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City
Council

Legislative Bulletin

An Official Publication of the Hilliard City Council

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Published under the authority of the City of Hilliard Charter and direction of the Clerk of Council. The City of Hilliard Legislative Bulletin contains ordinances and resolutions acted upon by Council. If noted within ordinance text, supplemental and supporting documents, such as exhibits, are available upon request to the Clerk of Council's office, 3800 Municipal Way, Hilliard, Ohio 43026, at 614.876.7361, Ext. 789. Past issues are available by logging onto hilliardohio.gov

ORDINANCES

The following Ordinance was passed by Hilliard City Council on August 22, 2106.

16-28 ACCEPTING THE APPLICATION FOR ANNEXATION OF 127.5 ±ACRES LOCATED IN BROWN TOWNSHIP, FRANKLIN COUNTY, OHIO, AND ASSIGNING A ZONING CLASSIFICATION TO THE PROPERTY OF RURAL RESIDENTIAL.

WHEREAS, on February 3, 2016, pursuant to Ohio Revised Code Section 709.023, the property owner seeking the annexation of 127.5 ±acres of real property in Brown Township, Franklin County, Ohio, contiguous to the City of Hilliard, filed a Petition for Annexation of its 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, pursuant to Ohio Revised Code §709.023(C) the City of Hilliard adopted Resolution No. 16-R-19 on February 22, 2016, which Resolution indicated the type and scope of services the City of Hilliard will provide to the territory upon annexation to the City; and

WHEREAS, on February 23, 2016, a certified copy of Resolution No. 16-R-19 was delivered to the office of the Clerk of the Franklin County Commissioners; and

WHEREAS, the Petition came on for public hearing before the Franklin County Board of County Commissioners on March 8, 2016; and

WHEREAS, pursuant to an action of the Franklin County Commissioners after that hearing the Clerk of the Board of County Commissioners entered on the journal of the Board an order approving the annexation according to law, certified the transcript for the proceeding in connection with the annexation and filed it with the Clerk of Council of the City of Hilliard on April 15, 2016; and

WHEREAS, pursuant to Ohio Revised Code §709.04, the Clerk of Council is required to place before Council the annexation documents at the next regular meeting of Council following the expiration of sixty (60) days from the receipt by her; and

WHEREAS, City Council is required to accept or reject the Petition for Annexation within one-hundred and twenty (120) days thereafter; and

WHEREAS, Section 1104.04 of the City's Codified Ordinances requires that the City assign the newly annexed property a zoning classification that most resembles the property's zoning classification immediately prior to annexation.

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

SECTION 1. The proposed annexation of 127.5 ±acres in Brown Township, Franklin County, Ohio to the City of Hilliard, a petition for which was filed with the Board of County Commissioners, Franklin County, Ohio on February 3, 2016, and approved by the Board of County Commissioners on March 8, 2016, be and the same is hereby accepted. The petition is **attached** hereto as **Exhibit "A"** and graphically depicts and describes the territory that is the subject of the annexation, which Exhibit is incorporated herein. The certified transcript of the proceedings of the County Commissioners is on file with the Clerk of Council of the City and has been for more than sixty (60) days.

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ORDINANCES

16-28 (continued)

SECTION 2. The 127.5± acres shall be assigned the zoning classification of "RR" Rural Residential for low-density residential development with lot acres and lot widths characteristic of rural residential development as provided by City Code.

SECTION 3. The Clerk of Council is hereby authorized and directed to make three (3) copies of this Ordinance, to each of which shall be attached a copy of the map accompanying the Petition for Annexation, a copy of the transcript of the proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk of Council shall then deliver one copy to the County Auditor, one copy to the County Recorder and one copy to the Ohio Secretary of State and shall file notice of this annexation with the Board of Elections of Franklin County within thirty (30) days after it becomes effective, and further the Clerk of Council shall do all other things with respect to the action taken by this Ordinance as may be required by law.

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

RESOLUTIONS

The following Resolutions were adopted by Hilliard City Council on August 22, 2016

16-R-63 AUTHORIZING THE CITY'S CHIEF OF POLICE TO APPLY FOR AND RECEIVE A GRANT FROM THE OHIO TRAFFIC SAFETY OFFICE (OTSO) IN THE OHIO DEPARTMENT OF PUBLIC SAFETY AND TO ENTER INTO AGREEMENTS AS NECESSARY TO RECEIVE AND DISBURSE THE GRANT FUNDS.

