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City
Council

Legislative Bulletin

An Official Publication of the Hilliard City Council

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ORDINANCES

None.

RESOLUTIONS

The following Resolutions were adopted by Hilliard City Council on April 25, 2016.

16-R-37 A RESOLUTION INDICATING WHAT SERVICES THE CITY OF HILLIARD WILL PROVIDE TO THE 387 ±ACRES LOCATED NORTH OF SCIOTO DARBY CREEK ROAD, EAST OF LANGTON ROAD, AND EAST AND WEST OF WEST OF ELLIOT ROAD IN BROWN TOWNSHIP, FRANKLIN COUNTY, OHIO, UPON ANNEXATION TO THE CITY OF HILLIARD, OHIO AND TO PROVIDE FOR BUFFER REQUIREMENTS.

WHEREAS, on April 7, 2016, pursuant to Ohio Revised Code Section 709.023, the property owner, Hill Distributing Co. and the Robert Bright Trust, seeking the annexation of 387 ±acres of real property (the "Property" and the "Territory") located north of Scioto Darby Creek Road, east of Langton Road, and east and west of Elliott Road (part of the Robert Bright Trust) in Brown Township, Franklin County, Ohio, contiguous to the City of Hilliard, filed a Petition for Annexation of their Property to the City of Hilliard with the Board of County Commissioners of Franklin County, Ohio, a copy of which is **attached** hereto as Exhibit "A", notice of which was duly served upon the City of Hilliard as prescribed by law; and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that within twenty (20) days after the date that the petition is filed, the municipal corporation to which annexation is sought shall adopt a Resolution stating what services the municipal corporation will provide to the territory seeking annexation and an approximate date by which it will provide those services; and

WHEREAS, Ohio Revised Code Section 709.023(C) also provides that within that same twenty (20) day period, a municipal corporation shall adopt an ordinance or resolution stating that, if the territory is annexed and becomes subject to zoning by the municipal corporation and that if the municipality corporation's zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining in the township from which the territory was annexed, the municipal corporation shall require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township.

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

City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

RESOLUTIONS

16-R-37 (continued)

SECTION 1. In the event that the proposed 387 ± acres is annexed to the City of Hilliard, Ohio, the City will provide to the Property the full range of municipal services available to the residents of, and to the property within, the City of Hilliard, including but not limited to police protection, mayor's court, street maintenance, residential refuse collection, planning, building, zoning and engineering services, and parks and recreation, all of which can be provided immediately upon the effective date of the annexation as provided by law. Should it be determined that as a result of the annexation, the boundary line between the township and the City divides or segments a street or highway so as to create a road maintenance problem the City, as a condition of the annexation, shall assume the maintenance of that street or highway or otherwise correct the problem.

SECTION 2. The County Commissioners have previously requested information on the status of water and sewer services to and within suburbs of the City of Columbus. The proposed annexation area is included within the boundaries of the area of the City of Hilliard's Water Service Contract and Sewerage Contract with the City of Columbus and those services are provided in accordance with the terms and conditions of those contracts. The City's ability and timeframe to provide those services is contingent upon the City of Columbus' determination that sufficient capacity exists in the systems by which to issue taps to serve development in and of the Property. The City of Hilliard shall be under no obligation to extend water or sewer lines to any of the Property at the cost of the City or in contravention of those contracts in any manner.

SECTION 3. If the Property is annexed and becomes subject to the City of Hilliard zoning and the City zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under applicable county or township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexed territory remaining in the unincorporated area of Brown Township, then the City of Hilliard will require the owner or owners of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Brown Township.

SECTION 4. The Clerk of Council is hereby directed to forward and file certified copies of this Resolution with the Franklin County Board of County Commissioners and to send a copy to the Agent for the Petitioner for annexation, **within twenty (20) days following the date that the petition was filed.**

SECTION 5. This Resolution is effective upon its adoption.

16-R-38

AUTHORIZING THE CITY'S DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO UPGRADE VARIOUS CROSSWALKS AND INSTALL COUNTDOWN PEDESTRIAN SIGNALS IN THE CITY (ODOT PID NUMBER 101844) AND CONSENTING TO ODOT'S CONSTRUCTING AND IMPLEMENTING THE PROJECT.

WHEREAS, the Ohio Department of Transportation ("ODOT") is partnering with local agencies to implement systematic safety improvements throughout central Ohio using federal and state safety funding; and

WHEREAS, the use of high visibility crosswalks and countdown pedestrian signals have been identified as a low cost tool to improve pedestrian safety at intersections; and

WHEREAS, the following intersections have been identified for the installation of high visibility crosswalk treatments and/or countdown pedestrian signal heads: 1) Davidson Road and Trueman Blvd.; 2) Leap and Cemetery Roads; 3) Lyman Drive and Cemetery Road; 4) Cosgray and Scioto Darby Roads; 5) Frazell Road and Bohlen Drive; 6) Main and Norwich Streets; and 7) Center and Main Streets have been identified as locations that could benefit from the use of high visibility crosswalk treatments and/or countdown pedestrian signal heads ("the Project"); and

City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

RESOLUTIONS

16-R-38 (continued)

WHEREAS, the planning, design, and construction of the Project is being conducted as part of an ODOT highway safety project task order contract administered by ODOT (PID 101844); and

WHEREAS, the City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the Project in accordance with plans, specifications and estimates as approved by the Director; and

WHEREAS, ODOT agrees to assume and bear one hundred percent (100%) of the costs of preliminary engineering, right-of-way, and construction; and

WHEREAS, the City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration; and

WHEREAS, while the City does not plan to add any additional features at this time, but if that changes, those additional features shall be paid from appropriated funds and in an amount under the contract threshold per Section 129.02 of the City's Codified Ordinances; and

WHEREAS, once constructed, the City shall be responsible for all maintenance and continuing care of the pedestrian signals and crosswalks.

