

**HILLSBORO CITY COUNCIL MEETING**  
**Hillsboro Municipal Court – 130 Homestead Drive**

**March 14, 2016**

At 7:00 p.m., Council President Lee Koogler called the Hillsboro City Council meeting to order. The following were present for the meeting: Mayor Drew Hastings, Todd Wilkin, Safety and Service Director; Fred Beery, Law Director; Gary Lewis, Auditor; and Debbie Sansone, Clerk.

**ROLL CALL**

Bill Alexander, Tracy Aranyos, Dick Donley, Justin Harsha, Claudia Klein, Ann Morris, and Becki Wilkin were present.

President Koogler led the council in prayer and Mayor Hastings led the Pledge of Allegiance.

**MINUTES**

There were no additions or corrections to the meeting minutes from February 8, 2016. The minutes were approved as written.

**MONTHLY REPORTS**

There were no questions about the February 2015 monthly reports and the clerk read the reports by title only: Auditor, Income Tax Bureau, Police, Public Utilities, Street, Wastewater Treatment, Water Meter, Water/Sewer Maintenance, and Water Treatment. Council also received the 2015 annual report from the Wastewater Treatment Plant.

**PUBLIC REQUESTS**

There were two citizens on the agenda for Public Requests: Virgie Howard regarding a curb and gutter situation at her home on East Walnut Street and Nick Beatty regarding a request to amend legislation for a solicitor's license for a food truck. Neither was present for the meeting. President Koogler will check later in the meeting to see if either of the two is present.

**COMMUNICATIONS**

No communications

**CITIZENS' COMMENTS**

Richard Stiffler said there was a "watchful eye" on the past administration but now only a few are watching "him" (referring to Mayor Hastings). He questioned the purchase of the Armintrout building for parking to replace displaced parking when the Plaza is created. He referenced a bench that was once located Uptown and there was a homeless person sleeping on it so the bench was removed. He asked Council what they will do when they put in a park and the same thing happens. Mr. Stiffler said everyone knows that the \$78,000 donated for the plaza was a "kick back" from street paving jobs. He said someone on City Council should be responsible and that three members are responsible and four members are (unfinished sentence). Mr. Stiffler told Council to think long and hard on their vote on the legislation to purchase real estate because people are watching. There should be more people in Hillsboro that have a watchful eye on "you people."

Mr. Alexander addressed Mr. Stiffler and said he is concerned about the statement made that the \$78,000 donation was a “kick back.” He said it was a very, very generous gift and the person who donated the money has also given gifts to other institutions. Mr. Alexander said he is very appreciative that the donor considered Hillsboro to be worthy of the gift.

President Koogler agreed with Mr. Alexander. He was asked to look into the issue of Mr. Mason’s donation and all the supporting documentation including the trust fund that named other organizations and not just the City of Hillsboro. Mr. Stiffler asked why it took so long for the information to be made public. President Koogler said there was no intention on the part of Administration to hide anything and only wanted to honor the request of the donor to remain anonymous. Ultimately, President Koogler said he had discussions with the Administration and expressed his understanding for anonymity but the documentation was, indeed, a public record and should be disclosed. Mr. Stiffler started talking about the bench Uptown. President Koogler asked Mr. Stiffler to give Council the opportunity to speak and address his statements. Council will make the decision whether to move forward with the Plaza and the acquisition of the Armintrout building. The legislation will have a third reading next month.

Ms. Morris related a conversation she had with one of her customers. He told Ms. Morris that he is 86 years-old and he would like to see the Plaza before he is dead. He also said he was in favor of the dog park. She said her point is that Council members *do* represent both sides of the issues, weighing those in favor against those against, such as Mr. Stiffler.

Mr. Lewis asked that the record show that the Uptown benches that Mr. Stiffler referenced were removed by a County Commissioner because they were located on county property. The City had no control over that matter whatsoever.

#### **COMMUNICATIONS FROM THE MAYOR (Drew Hastings, Mayor)**

Mayor Hastings greeted the Council members. He said that in spite of the unwarranted distractions the Administration is currently dealing with, the city is making headway in a number of areas.

