

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

**May 9, 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: 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 led the Pledge of Allegiance.

**MINUTES**

There were no additions or corrections to the meeting minutes from April 11, 2016 Regular Meeting or the April 20, 2016 Special Meeting. The minutes were approved as written.

**MONTHLY REPORTS**

There were no questions about the April 2016 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.

**PUBLIC REQUESTS**

Council received three requests for sign variances. President Koogler asked Ms. Morris to give her Property Maintenance and Restoration Committee report to address the requests.

The Property Maintenance and Restoration Committee met on May 9, 2016 at 6:30 p.m. prior to the council meeting. Present for the meeting were committee members Justin Harsha, Dick Donley, and Ann Morris. Edward Jones requested a variance for an additional sign beside the front door at their location on Beech Street. A pylon sign already exists in front of the building. The additional sign is 18" x 18". Mr. Harsha moved, seconded by Mr. Donley, to recommend the variance to Council. All voted yes.

Merchants Bank requested a variance to hang banners on their Uptown building for Customer Appreciation Day. One banner will face High Street and it is 52" x 17" and the second banner is 52" x 60". The banners will be displayed two weeks prior to the June 3 event and will be removed the day after the event. Mr. Donley moved, seconded by Mr. Harsha, to recommend the variance to Council. All voted yes.

Mr. Harsha, on behalf of the Scott House, requested a variance to allow a sign to be set on the road-side of the fence so that the sign is more visible from the road. Mr. Donley moved, seconded by Ms. Morris, to recommend the variance to Council. All voted yes. The meeting adjourned at 6:41 p.m.

**MOTION** Mr. Donley moved, seconded by Ms. Aranyos, to approve the request from Edward Jones for a sign variance to allow an additional sign. Vote: all yeas. Council granted the variance.

**MOTION** Ms. Morris moved, seconded by Ms. Klein, to approve the request from the Scott House to allow a sign to be installed three feet within the allowed 40 foot set-back. Vote: all yeas. Council granted the variance.

**MOTION** Mr. Harsha moved, seconded by Ms. Klein, to approve the request from Merchants Bank to display banners on their building two weeks prior to the Customer Appreciation Day event. Vote: all yeas. Council granted the variance.

President Koogler asked the Clerk to communicate the variance approvals to all parties.

### **COMMUNICATIONS**

President Koogler received a letter from the Hillsboro Area Economic Development Corporation (HAEDC), referred to as the CIC, regarding the deteriorated condition of the Colony Theatre. He distributed a copy to all council members and discussed the letter with Ms. Morris before placing the matter in the Property Maintenance and Restoration Committee to review over the next month or so.

Mark Wilson requested a detachment of his property (1.164 Acres) on State Route 124 from the city. President Koogler referred to Mr. Beery for the proper procedure to detach the property. A public hearing must be held and the committee can make a recommendation at the time of the hearing. President Koogler placed the request in the Zoning and Annexation Committee.

### **CITIZENS' COMMENTS**

Ms. Klein said she had been in touch with Stephanie Roland, Support Our Troops, and showed Council two handicap veteran parking signs that they would like displayed around the Courthouse. Ms. Klein asked Mr. Wilkin if the signs could be installed. Mr. Wilkin recommended that the Street and Safety Committee look at the issue. There are currently two handicap parking spots. Mr. Wilkin had no objections. Ms. Klein asked that the veteran sign be posted in addition to the two current handicap parking signs. President Koogler said a committee should be put together some time over the next two weeks to make a recommendation. Mr. Wilkin asked that the committee let him know their decision in time for the Memorial Day event at the memorial site.

