



**CITY OF GRANDVIEW HEIGHTS, OHIO
SPECIAL CITY COUNCIL MEETING
MONDAY, OCTOBER 17, 2022**

NOTICE

There will be a City of Grandview Heights Special Council meeting on Monday, October 17, 2022 at 7:00 p.m. at the Grandview Center, 1515 W. Goodale Blvd.

COVID-19 Update: The safety of our residents, employees and public officials remains our top priority. Effective March 3, 2022, the City is following the guidance of Franklin County Public Health that makes masks optional. Please exercise your best judgment when entering public buildings. In the event the COVID threat level is raised in Franklin County, Council reserves the right to suspend in-person meetings and to return to livestreamed meetings.

Comments from visitors may be made in-person and shall be directed to the President of Council. Comments should not take the form of colloquy or debate with members of Council or Administration. All persons making comments will complete a Speaker Request form and shall state their name and address when called to the podium to speak.

Meetings are recorded and are posted on the City's website. Persons who wish to provide comments, but prefer not to attend in-person, can submit a Request for Public Comment form **NO LATER THAN NOON** the day of the Council meeting. Click on <https://bit.ly/2Zeia6e> to complete a request form. The completed form will be e-mailed to City Council and the Clerk of Council. The commenter's name, address and subject of comments will be read into the public record. A full copy of the form will be attached to the meeting minutes once adopted. Any comments received after **NOON** the day of the meeting will be held until the next public meeting.

<p>A G E N D A</p>

- **Call to Order**
 - **Pledge of Allegiance**
 - **Roll Call**

 - **Comments from Visitors**

 - **Old Business**
1. Ord. 2022-21: An Ordinance to amend Codified Ordinance 161.02 of the City of Grandview Heights, Ohio, to include a Design Professional selection process that provides the City with flexibility and efficiency in selecting Design Professionals for public works projects. 2nd Reading. Assigned to Planning & Administration.

 2. Ord. 2022-22: An Ordinance to approve supplemental appropriations for Owner's Representative Services for the new Grandview Center at McKinley Field and Fire/EMS,

Police and Administrative Service building during the fiscal year ending December 31, 2022. 2nd Reading. Assigned to Finance.

- **New Business**

1. Res. 26-2022: A Resolution to waive the provisions of Section 529.07(b)(3) of the Codified Ordinances for the Holiday in the Heights event on December 6, 2022.

- **Other Business:** Revise Res. 12-2022 Open Container for Grandview Hop.

- **Executive Session:** Pursuant to ORC 121.22(G)(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official.

- **Comments from Council Members**

- **Adjournment**

AGENDA NOT SUBJECT TO CHANGE

Legislative Memorandum
As required by 111.01 Rule 2

DATE: October 3, 2022

1. Title of the Legislation: Ord. 2022-21

An Ordinance to amend Codified Ordinance 161.02 of the City of Grandview Heights, Ohio, to include a Design Professional selection process that provides the City with flexibility and efficiency in selecting Design Professionals for public works projects.

2. Name of the Sponsor: Greta Kearns, Mayor

3. Department charged with enforcement or administration: Planning & Development

4. Reason for the Legislation: To provide more flexibility in selecting Design Professionals for public works projects.

5. Is the Legislation to be passed as an emergency measure? No If yes, state the reason.

6. Is a suspension of the rules being sought? No If so why?

7. Does the legislation repeal or amend a current Ordinance or Resolution, and, if it does, reference or attach a copy of such Ordinance or Resolution. Yes
The legislation amends Codified Ordinance 161.02 and exempts the City from complying with Ohio Revised Code 153.65 *et seq.* pursuant to its home rule authority.

8. Reviewed by the City Attorney, prior to being placed on the agenda, to assure the ordinance or resolution is in the proper form and to determine whether the legislation would repeal or amend a current Ordinance or Resolution and that is not in conflict with existing State or Federal law.

Date reviewed: Sept. 28, 2022

1st Reading: October 3, 2022 Amended / Assigned to Planning & Administration

2nd Reading: _____

3rd Reading: _____

RECORD OF ORDINANCES

City of Grandview Heights

Ordinance No. 2022-21

Passed _____, 2022

An Ordinance to amend Codified Ordinance 161.02 of the City of Grandview Heights, Ohio, to include a Design Professional selection process that provides the City with flexibility and efficiency in selecting Design Professionals for public works projects.