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

SECTION 1. The City's Director of Public Service is authorized to cooperate with the Ohio Department of Transportation ("ODOT") to upgrade the pedestrian signals and/or crosswalks at 1) Davidson Road and Trueman Blvd.; 2) Leap and Cemetery Roads; 3) Lyman Drive and Cemetery Road; 4) Cosgray and Scioto Darby Roads; 5) Frazell Road and Bohlen Drive; 6) Main and Norwich Streets; and 7) Center and Main Streets (ODOT PID number 101844) and consents to ODOT's constructing and implementing the project within the City of Hilliard, Ohio.

SECTION 2. The Director of Public Service is authorized to sign any and all documents or agreements necessary to effectuate the cooperation and consent provided herein.

SECTION 3. This Resolution is effective upon its adoption.

16-R-39 **VACATING RIGHT-OF-WAY ON RIGGINS ROAD AND VACATING SANITARY SEWER EASEMENTS IN CONNECTION WITH THE BRITTON CENTRAL PUD LOT 4 DEVELOPMENT AND ACCEPTING THE DEDICATION OF NEW SANITARY SEWER EASEMENTS AND A LIMITED WARRANTY DEED FROM THE PROPERTY OWNER, RIGGINS ROAD, LLC.**

WHEREAS, Riggins Road, LLC (the "Owner") owns 14.9± acres consisting of Subarea A3 of the Britton Central PUD identified as parcel number 050-010605 by the Franklin County Auditor's Office (the "Property"), which parcel is located on the south side of Riggins Road and west of Britton Parkway; and

WHEREAS, the Owner submitted an application to the City's Planning and Zoning Commission for the review and approval of a final plat to vacate existing right-of-way for Riggins Road, vacate existing sanitary sewer easements, grant new sanitary sewer easements and to designate Stream Corridor Protection Zone areas; and

City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

RESOLUTIONS

16-R-39 (continued)

WHEREAS, the proposed final plat shows a sliver of existing Riggins Road right-of-way that is to be vacated. This right-of-way was dedicated at a time when Riggins Road was anticipated to curve slightly southward as it extended to the west. The final plat shows three existing 20-foot-wide sanitary easements that will be vacated and three new 20-foot-wide sanitary easements ("Easements") that are to be dedicated (collectively, the "Final Plat"); and

WHEREAS, Hayden Run Creek abuts the Property, and a Stream Corridor Protection Zone ("SCPZ") is required along Hayden Run Creek; and

WHEREAS, on July 9, 2015, at its regularly scheduled meeting, the City's Planning and Zoning Commission recommended approval of the Final Plat submitted by the Owner with two conditions: 1) to identify the Stream Corridor Protection zone areas with a conservation easement and 2) to meet the requirements of the City Engineer for format and content; and

WHEREAS, the Owner determined that the Conservation Easement severely restricts any future construction or activities within the Easement area; and

WHEREAS, the land abutting this SCPZ area is platted as City owned and maintained parkland and is shown as Reserve "C" on the Dedication Plat of "Britton Parkway, Hayden Run Road, Riggins Court, and Reserves A, B, C, D"; and

WHEREAS, the Owner has offered to deed the SPCZ area to the City and the City will combine these parcels with Reserve "C" to enlarge the parkland; and

WHEREAS, the City determined that this change meets the intent of the approval of the City's Planning and Zoning Commission and the City desires to accept the limited warranty deed to enlarge the parkland in Reserve "C"; and

WHEREAS, the Owner has offered to dedicate the Easements and SCPZ areas as shown and described in Exhibits "A" and "B" attached hereto and incorporated by reference herein; and

WHEREAS, this offer of dedication has been made by the Owner in support of the development of the Property; and

WHEREAS, it is in the interest and benefit of the City of Hilliard and the public-at-large that the dedications, vacations, and limited warranty deed, as proposed on Exhibits "A" and "B", be accepted by the City of Hilliard.

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

SECTION 1. The City of Hilliard approves vacating right-of-way along Riggins Road and vacating existing sanitary sewer easements, and the City accepts new sanitary sewer easements, in connection with the Britton Central PUD Lot 4 Development, all as shown and described on Exhibit "A", **attached** hereto and incorporated by reference herein.

SECTION 2. The City of Hilliard accepts a Limited Warranty Deed for the Stream Corridor Protection Zone areas from Riggins Road, LLC, in connection with the Britton Central PUD Lot 4 Development, as shown and described on Exhibit "B", **attached** hereto and incorporated by reference herein.

SECTION 3. The City Engineer is authorized to approve any necessary administrative changes to effect the proper recording of the Final Plat and the Limited Warranty Deed identified in Exhibits "A" and "B", and is authorized to provide the Council Clerk with a final recorded copy of said plat and limited warranty deed.

SECTION 4. The Mayor, Clerk of Council, Chairman of the Planning and Zoning Commission and City Engineer are authorized to do all acts and to execute all instruments that are appropriate or necessary to carrying out the terms of the property rights contained herein.

SECTION 5. This Resolution is effective upon its adoption.

City of Hilliard Legislative Bulletin

an Official Publication of the Hilliard City Council

REMAINING 2016 MEETING DATES OF HILLIARD CITY COUNCIL

(All meetings begin at 7:00 p.m., unless otherwise noted)

May 9
May 23
June 13
June 27
July 11
August 22
September 12
September 26
October 24
November 14
November 28
December 12

To confirm meeting dates and times please check the calendar on the City's website.

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