WHEREAS, the National Highway Traffic Safety Administration provides a grant to the State of Ohio, which is passed down to local governments in order to assist in promoting traffic safety programs; and

WHEREAS, statewide grants are available from the Ohio Department of Public Safety through its Ohio Traffic Safety Office ("OTSO") that enables the grant recipient to secure the services of an independent contractor to serve under the OTSO Law Enforcement Liaison (LEL) Program, who will coordinate traffic safety programs within a 20 county area of central and southwest Ohio (the "Project"); and

WHEREAS, the LEL will be responsible for increasing communication between local and regional law enforcement agencies, including their awareness of, national traffic safety mobilizations and campaigns, and encouraging their participation in the same; and

WHEREAS, while the State of Ohio retains control over the liaison program, including the duties and responsibilities of the LEL, the City's Division of Police will provide general administrative grant duties and support; and

WHEREAS, for providing this administrative support, the grant program will reimburse the City for direct labor costs associated with management of the grant; and

WHEREAS, participation in this grant program, and acting as an administrative agent to compensate the LEL, will provide the City with a valuable resource in its efforts to promote and instill safe driving habits in our community; and

WHEREAS, pursuant to Ordinance No. 15-56, funds deposited into the City's grant account are deemed appropriated upon deposit into Fund 250, Object 53, and pursuant to the City's Charter, authorization to enter into necessary agreements and expend the grant funds may be made by Resolution of Council.

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

SECTION 1. Council finds that for the general health, welfare and safety of its citizens, the City's Chief of Police is authorized to make application to the Ohio Traffic Safety Office (OTSO) within the Ohio Department of Public Safety for a grant in the amount of \$85,988.20 to fund the services of a Law Enforcement Liaison ("LEL") for a 12-month period. The Chief of Police is also authorized to enter into agreements as necessary to secure the grant and services of the LEL.

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RESOLUTIONS

16-R-63 (continued)

SECTION 2. An expenditure in an amount not to exceed \$85,090 is authorized from Fund 250, Object 53 to fund an independent contractor agreement for the services of the LEL, which agreement is **attached** hereto as Exhibit "A" and incorporated herein. An expenditure in the amount of the remaining grant funds not to exceed \$898.20, is authorized to reimburse the City for costs incurred in administering the grant and for traffic safety purposes.

SECTION 3. The Finance Director is authorized to receive the grant funds and to make any accounting changes necessary to revise the funding source for any contract or contract modification associated with expenditure of the funds.

SECTION 4. This Resolution is effective immediately upon its passage.

16-R-66 **AUTHORIZING THE CITY'S DIRECTOR OF LANDS AND BUILDINGS TO ENTER INTO A LEASE AGREEMENT AND OPERATING AGREEMENT WITH THE HILLIARD ARTS COUNCIL TO OPERATE THE HILLIARD CIVIC AND CULTURAL ARTS CENTER AT 5425 CENTER STREET.**

WHEREAS, the City owns property located at 5425 Center Street (the "Property"), adjacent to Hilliard's Station Park, that it desires to be operated as the Hilliard Civic and Cultural Arts Center (the "Arts Center"); and

WHEREAS, the City has made Phase 1 improvements to the Property so that part of the Property can house performing arts productions, which space is identified in Exhibit "A" attached hereto and incorporated herein ("Renovated Space"); and

WHEREAS, the City desires to lease the Renovated Space to the Hilliard Arts Council ("Arts Council") for the performance of stage and other art productions, and for civic purposes, for One Dollar a year, in a form substantially similar to the lease attached hereto as Exhibit "B", and incorporated herein (the "Lease"); and

WHEREAS, the Lease is for an initial five (5) year period, subject to three, five-year renewal periods, if not otherwise in default; and

WHEREAS, pursuant to the Lease, the Arts Council is responsible for operating, programming and maintaining the Arts Center and is responsible for the cost of any additional improvements to the Renovated Space, subject to receiving the City's prior written consent; and

WHEREAS, during the first year of the Lease, the City will pay for all utilities associated with operating and maintaining the Arts Center at the Property, after which time all utilities shall be the sole responsibility of the Arts Council; and

WHEREAS, it is to the benefit of the City's residents that the City enter into the Lease with the Arts Council to promote, perform and make available various mediums of art to the general public, and for the Arts Council to operate the Arts Center at the Property.