Barb Cole, city resident, addressed Council regarding the yard sale ordinance. She does not believe it is the intent of Council or the Administration to create the kind of things <inaudible>. The ordinance states who can have a yard sale. A family member cannot come to a house and have a yard sale for that person. The Ordinance dictates when a yard sale can be held and how often, how long the sale can last, what can be sold and how the items to sell are obtained. A person would be out of compliance if they did not receive permission from the city to have a yard sale. A city employee can inspect the yard sale for compliance and law enforcement can enforce the rules. Ms. Cole said that she does not want law enforcement going to yard sales when there is a heroin epidemic in

the community. She does not want her taxes used for yard sale enforcement. She stated that Council is considering spending \$100,000 for the Plaza when the Police Chief has requested an additional drug enforcement officer. It is time to look at how the government rules the citizens or serves the citizens. She believes it is ridiculous to go to such extents to control peoples' lives because ten people are misusing yard sales. Ms. Cole recommended enacting an ordinance that restricted a yard sale to four days and no more often than <inaudible>.

Joe Mahan, Hillsboro Uptown Business Association, is concerned about the mid-block crosswalks Uptown. The drivers are not yielding to pedestrians. He asked the Chief and Mr. Wilkin if there is something that can be done. He also sees a lot of people crossing traffic to park on the opposite side of the street and making u-turns.

Jim Matticks, county resident, asked if Mr. Lambert is on the Street and Safety Committee. President Koogler explained that the committees are comprised of council members and Mr. Lambert is not on the committee.

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

Mayor Hastings was not present for the meeting and President Koogler read the report from the Mayor:

“Good Evening All,

I'm sorry I couldn't be here this evening to share an exciting new development. We've just contracted to have an in-depth feasibility study done for a new hotel project here. This study is a needed and big first-step in determining whether our market will support a new hotel complex and thus, encourage developer investment.

The study includes an economic Impact Report that will show the temporary, ongoing, and future money generated in Hillsboro and Highland County by the development. I believe, as do others, that this holds the promise of a much needed hospitality site and increased dollars to our city and county. If you want more information, please give me a call.

That's it for tonight. Thank you.

Drew”

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

Mr. Wilkin announced that Seth McCoy is the April Employee of the Month. Seth has been employed by the city for 12-1/2 years and is a very dedicated employee. He thanked Seth for all that he does. Seth headed a group of public employees who restored an old dump truck that was in a field at the wastewater treatment plant. The truck is now in use by the city.

On May 14, Saturday, from 9 am to 12 p.m. at the Hi-Tec center on North High Street, the county will hold their annual recycling event. They will take old computers and tires, among many other items.

Mr. Wilkin is scheduled to walk through the Colony Theatre with an engineer to look at options to demolish the entire building. He invited any member of council to join him on Wednesday, May 11, at noon to walk through the Colony. The public is also welcome.

Job applications were received for positions at the water treatment plant and the public works department. Jason Bernard and Shawn Adkins will be scheduling interviews. A civil service test was held on May 7 for a new police officer.

If weather permits, the bricks in the pavement at High and Main Streets will be removed and the area paved. It may take up to two weeks. The pavers were never in the proper location for a crosswalk. The pavers will be stored for later use. Street striping will begin within the month, which includes crosswalks.

Mr. Alexander asked how the pavers will be used and the condition of them. Mr. Wilkin said the intent is to use them in the plaza project. Some test pavers were removed and appeared to be in good condition. Mr. Wilkin feels they can be repurposed.

#### **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 \$6,544,214.39 in the bank accounts and in investments and cash-on-hand for operational purposes. Mr. Lewis asked for a motion to accept the report as submitted.

**MOTION** Ms. Klein moved, seconded by Ms. Wilkin, 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:

- A request to increase appropriations in the General Fund to cover the cost of elections in the city. This is a new charge the Board of Election imposed on all government entities in the county. The charge is permissible by the Ohio Revised Code but is only now being imposed by Highland County. The charge will be permanent and will be added to the budget each year. The charge was imposed without any warning and Mr. Lewis suggested that the Board of Elections could have been more professional and alerted those responsible for the budget about the coming change.
- A request to increase appropriations in the Municipal Court Special Projects fund due to changes in health care coverage after the original budget was passed. There is adequate money in the fund to make the change.
- A request to increase appropriations in the General Fund to cover potential tax income refunds at the end of the year or the beginning of 2017 due to changes at

the state level regarding earnings taxes. There is a large increase in tax collection in 2016 but there is no evidence that employment has increased as drastically as the increase in tax collection. The Tax Commissioner feels that much larger than normal refunds may be requested.