First, there is legislation to the water ordinance that is only a simple ten word, one line addition but took a lot of work by a lot of people to accomplish. The one sentence addition captures households that were not recognized by the water billing department. This legislation will result in increased revenue of over \$120,000 per year. The big beneficiary of the legislation amendment is the resident homeowner of Hillsboro. Mayor Hastings thanked Nancy Matthews, Water Office Manger; Todd Wilkin, Safety and Service Director, and the Utilities Committee for all their hard work which was very tedious at times.

Mayor Hastings said he will form a Citizens’ Advisory Board to work with the Police Department. This group will look at how the Police department works and get a better understanding of how the department works, give input into specific problems facing

their neighborhoods, and advise on areas of concern. The overall energy behind the advisory board is anything that will help the drug issue. The Board can make suggestions and report to Council. He does not want the board to be driven by the Administration and asked Council members to please provide names of people from each ward or the community at large that might serve on the board.

A great deal of time has been spent preparing for Uptown revitalization including improved street and sidewalk cleanup and implementing a façade improvement program. Because the city is granting funds for Uptown buildings, there needs to be criteria to maintain the historic look and integrity of the Uptown. The Design Review Board is working hard to set those standards.

There were no questions for Mayor Hastings.

### **SAFETY AND SERVICE DIRECTOR'S REPORT**

Mr. Wilkin announced the February Employee of the Month, Cherri Pitzer. Ms. Pitzer has worked for the city for over twenty-seven years. He thanked her and acknowledged her work and cited the countless hours and thankless hours spent on new requirements associated with the Health Care Reform Act. He also thanked her for her attention to detail.

Mr. Wilkin asked President Koogler to place a project into the Employee Relations Committee. The Civil Service Manual has not been updated since its creation in 1985. Cross Management was contracted to update the manual and Mr. Wilkin asked that the Employee Relations Committee be involved in the update to insure that the new manual adheres to the Civil Service Rules and the rules are accurate and up-to-date.

Bids were received on February 26, 2016 to demolish the old water treatment plant. The engineer for the project, Todd Ford, Civil and Environmental Consultants, reviewed the bid documents and recommended Evans Landscaping as the most qualified and lowest bidder. Demolition will begin when the weather allows and will include the old plant as well as the old holding tank north of the plant.

A Code Enforcement officer will be hired soon. The position was approved through the budget process last year. An additional police officer will also be hired to help combat the drug issue.

The second annual Fishing Derby is scheduled for April 16, 2016 at Harmony Lake in Liberty Park. The lake will be stocked with trout. Mr. Wilkin reminded Council that the Hillsboro Planning Commission is working on updating the current zoning code. The consultant hired by the Commission asks that interested people complete a survey found on Hillsboro Facebook and the Hillsboro Web site.

President Koogler placed the matter of the Civil Service Commission regulation update in the Employee Relations Committee.

Mr. Alexander asked Mr. Wilkin to ask the newspapers to publish the link to the survey. There were no questions for Mr. Wilkin.

**AUDITOR’S REPORT (Gary Lewis, Auditor)**

Mr. Lewis presented the year-to-date fund report and year-to-date bank report with a balance of \$6,161,178.52 in various bank accounts and in investments and cash-on-hand for operational purposes. He noted that there is a negative unencumbered balance in the 206 Recreation Fund. The City was awarded a grant that is reimbursable (Dog Park and the pavilion at Harmony Lake). The grant money will not be received until the city expends money for the projects. Mr. Lewis said he may ask for an increase in appropriations as the year goes by to keep the fund balanced and satisfy the auditors. Mr. Lewis asked for a motion to accept the report as submitted.

Mr. Alexander said that the unencumbered balance of \$163,773 in the General Fund seemed low. Mr. Lewis said that encumbrances are large at the beginning of the year because large sums for known expenses are encumbered, such as \$550,000 for fire coverage. As the year progresses the unencumbered amount will increase. President Koogler said the carry-over at the end of the year is still anticipated to be \$700,000. Mr. Lewis confirmed the carry-over. Mayor Hastings asked that Mr. Lewis confirm the amount encumbered for fire coverage and Mr. Lewis did so at \$550,000.