WHEREAS, Ohio Revised Code 153.65, et seq., prescribes a specific process for selecting Design Professionals, which includes architects and engineers, for public works projects; and

WHEREAS, the City of Grandview Heights wishes to maximize its flexibility and efficiency to select the most suitable design professional(s) for minor public projects that may arise from time to time, based upon the nature of the project, the source of funding, the qualifications of the design professional, and price considerations; and

WHEREAS, Codified Ordinance 161.01 sets forth when the City must engage in competitive bidding, and Codified Ordinance 161.02 sets forth the permissible exceptions from the competitive bidding requirement; and

WHEREAS, amending the City's existing ordinance to address Design Professional selection, pursuant to the City's home rule authority, will enable the City to tailor its Design Professional selection process for public works projects based on the above considerations, and also to have greater flexibility in developing processes and procedures currently mandated by state law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRANDVIEW HEIGHTS, STATE OF OHIO, COUNTY OF FRANKLIN THAT:

SECTION 1. Codified Ordinances 161.01 and 161.02 are hereby amended as shown by the following redlining:

161.02 EXCEPTIONS TO THE COMPETITIVE BIDDING REQUIREMENT.

(a) Contracts of less than \$50,000. Formal competitive bidding will not normally be required for purchases less than fifty thousand dollars (\$50,000). This shall include:

(1) New or used goods to be purchased pursuant to an agreement, or which will be needed by the City within 90 days from the delivery of the goods, and not priced in excess of \$50,000, regardless of trade-in value.

(2) Services to be purchased pursuant to an agreement, or which will be needed by the City within 90 days, and not in excess of \$50,000.

(b) Other exemptions. The following purchases shall also be exempt from the competitive bidding requirements, but shall, where in excess of \$50,000 unless otherwise stated herein, be subject to the approval of the Council or the Board of Control:

(1) Supplies and services of the severely handicapped, purchased from a qualified nonprofit agency pursuant to Ohio R.C. 4115.31 to 4115.35.

(2) Purchases of machinery, materials and supplies from the State of Ohio, a centralized government purchasing organization, or any department, division, agency,

RECORD OF ORDINANCES

City of Grandview Heights

Ordinance No. 2022-21

Passed _____, 2022

political subdivision of the State, or other cooperative purchasing organization of public entities, if made through contracts with such designated entities

(3) Emergency purchases, for which Council may, by a majority vote and with the approval of the Board of Control, authorize entering into a contract for work to be done or for emergency purchases of goods and services without formal bidding and advertising.

(4) Purchases of used equipment, for which Council may by ordinance authorize the Director of Public Safety or designee to purchase, without competitive bidding, used equipment or supplies at an auction open to the public or at a public sale requesting the submission of written bids.

(5) Professional and/or personal services. The statutory provisions regarding competitive bidding generally do not apply to contracts for professional and/or personal services. This includes personal services, regardless of amount, which are not, in the opinion of the Director of Public Safety or designee, capable of proper selection by means of competitive bidding.

A. In the case of Design Professional selection for public works projects, the City shall not be subject to the requirements of Ohio Revised Code sections 153.65, et seq, and the City's Administration is authorized to develop a process for Design Professional selection for each project that may take into account factors including, but not limited to, the nature of the project, the source of funding, the qualifications of the Design Professional, and price, to be weighed in the sole discretion of the City.

(6) Single bid. Where a single bid is received after complying with the bid requirements, then competitive bidding shall not apply.

(7) Single source. With respect to material to be incorporated into public improvements, competitive bidding shall not apply where there is only a single source or supplier for the material.

(8) Projects that the City determines to be best suited to the Construction Manager at Risk delivery model. The procurement process shall be developed based on the needs of the City and the nature of the specific project and shall not be required to comply with Chapter 153 of the Ohio Revised Code. The Construction Manager at Risk shall be required to provide a performance and payment bond in the same form as that set forth in section 153.571 of the Ohio Revised Code. The standard of award for Construction Manager at Risk projects shall be a "best value" standard.

(9) Projects that the City determines to be best suited to the Design-Build delivery model. The procurement process shall be developed based on the needs of the City and the nature of the specific project and shall not be required to comply with Chapter 153 of the Ohio Revised Code. The Design-Builder shall be required to provide a performance and payment bond in the same form as that set forth in section 153.571 of the Ohio Revised Code. The standard of award for Design-Build projects shall be a "best value" standard.

RECORD OF ORDINANCES
City of Grandview Heights

Ordinance No. 2022-21

Passed _____, 2022

(c) The foregoing dollar thresholds shall be subject to adjustment consistent with changes in Chapter 735 of the Ohio Revised Code.
(Ord. 2015-12. Passed 4-20-15.)

SECTION 2. This Ordinance shall be in force from and after the earliest period allowed by law.