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

SECTION 1. The City of Hilliard is authorized to enter into an agreement with the Hilliard Arts Council to lease space at 5425 Center Street, which includes access to public parking and the surrounding grounds thereto as shown on **Exhibit "A" attached** hereto and incorporated herein, and as more specifically identified in the agreement, for the purposes of performing, sponsoring and promoting various mediums of art to the general public. The City's Director of Lands and Buildings is authorized to enter into the lease agreement substantially similar to the one **attached hereto as Exhibit "B"** and incorporated herein (the "Lease"), with such changes therein that are not inconsistent with this Resolution and not detrimental to the City, with his execution thereof being conclusive evidence that such changes are approved by Council.

SECTION 2. In fulfillment of terms and conditions outlined in the Lease, the City's Director of Lands and Buildings is authorized to enter into an Operating Agreement with the Hilliard Arts Council which identifies the Arts Council's responsibilities to operate the Hilliard Civic and Cultural Arts Center, including the selection and scheduling of performances, publicity, ticket sales, concessions, renting of space, and advancement of the arts through use of the Arts Center.

SECTION 3. The City's Director of Lands and Buildings and Director of Law are authorized to sign any and all documents as may be necessary to effectuate the Lease and its terms and conditions.

SECTION 4. This Resolution is effective upon its adoption.

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RESOLUTIONS

16-R-69 AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PREPARE AND SUBMIT AN APPLICATION TO SEEK FINANCIAL ASSISTANCE FROM PROGRAMS ADMINISTERED BY THE OHIO PUBLIC WORKS COMMISSION TO FUND THE SCIOTO DARBY ROAD (CIP T-21) AND LEPPERT ROAD (CIP T-129) IMPROVEMENT PROJECTS AND TO EXECUTE AGREEMENTS AS MAY BE REQUIRED.

WHEREAS, pursuant to Article VIII, Section 2(k) of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure improvements of political subdivisions as designated by law; and

WHEREAS, pursuant to Section 164.06 of the Ohio Revised Code, the District Three Public Works Integrating Committee has been created to accept and evaluate applications from political subdivisions in Franklin County seeking state funding of local public infrastructure improvement projects, and to recommend selected applications to the state agency vested with the authority to fund such projects, the Ohio Public Works Commission ("OPWC"); and

WHEREAS, by way of conducting a capital inventory and needs assessment, the City has determined that it is necessary and in the City's best interest to submit financial assistance applications for the Scioto Darby Road (CIP T-21) and the Leppert Road (CIP T-129) Improvement Projects (collectively, the "Project"); and

WHEREAS, the Project consists of the addition of one lane of traffic in each direction on Scioto Darby Road between Leppert Road and Bradford Drive; shoulder widening/bike lanes on Scioto Darby Road between Cosgray Road and Leppert Road and on Leppert Road between Scioto Darby Road and the Heritage Trail; roundabouts at the Scioto Darby Road/Leppert Road intersection and at the Scioto Darby Road/Veterans Memorial Drive intersection; shared-use paths along all streets, improved pedestrian crossings including the use of raised crosswalks, pedestrian refuge islands, and/or rectangular rapid flashing beacons at key locations; a raised intersection at Leppert Road/Laura Lane; street lighting; waterline; storm water improvements; and landscaping.

WHEREAS, the City's application will seek funding from the State Capital Improvement Program (SCIP) and/or the Local Transportation Improvement Program (LTIP).

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

SECTION 1. The Director of Public Service is hereby authorized to submit an application to the District Three Public Works Integrating Committee seeking funding from the Ohio Public Works Commission for the Project.

SECTION 2. The Director of Public Service is further authorized to enter into agreements as may be necessary and appropriate to apply for and receive financial assistance from OPWC for the above named projects. Such agreements shall be approved as to form by the City Law Director and in accordance with all authority granted to the Director of Finance, as evidenced by her signature therein, and any limitations imposed thereby.

SECTION 3. This Resolution is effective upon its adoption.

REMAINING 2016 REGULAR MEETING OF HILLIARD CITY COUNCIL
(All meetings begin at 7:00 p.m., unless otherwise noted)

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.

hilliardohio.gov