**MOTION** Ms. Wilkin moved, seconded by Ms. Aranyos, to accept the Auditor’s report. There was no further discussion. Vote: all yeas. Council accepted the report.

Mr. Lewis explained the legislation he presented to Council which he referred to as “housekeeping measures” to make minor adjustments to the budget:

- Increase appropriation in the General Fund to place money donated in 2015 into the Police Department fund (\$2,397.50) for 2016
- Various appropriation changes requested by the Safety Service Director to allow for an additional police officer
- Transfer funds from 701 Unclaimed Funds to the General Fund as required by law. This transfer is made annually.

**PLANNING COMMISSION (Mayor Hastings, Chair)**

The Hillsboro Planning Commission met at 5:30 p.m. on February 16, 2016 in the Hillsboro Firehouse Community Room. Present for the meeting were Tom Eichinger, Chair, Mayor Hastings, and Ruth Robbins. There was not a quorum for an official meeting. Also present for the meeting were members of the Zoning and Annexation Committee: Tracy Aranyos (Chair), Claudia Klein, and Justin Harsha. Also present were Ann and Robin Morris, Jo Sanborn, and Joe Mahan.

Liz Fields, Planning and Zoning Consultant for McBride-Dale-Clarion Associates, presented her plan for a Zoning Code Diagnosis for Hillsboro. She will meet with city officials, Planning Commission members, and anyone in the community with an interest in zoning. After identifying strengths and weaknesses in the current code, she will

provide the commission with an annotated summary outlining recommended changes. The zoning diagnosis will take approximately four months to complete.

Some of the zoning concerns included non-conforming use in residential areas for homes with multi-units; zoning codes that are easy to deal with; Uptown residential rules; enforcement of zoning codes; and codes written to help make the city look good. Common variances will be reviewed and considered in the plan. The meeting ended at 6:30 p.m.

There were no questions for Mayor Hastings.

#### **NOTE**

President Koogler again checked to see if the citizens with public requests were present and they were not.

#### **STANDING COMMITTEE REPORTS**

##### **FINANCE COMMITTEE (Dick Donley, Chair)**

The Finance Committee did not meet but Mr. Donley will schedule a meeting before the third and final reading of the legislation to purchase the real estate. He checked with the City Auditor regarding the distribution of some funds and will also meet to discuss Grow! Highland County.

There were no questions for Mr. Donley.

##### **PROPERTY MAINTENANCE AND RESTORATION (Ann Morris, Chair)**

The Property Maintenance and Restoration Committee met March 14, 2016 at 6:30 p.m. Present were committee members Ann Morris (Chair), Justin Harsha, and Dick Donley. Also present were all remaining council members. The committee discussed removing the permit fee for replacing an existing sign with a same-size, same-type sign. If the sign is replaced with a different type of sign, a fee will be charged. A permit will still be required and it must be approved, but there will be no fee associated with it. Ms. Morris will ask the Law Director to amend the legislation. Mr. Donley moved, seconded by Mr. Harsha, to make the above recommendation to Council. All voted yea. The meeting adjourned at 6:37 p.m.

There were no questions for Ms. Morris.

##### **CIVIL SERVICE AND EMPLOYEE RELATIONS COMMITTEE (William Alexander, Chair)**

No report

##### **STREET AND SAFETY COMMITTEE (Justin Harsha, Chair)**

Mr. Harsha reported that he attended a Festival of the Bells Committee meeting in February. The next meeting is March 21, 2016 at 6:30 p.m. at the Catholic church and Council is invited. Mr. Harsha said he had nothing from Administration to take with him to the meeting so he just sat-in on the meeting. Mr. Harsha asked the Festival of the Bells

Committee what they would like to see from the city as a partnership. A few of the items they would like help with were street sweeping, dumpsters, and security. Mr. Harsha said the city needs to make the Festival a two-way street with Administration and Council. President Koogler asked Mr. Harsha to talk with the Administration before the next meeting.