- A request to increase transfers to the Recreation Fund. The city received an ODNR grant for the Dog Park and pavilion. It is a reimbursement grant which means the money must be spent first and the transfer will assure that the money is there.
- Shawn Adkins, Street and Maintenance Supervisor, requested an increase in appropriations in the Municipal Motor Vehicles License Fund to make alley repairs and remove brick pavers in the center of town in preparation of the state paving project in 2017 on High Street and in 2018 on Main Street.

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

President Koogler read the Planning Commission report for Mayor Hastings:

The Planning Commission met at 5:30 p.m. on April 19, 2016 in the Hillsboro Firehouse Community Room. Present for the meeting were Stephen Crouch, Buck Wilkin, Tom Eichinger (Chair), Drew Hastings (Mayor), Bob Lambert, and Ruth Robbins.

Mr. Eichinger researched the zoning code to find that the “grandfather” issue for existing Uptown residential units may not be a problem if Council votes to prohibit first floor residential units in the Historic District G. The Commission will confer with the Law Director.

The Commission welcomed Bob Lambert as the newest member of the Planning Commission. They also received a letter of resignation from Stephen Crouch who has accepted an internship in Washington D.C. Mr. Crouch has been a very positive asset to the Commission and will be missed. They wished him luck.

Geoff Lowell, Lowell’s Landscape, requested the vacation of the alley between his two properties on North West Street. The commission will recommend to Council that the alley be vacated.

The meeting adjourned at 6:16 p.m.

### **STANDING COMMITTEE REPORTS**

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

The issue regarding the purchase of the Governor Trimble property will remain in committee until at least June 2016. In April, Council granted a variance for a food truck to operate on South High Street.

The Finance Committee met at 5:30 p.m. on April 25, 2016, in the Hillsboro Firehouse Community Room at 204 North East Street. Present for the meeting were committee

members Ann Morris, Bill Alexander, and Dick Donley. Joe Mahan, President of HUBA, was also present.

The committee discussed the solicitor's ordinance and issues in reference to food trucks operating in the corporation of Hillsboro, such as required permits and fees, the number of units permitted, and the areas in town that could be available for the units to park. Traffic pattern and pedestrian safety are issues that need to be addressed. The Committee was receptive to allowing the trucks to operate however, all members requested more time to investigate areas in town and review some of the issues discussed. The meeting adjourned at 6:15 p.m. Mr. Donley asked that the issue remain in Committee and another meeting will be held before finalizing a recommendation to Council. There were no questions for Mr. Donley.

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

Ms. Morris gave her report earlier in the evening but said her committee will meet soon to discuss the concerns the HAEDC related to Council regarding the Colony Theatre.

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

Mr. Alexander reported that there will be no meeting to further discuss the new civil service manual until information is received from Cross Management, the consultant creating the new manual. There were no questions for Mr. Alexander.

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

Mr. Harsha was unable to attend the last Festival of the Bells committee meeting (it was held on the same night as the City Council meeting). He had no report. There were no questions for Mr. Harsha.

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

There was no meeting.

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

There was no meeting. Her committee will meet before the next council meeting to discuss the request for detachment from Mark Wilson. Her committee is working with the Planning Commission to amend the ordinance for Historic Business District G zoning as it pertains to residential units. There were no questions for Ms. Aranyos.

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

There was no meeting.

**EXECUTIVE SESSION**

President Koogler asked that Council enter into Executive Session in regards to pending litigation against the City of Hillsboro.