Emily A. Keeler, President
Grandview Heights City Council

Attest:

Leilani Napier
Clerk of Council

Approved as to form:

Approved Not Approved

Marie-Joëlle C. Khouzam
City Attorney

Greta Kearns, Mayor

Date: _____

Date: _____

Legislative Memorandum
As required by 111.01 Rule 2

DATE: October 3, 2022

1. Title of the Legislation: Ord. 2022-22

An Ordinance to approve supplemental appropriations for Owner's Representative Services for the new Grandview Center at McKinley Field and Fire/EMS, Police and Administrative Service building during the fiscal year ending December 31, 2022.

2. Name of the Sponsor: Emily Keeler, Council President

3. Department charged with enforcement or administration: Finance/Adminin.

4. Reason for the Legislation: To appropriate funds from FY 2022 revenue to retain an Owner's Representative for the new Grandview Center at McKinley Field and Fire/EMS, Police and Administrative Services facility.

5. Is the Legislation to be passed as an emergency measure? No If yes, state the reason.

6. Is a suspension of the rules being sought? No If so why?

7. Does the legislation repeal or amend a current Ordinance or Resolution, and, if it does, reference or attach a copy of such Ordinance or Resolution. No.

8. Reviewed by the City Attorney, prior to being placed on the agenda, to assure the ordinance or resolution is in the proper form and to determine whether the legislation would repeal or amend a current Ordinance or Resolution and that is not in conflict with existing State or Federal law.

Date reviewed: Sept. 29, 2022

1st Reading: October 3, 2022 Assigned to Finance

2nd Reading: _____

3rd Reading: _____

RECORD OF ORDINANCES

City of Grandview Heights

Ordinance No. 2022-22

Passed _____, 2022

An Ordinance to approve supplemental appropriations for Owner’s Representative Services for the new Grandview Center at McKinley Field and Fire/EMS, Police and Administrative Service building during the fiscal year ending December 31, 2022.

WHEREAS, in connection with the master plan to develop and construct a new Fire/EMS, Police and Administrative Service building, the City of Grandview Heights has determined that the most fiscally responsible approach is to proceed with appropriate professional services in 2022; and

WHEREAS, the City wishes to move forward with engaging an Owner’s Representative for the new Grandview Center at McKinley Field and Fire/EMS, Police and Administrative Services facility to assist in facilitation of that project; and

WHEREAS, the City prepares its annual budget based on fund, function, and object; and

WHEREAS, the City wishes to allocate resources to funds that do not have the adequate resources; and

WHEREAS, Ohio Revised Code Section 5705.39 limits appropriations to the estimated revenue available including carryover fund balances from the prior year; and

WHEREAS, when the City prepares its annual budget carryover fund balances are based on estimates and occasionally the actual balance is lower than the estimate; and

WHEREAS, the 2021 operating budget (Ord. 2021-25) did not include sufficient appropriations within various funds for anticipated expenditures and in some cases anticipated beginning fund balances or expenditures have changed and reduced appropriations are required.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Grandview Heights, State of Ohio, County of Franklin that:

SECTION 1. To provide for additional costs of the City during the fiscal year ended December 31, 2022, the following supplemental sum be set aside and appropriated as follows, viz; (Note that brackets around a number indicate a reduction in the approved appropriation amount.)

CAPITAL IMPROVEMENT FUND (350)

Administration	
Capital Projects	\$20,450
Total for Administration	<u>\$20,450</u>
<hr/>	
TOTAL CAPITAL IMPROVEMENT FUND	\$20,450

RECORD OF ORDINANCES
City of Grandview Heights

Ordinance No. 2022-22

Passed _____, 2022

TOTAL ALL FUNDS

\$20,450

SECTION 2. This Ordinance shall take effect at the earliest time permitted by law following passage and approval by the Mayor.

Emily A. Keeler, President
Grandview Heights City Council

Attest:

Leilani Napier
Clerk of Council

Approved as to form:

Approved

Not Approved

Marie-Joëlle C. Khouzam
City Attorney

Greta Kearns, Mayor

Date: _____

Date: _____

Legislative Memorandum
As required by 111.01 Rule 2

DATE: October 17, 2022

1. **Title of the Legislation:** Res. 26-2022

A Resolution to waive the provisions of Section 529.07(b)(3) of the Codified Ordinances for the Holiday in the Heights event on Tuesday, December 6, 2022.

2. **Name of the Sponsor:** Greta Kearns, Mayor

3. **Department charged with enforcement or administration:** Administration and Parks & Recreation

4. **Reason for the Legislation:**

To waive code section 529.07(b)(3) of the City's Codified Ordinances to permit open containers of beer or intoxicating liquor in a public place during the December 6, 2022 Holiday in the Heights event. This waiver would be for specific streets in the City during the hours of 5:00 p.m. – 8:30 p.m.