There were no questions for Mr. Harsha.

#### **UTILITIES COMMITTEE (Becki Wilkin, Chair)**

The Hillsboro Utilities Committee met on February 18, 2016 at 6:00 p.m. in the Hillsboro Firehouse Community Room. The following were present for the meeting: Committee Members Becki Wilkin (Chair), Tracy Aranyos, and Bill Alexander. Also Present were council members Dick Donley and Ann Morris; Mayor Drew Hastings, Todd Wilkin, SSD; Nancy Mathews, Water Office Supervisor, and Joe Mahan, resident.

The Committee discussed charging the minimum water/sewer rate per unit instead of per meter. They discussed how many units are not being billed the minimum rate and how adding those units will impact the water revenue. By adding these units the water/sewer revenue would increase by approximately \$122,000. They discussed how a multi-unit property would be notified and billed. It will be the responsibility of the property owner to notify the city if the billing is incorrect for the number of units. The committee met again on February 29, 2016 to discuss this matter further. The committee discussed what they might do with the minimum rate and the consensus was to implement the legislation to capture the minimum for each unit and wait before changing the minimum rate or minimum cubic feet. Once the additional units are captured, the issue of the rate and minimum cubic feet could be considered later in the year, closer to the scheduled rate-increase in September. This would give the city time to assess how the legislation is working. The committee presented legislation to Council with their recommendation to charge each residential unit the minimum rate.

There were no further questions for Ms. Wilkin.

#### **ZONING AND ANNEXATION COMMITTEE (Tracy Aranyos, Chair)**

The Hillsboro Zoning and Annexation Committee met on Monday, February 22, 2016 at 5:30 p.m. in the Municipal Court. Present for the meeting were committee members Tracy Aranyos (Chair), Claudia Klein, and Justin Harsha. Also present were Council member Ann Morris, and citizens Robin Morris and Jo Sanborn.

The first agenda item was a request to annex the County Engineers property on SR 124. There were no further comments or questions on this matter.

The next topic was further discussion of residential properties in the Historic G Uptown District. After discussion, all agreed that the current Residential properties should remain and be “grandfathered-in” indefinitely, since there were not any ordinances against this on the books currently. The Committee felt that, to be fair, any property that was currently a residence should remain as a residence. The committee also agreed to move forward with the Planning Commissions’ suggestion to ONLY allow Commercial spaces

on the ground floor, and residential spaces to be on the second floor or higher. The Committee also made a recommendation that the Marathon gas station on East Main be permitted indefinitely because of the financial contributions to the city. No additional gas stations should be permitted in the Historic G Uptown District.

Justin Harsha moved to keep the Historic G District issue in committee and have another meeting after recommendations are made by the zoning consultant. Claudia Klein seconded the motion. At 5:44 p.m., Ms. Klein moved, seconded by Mr. Harsha, to adjourn.

President Koogler asked Mr. Wilkin if there was a time frame to expect a report from the zoning consultant. Mr. Wilkin said the initial phase will take four months but on the Historic G issue Mr. Wilkin will contact Ms. Fields for an early recommendation on the single issue so that Council can proceed with legislation.

#### **COMMUNITY ENHANCEMENT (Claudia Klein, Chair)**

The Community Enhancement Committee met on March 14, 2016 at 6:00 p.m. Present for the meeting were committee members Claudia Klein (Chair), Becki Wilkin, and Dick Donley. Also present were all remaining council members, Joe Mahan, Barb Cole, and Bonnie Furnish. The Committee discussed yard sale legislation and Ms. Cole said the legislation was against the freedoms of people. There were questions concerning the enforcement and if a person had a street-wide or community-wide yard sale it should be permitted. Ms. Klein will return the legislation to the Law Director and amend it to allow the street-wide and community-wide yard sales and then present it to Council. The Committee adjourned at 6:25 p.m.

#### **UNFINISHED BUSINESS**

There was no unfinished business.

