, restoration, enhancement, and mitigation shall comply with all applicable State and Federal requirements. Wetland/littoral shelves are required for all wet ponds.

(f) *Design Standards.*

- (1) *Architecture.* Architecture in this District shall be designed in accordance with standards that are consistent with conservation practices and that emphasize the individual character of the property and surroundings.
- (2) *Roadways.* All roadways shall be designed in accordance with the engineering and roadway standards specified in the Hilliard Design Manual and best practices that minimizes light pollution. -
- (3) *Lighting.* Lighting shall be designed in accordance with the engineering standards specified in the Hilliard Design Manual, ~~each housing unit is required to be electric vehicle ready with appropriate wired conduit, electric capacity, and a receptacle in place for a Level 2 (240V) charger in a location that would best accommodate a charging station.~~ -
- (4) Solar panels. At a minimum, each housing unit is required to be solar ready with a wired conduit to the roof in a location that would best accommodate a solar installation.
- (5) Electric Vehicle Ready. At a minimum, each housing unit is required to be electric vehicle ready with appropriate wired conduit, electrical capacity, and a receptacle in place for a Level 2 (240V) charger in a location that would best accommodate a charging station. -

(g) Exceptions. Political subdivisions are not obligated to comply with the open space standards but shall comply with other requirements of this code section. -

(h) *Ownership of Open Space.* Common open space within the development shall be owned, administered, and maintained by one of the following methods, either individually or in combination, and subject to approval by the Planning and Zoning Commission:

- (1) Offer of dedication to City.
- (2) Homeowners association.
- (3) Condominiums.
- (4) Dedication of easements.
- (5) Transfer of easements.
- (6) Third-party ownership.

EXISTING CODE SECTION AS ADOPTED

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- (b) *Review Criteria and Design Standards.*
 - (1) Dwellings should be oriented toward interior roads, rather than fronting on perimeter roads.
 - (2) Retain or replant native vegetation adjacent to wetlands and surface waters.
 - (3) Preserve existing hedge and tree lines to the extent practicable.
 - (4) Preserve scenic views and vistas.
 - (5) Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources.
 - (6) Preserve historic or archaeological sites (i.e. earthworks, burial grounds).
 - (7) Landscape or retain vegetation in common areas with native trees and shrubs.
 - (8) Place shade trees along internal roads on at least one side of the road.
 - (9) Provide active recreational areas in proximity to residential concentrations.
 - (10) Include a pedestrian circulation system, meaning a minimum of an eight foot wide asphalt bike and walking path throughout the development.
 - (11) Protect natural drainage swales and creeks and prohibit buildings within the 100-year floodplain.
 - (12) Provide permanent open space, according Section 1115.04(e)(4) and (5).
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 - (1) *Pre-application meeting.* Hilliard staff and Planning and Zoning Commission will meet with the applicant and review a preliminary site development plan as presented by the applicant.
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 - (3) *Staff Review.* City of Hilliard staff will review the proposed development plan and certify its completeness. Once certified complete, the application and certification will be forwarded to the Big Darby Accord Advisory Board. City of Hilliard staff will draft a report of the technical review findings which will be forwarded to the Big Darby Accord Advisory Board.
 - (4) *Big Darby Accord Advisory Meeting.* The Big Darby Accord Advisory Board will hold a public meeting to review and make recommendations on the proposed project.

- (5) *Big Darby Accord Advisory Board Recommendations.* Recommendations from the Advisory Board meeting will be forwarded to City staff and the Planning and Zoning Commission.
 - (6) *City of Hilliard Review.* Following the recommendations of the Big Darby Accord Advisory Board, the application will be reviewed by the City of Hilliard for compliance with all applicable zoning, engineering and City Codes, and shall follow the applicable review process for the application submitted for zoning and plats.
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 - (5) A table or narrative description of how the proposed development conforms to all design guidelines in Hilliard Design Manual.
 - (6) Location of buildings and structures.
 - (7) Streets, roadways, pathways, sidewalks and parking areas.
 - (8) Existing utility easements and proposed new easements to the extent known.
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 - (15) Dwelling unit types, the total number of dwelling units proposed for the site density and the method used to calculate density.
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 - (27) Deed restriction, protective covenants, and other legal instruments to be used to control the land which is to be commonly owned and maintained as the open space.
 - (28) The various plans that make up the Development Plan shall bear the seal of a professional engineer, surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio, and shall stamp their individual plans.
- (e) *Development Standards.* The following minimum requirements shall apply:
- (1) *Minimum tract size.* 20 acres.
 - (2) *Minimum lot size.* No minimum lot size.
 - (3) *Minimum setbacks.* Minimum required setbacks shall be determined as part of the review and approval process to allow maximum flexibility.
 - (4) *Open space dedication.* At least 50 percent of the gross tract acreage shall be designated as permanent open space. The location of designated open space shall be identified on the development plan and shall be subject to approval by the City. Open space shall be owned, administered and maintained as identified on the Development Plan, as outlined in this Section. Required open space may be located off site, provided it is within the Darby Accord Planning Area.
 - (5) *Open space calculation.* The following criteria should be considered when calculating the required open space dedication:
 - A. Up to 50 percent of the minimum required open space may be used for active recreation purposes in order to preserve a reasonable proportion of natural open space on the site, but cannot be located within any Tier I or Tier II land as outlined within the Darby Accord. The Development Plan shall specify the purposes for which open space areas are proposed. Any recreational facilities proposed to be constructed within open space areas shall be clearly shown on the Development Plan.
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 - C. Primary conservation areas, stormwater management detention/retention ponds, and constructed wetlands acting as detention basins may count in their combined aggregate for up to 50 percent of the required open space. These areas shall promote the character and purpose of

the HCD District, and shall incorporate naturalized edges, native plants and be designed to complement the existing topography and landscape.

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 - 1. For every additional 10 percent of the site that is dedicated as open space above the required 50 percent, an increase of .10 units per acre of the overall gross density of the site will be allowed.
 - 2. For significant stream restoration within the development site, an additional .10 units per acre of the overall gross density of the site will be allowed. Final determination will be required by the City.
 - 3. An additional .10 units per acre of the overall gross density of the site may be granted by the Planning and Zoning Commission, in its sole discretion, for other sustainable design elements.
 - 4. An additional 0.10 units per acre of the overall gross density of the site may be granted by the Planning and Zoning Commission, in its sole discretion, for extraordinary costs for regional serving infrastructure.

(f) *Design Standards.*

- (1) *Architecture.* Architecture in this District shall be designed in accordance with standards that are consistent with conservation practices and that emphasize the individual character of the property and surroundings.
- (2) *Roadways.* All roadways shall be designed in accordance with the engineering and roadway standards specified in the Hilliard Design Manual.
- (3) *Lighting.* Lighting shall be designed in accordance with the engineering standards specified in the Hilliard Design Manual.

(g) *Ownership of Open Space.* Common open space within the development shall be owned, administered, and maintained by one of the following methods, either individually or in combination, and subject to approval by the Planning and Zoning Commission:

- (1) Offer of dedication to City.
- (2) Homeowners association.
- (3) Condominiums.
- (4) Dedication of easements.
- (5) Transfer of easements.
- (6) Third-party ownership.

(Ord. 14-29. Passed 10-27-14; Ord. 15-26. Passed 7-13-15; Ord. No. 21-09 , § 1(Exh. A), 3-22-21.)