5. **Is the Legislation to be passed as an emergency measure? If yes, state the reason.**

No

6. **Is a suspension of the rules being sought? If so why?** No

7. **Does the legislation repeal or amend a current Ordinance or Resolution, and, if it does, reference or attach a copy of such Ordinance or Resolution.** No

8. **Reviewed by the City Attorney, prior to being placed on the agenda, to assure the ordinance or resolution is in the proper form and to determine whether the legislation would repeal or amend a current Ordinance or Resolution and that is not in conflict with existing State or Federal law.**

Date reviewed: October 13, 2022

1st Reading: _____

2nd Reading: _____

3rd Reading: _____

RECORD OF RESOLUTIONS

City of Grandview Heights

Resolution No. 26-2022

Passed _____, 2022

A Resolution to waive the provisions of Section 529.07(b)(3) of the Codified Ordinances for the Holiday in the Heights event on December 6, 2022.

WHEREAS, Section 529.07(b)(3) of the Codified Ordinances of the City of Grandview Heights states: "No person shall have in his possession an open container of beer or intoxicating liquor in a public place"; and

WHEREAS, the City is partnering with Destination Grandview, a destination marketing organization whose goal includes highlighting the City's food and entertainment district, to host an event to be held on Grandview Avenue on Tuesday, December 6, 2022, in conjunction with the City's traditional holiday tree lighting ceremony; and

WHEREAS, merchants and area businesses will be encouraged to celebrate the approaching holidays by creating and offering for sale holiday-themed items and refreshments to pedestrians along Grandview Avenue during the hours designated below.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GRANDVIEW HEIGHTS, STATE OF OHIO, COUNTY OF FRANKLIN THAT:

SECTION 1. The provisions of Section 529.07(b)(3) of the Codified Ordinances that no person shall have in their possession an open container of beer or intoxicating liquor in a public place is hereby waived for the Holiday in the Heights event for those times and on those portions of Grandview Avenue specified below on December 6, 2022. During such times, those portions of Grandview Avenue will be considered pedestrian-only, with the exception of emergency and City service vehicles.

SECTION 2. The foregoing provisions shall only be waived on the dates, between the hours and within the areas designated below:

Tuesday, December 6, 2022

Street closure of Grandview Avenue between Second Avenue and Haines Avenue

1:00 pm to 10:00 pm.

Street closure of Grandview Avenue from First to the north corporation line,
Second Avenue from Grandview Avenue to alley behind Spencer Research,
Haines Avenue from Grandview Avenue to alley behind Grandview Dental

5:00 pm to 10:00 pm.

Event time 5:00 p.m. to 8:30 p.m.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

RECORD OF RESOLUTIONS
City of Grandview Heights

Resolution No. 26-2022

Passed _____, 2022

Emily A. Keeler, President
Grandview Heights City Council

Attest:

Leilani Napier
Clerk of Council

Approved as to form:

Approved

Not Approved

Marie-Joëlle C. Khouzam
City Attorney

Greta Kearns, Mayor

Date: _____

Date: _____

RECORD OF RESOLUTIONS

City of Grandview Heights

Resolution No. 12-2022

Passed _____, 2022

A Resolution to waive the provisions of Section 529.07(b)(3) of the Codified Ordinances for the Grandview Hop on June 25, July 30, August 27, and September 24, and October 22, 2022 in the City of Grandview Heights.

WHEREAS, Section 529.07(b)(3) of the Codified Ordinances of the City states: “*No person shall have in his possession an open container of beer or intoxicating liquor in a public place*”.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GRANDVIEW HEIGHTS, STATE OF OHIO, COUNTY OF FRANKLIN THAT:

SECTION 1. The provisions of Section 529.07(b)(3) of the Codified Ordinances that no person shall have in his or her possession an open container of beer or intoxicating liquor in a public place are hereby waived for the Grandview Hop on the streets of Grandview Heights on June 25, July 30, August 27, and September 24, and October 22, 2022.

SECTION 2. The provisions shall only be waived on the date, between the hours and within the areas designated below:

June 25, July 30, August 27, and September 24, and October 22, 2022
5:00 p.m. to 9:00 p.m.

Grandview Avenue from First to the north corporation line
Second Avenue from Grandview Avenue to alley behind Spencer Research
Haines Avenue from Grandview Avenue to alley behind Grandview Dental

SECTION 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Emily A. Keeler, President
Grandview Heights City Council

Attest:

Leilani Napier
Clerk of Council

RECORD OF RESOLUTIONS
City of Grandview Heights

Resolution No. 12-2022

Passed _____, 2022

Approved as to form:

Approved

Not Approved

Marie-Joëlle C. Khouzam
City Attorney

Greta Kearns, Mayor

Date: _____

Date: _____