#### **PASSAGE OF ORDINANCES AND RESOLUTIONS (THIRD READING)**

No legislation

#### **SECOND READING OF ORDINANCES AND RESOLUTIONS**

- **Ordinance No. 2016-02** An Ordinance to Enter Into a Purchase Agreement for the Acquisition of Two Parcels of Real Property from John C. Wilkin and to Transfer One Parcel to the Hillsboro Area Economic Development Corporation and to Declare an Emergency

The Ordinance had a second reading and there was no discussion.

#### **FIRST READING OF ORDINANCES & RESOLUTIONS**

- **Resolution No. 16-08** A Resolution to Increase Appropriations in the General Fund *Recommended by the Auditor* The resolution is appropriation in nature and does not require suspension of the Three Reading Rule and the necessity of the legislation was explained by the Auditor.

**MOTION** Mr. Donley moved, seconded by Ms. Klein, to approve and adopt Resolution No. 16-08. Vote: all yea. Council approved and adopted the resolution.

- **Resolution No. 16-09** A Resolution to Various Appropriation Changes *Recommended by the Auditor* The resolution is appropriation in nature and does not require suspension of the Three Reading Rule and the necessity of the legislation was explained by the Auditor.

**MOTION** Ms. Klein moved, seconded by Ms. Morris, to approve and adopt Resolution No. 16-09. Vote: all yea. Council approved and adopted the resolution.

- **Resolution No. 16-10** A Resolution to Transfer funds (Unclaimed Funds to General Fund) *Recommended by the Auditor* The resolution is appropriation in nature and does not require suspension of the Three Reading Rule and the necessity of the legislation was explained by the Auditor.

**MOTION** Mr. Donley moved, seconded by Ms. Aranyos, to approve and adopt Resolution No. 16-10. Vote: all yea. Council approved and adopted the resolution.

- **Resolution No. 16-11** A Resolution to Authorize the Mayor of the City of Hillsboro to Enter Into an Agreement with the State of Ohio, Ohio Development Services Agency (ODSA), for the Administration of the City's Housing Revolving Loan Fund for CDBG and HOME Activities *Introduced by the Safety and Service Director*

**MOTION** Mr. Donley moved, seconded by Ms. Klein, to suspend the Three Reading Rule. Vote: all yea. Council suspended the Three Reading Rule.

**MOTION** Ms. Aranyos moved, seconded by Ms. Klein, to approve and adopt Resolution 16-11. Vote: all yea. Council approved and adopted the resolution.

- **Ordinance No. 2016-03** An Ordinance to Amend Section 51.041 of the City Code to Provide Additional Definitions and Requirements for Shut-Off and Turn-On Fees *Introduced by the Utilities Committee of Council*

**MOTION** Ms. Aranyos moved, seconded by Ms. Wilkin, to read the ordinance by Title Only. Vote: all yea.

President Koogler explained that the legislation has been discussed by Council to make the fees more uniform across the city by making each residential unit responsible for a minimum fee where there is only one meter feeding multiple units. The Utilities Committee recommends approval of the legislation. President Koogler opened the floor for discussion or debate.

**MOTION** Ms Aranyos moved, seconded by Ms. Klein, to suspend the Three Reading Rule and declare an emergency in order to put the legislation in place quickly.

Mr. Alexander asked for discussion before voting on the suspension of the Three Reading Rule. He is in favor of the legislation but asked that the legislation be given three readings to give the community a chance to respond to it. He believes that there are sometimes unexpected consequences when Council acts quickly. The community may have some input that Council did not consider. Mr. Harsha agreed with Mr. Alexander. Ms. Wilkin also agreed with Mr. Alexander. President Koogler said that a motion to suspend the Three Reading Rule would require six votes and asked Ms. Aranyos if she wished to withdraw her motion. Ms. Aranyos withdrew her motion.

**NEW BUSINESS**

No new business

**ADJOURN**

At 7:51 p.m., Ms. Aranyos moved, seconded by Ms. Klein, to adjourn. Vote: all yeas.

The next scheduled meeting of the Hillsboro City Council is April 11, 2016 at 7:00 p.m. in the Hillsboro Municipal Court.

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Lee Koogler, President

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Debbie Sansone, Clerk