**MOTION** Ms. Klein moved, seconded by Mr. Donley, to enter into Executive Session. Vote: all yeas. Council entered into Executive Session at 7:36 p.m. to

discuss litigation matters. President Koogler invited Mr. Wilkin and Mr. Lewis to join Council in Executive Session. Mr. Beery also joined.

Council returned to Regular Session at 8:12 p.m. There was no action taken by Council.

## **UNFINISHED BUSINESS**

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

- **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*

Mr. Alexander asked Mr. Wilkin if he was able to find an agreement with the Lilly Hill Condominium Association regarding their water meter. Mr. Wilkin said he found no agreement and discussed it with Shawn Adkins who did not recall an agreement. The agreement to install only one meter may have been verbal. Mr. Wilkin could not answer the letter from Marvin Hakes regarding the decision to install one meter because he was not present when the decision was made.

**MOTION** Ms. Wilkin moved, seconded by Ms. Morris, to approve and adopt Ordinance No. 2016-03. Vote: all yeas. Council approved and adopted the ordinance.

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

- **Ordinance No. 2016-04** An Ordinance to Amend Sections 114.07 and 116.01, Et Seq., of the Hillsboro Code of Ordinances to Facilitate Yard Sales in the City. *Introduced by the Community Enhancement Committee*

The ordinance received the second reading.

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

- **Resolution No. 16-17** A Resolution to Increase Appropriations in the General Fund for Board of Elections *Introduced 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. Aranyos, to approve and adopt Resolution No. 16-17. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-18** A Resolution to Increase Appropriations in the Municipal Court Special Projects Fund *Introduced 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. Aranyos moved, seconded by Mr. Harsha, to approve and adopt Resolution No. 16-18. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-19** A Resolution to Increase Appropriations in the General Fund for Tax Refunds *Introduced 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.

Mr. Alexander asked Mr. Lewis if the \$150,000 comes from the surplus planned for the end of the year. Mr. Lewis explained that income tax revenue is up over 30% from anticipated revenue and the transfer comes from the increase in income tax and not from the end-of-year surplus.

**MOTION** Ms. Morris moved, seconded by Ms. Klein, to approve and adopt Resolution No. 16-19. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-20** A Resolution to Increase Transfers from the General Fund to the Recreation Fund *Introduced 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. Harsha moved, seconded by Ms. Klein, to approve and adopt Resolution No. 16-20. Vote: all yeas. The resolution was approved and adopted.

- **Resolution No. 16-21** A Resolution to Increase Appropriations in the 211 Municipal Motor Vehicle License Fund *Introduced 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. Harsha moved, seconded by Mr. Alexander, to approve and adopt Resolution No. 16-21. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-22** A Resolution Authorizing the Safety & Service Director of the City of Hillsboro to Prepare and Submit an Application for the FY16 Community Allocation Development Program (CDBG) *Introduced by the Safety and Service Director*

Mr. Wilkin explained that the resolution is required with the grant application which must be submitted before the next council meeting.

**MOTION** Ms. Aranyos moved, seconded by Ms. Morris, to suspend the Three Reading Rule. Vote: all yeas. Council suspended the Three Reading Rule

**MOTION** Ms. Klein moved, seconded by Ms. Aranyos, to approve and adopt Resolution No. 16-22. Vote: all yeas. Council approved and adopted the resolution.

**NEW BUSINESS**

President Koogler announced that the U.S. 50 Yard Sale event will be held on May 19-22, 2016 and asked if Council wished to waive the yard sale permit for that weekend.

**MOTION** Ms. Klein moved, seconded by Ms. Aranyos, to waive the yard sale permit fee for the weekend of the U.S. 50 Yard Sale, May 19 – 22, 2016. Vote: all yeas. Council waived the need for a yard sale permit for the weekend of the U.S. 50 Yard Sale.

**ADJOURN**

At 8:26 p.m., Ms. Klein moved, seconded by Mr. Harsha, to adjourn. Vote: all yeas.

The next scheduled meeting of the Hillsboro City Council is June 13, 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