

HILLSBORO CITY COUNCIL MEETING
Hillsboro Municipal Court – 130 Homestead Drive

September 12, 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 the August 8, 2016 Regular Meeting. The minutes were approved as written.

MONTHLY REPORTS

There were no questions about the August 2016 monthly reports and the clerk read the reports by title only: Auditor, Income Tax Bureau, Police, Public Utilities (includes Street Department), Wastewater Treatment, Water Meter, Water/Sewer Maintenance, and Water Treatment.

PUBLIC REQUESTS

There were no public requests.

COMMUNICATIONS

- ODOT – Notice of Signal Timing Project (2017) PID 103831
- Rory Ryan – Letter of Appeal re Sidewalk Project (Mr. Beery advised Council that there is no issue of appeal at this time.)

CITIZENS' COMMENTS

Mary Todd Hardeman, Chair, Design Review Board, addressed Council regarding the legislation to approve the members of the Design Review Board. She outlined the purpose of the Board and urged Council to approve the members to allow the Board to continue their work on behalf of the city. The Board consists of members appointed by the Mayor and includes two business owners in the Historic District, two property owners in the Historic District and a representative from the Highland County Historical society who is a resident of the city. The Board is currently short one member. The Board was created by ordinance in 1995 to hold the Historic District to standards of architectural integrity for the exterior of existing and new buildings, signage, and demolition.

Ms. Aranyos did not have any questions for Ms. Hardeman but said that she did not feel there was a need for the Design Review Board. Twenty years ago it was different and now the goal is to make things simpler for business owners. All regulations can be found

on-line and business/property owners will know what is or is not allowed. The process is too long using the Design Review Board and is not needed. The public should not have to present their changes to a board and wait two or three months for approval. Any issues can be put into committee. Less government is better than too much.

Ms. Hardeman responded by saying that not everything is in the ordinance and the Design Review Board should remain active until the time that the ordinance is more complete. Ms. Aranyos said that if something is left out of the ordinance the elected council officials can answer any issues, much like the Property and Restoration Committee with signs.

President Koogler asked Council if anyone had questions for Ms. Hardeman. There were no questions. He explained to Council that a request to place something in committee can be made by three members of Council or by the President of Council. President Koogler said he never turns down a request from Council to discuss a matter in committee. The Design Review Board was created by legislation, a function of Council, and to address the concerns and consider changing the legislation would require committee review. He placed the matter in the Property Maintenance and Restoration committee. In case anyone feels there is a conflict with Ms. Morris as Chair of that Committee, he placed it jointly in Community Enhancement as well and asked Ms. Aranyos to set-up the meeting. Ms. Hardeman invited Council members to attend a Design Review Board meeting to see what they do.

Mr. Alexander addressed the amount of time it takes the Design Review Board to make a decision. Ms. Hardeman explained that the ordinance dictates that the Board has 30 days to approve a Certificate of Appropriateness. Mr. Alexander asked that someone from Design Review Board be present at the committee meeting and Ms. Hardeman said she would be happy to attend.

Mr. David Brown, business man and landlord in Hillsboro, appealed to Council to reconsider a violation notice he received concerning the need for property maintenance at one of his rental properties. The notice was placed in the door and the ordinance says he should be notified personally. The notice gave him ten days to comply and he did not see the notice until day six. He did not have time to comply before the city acted to maintain the property. He did not feel that he should pay the city for the maintenance. He was informed by the Code Enforcement Officer that an appeal should be addressed to Council. President Koogler explained that Council typically legislates and Administration carries-out the duties outlined in the legislation. Mr. Beery said that the appeal should be directed to the Safety and Service Director.

Mayor Hastings pointed out to Council that the draft legislation for residential property maintenance and junk vehicles and the possible elimination of the Design Review Board will cause Council to deal with numerous appeals and problems every month like Mr. Brown's. President Koogler arranged with Mr. Wilkin for Mr. Brown to discuss the matter with the Code Enforcement Officer.

COMMUNICATIONS FROM THE MAYOR (Drew Hastings, Mayor)

Mayor Hastings will be meeting with Senator Peterson and Speaker Rosenberger to discuss the possibility of amending the ORC to allow qualified individuals from throughout the county to serve on commissions and boards and not just city residents, which is how it is currently structured. This would allow Hillsboro and municipalities throughout the state to ensure getting the best and most interested candidates. The Planning Commission Association discourages certain industries and professions which further limits who can serve on the Commission, which makes the pool of qualified candidates much smaller. Obviously this is not something that is going to happen in the next 60 days.

The Mayor said that while talking about qualified and talented people, he was presenting legislation to Council to approve the Design Review Board members. There is one vacant seat that was previously filled by Alice Wilson who was a real asset to the board. He had to ask her to step down because she did not meet all the criteria. He asked Council to approve the appointments so the city can continue making the uptown looking as good as it does.

Mayor Hastings attended the open house for the Highland County Visitors Bureau and congratulated Destiny Bryson on her appointment as the Executive Director. He interviewed her awhile back for a city position and found her to be very professional and very sharp but somehow “we let her get away.” Because he is confident that the Visitors Bureau is in capable hands, he asked if the Finance Committee would follow-up with his request earlier in the year to provide more funds to the Visitors Bureau.

This was year number four for the Amazing Race of Highland County and by all accounts it was another big success. The Mayor thanked the organizers and the large number of sponsors for putting this together and using Liberty Park to its best advantage. He informed Council of the progress on revamping the city’s Web site. There have been a couple of very good design meetings and the city is on its way to having an interactive and professional looking Web site where people can get just about any information they need.

The Mayor addressed the suggestion to disband the Design Review Board. There was a reason why it was formed in 1995 but it became dormant over the years. One of the things the Mayor did when he took office was reactivate the Board and he believes that is one of the reasons why the Uptown looks better. He said that few cities that are trying to improve their city do not have a design review board equivalent to assure an overall look and set of standards. He believes it is beyond the scope of Council to weigh-in on those issues on a monthly basis.

Ms. Aranyos asked the Mayor if he could include in his monthly reports an update of the grants that Kirby Ellison is working on in order to keep Council in the loop and everyone is on the same page. This would allow Council to contribute their ideas to grants and projects. Mayor Hastings said the grant writer reports to Mr. Wilkin and Mr. Wilkin can include the grant status in his report each month.

SAFETY AND SERVICE DIRECTOR'S REPORT

The city received four quotes for health insurance and upon reviewing the quotes several material deficiencies were found. It was the recommendation of the Law Director to reject the bids and request new bids. The new bids are due September 13, 2016 and the renewal date for insurance is October 1, 2016. Bids for the dog park are due September 14, 2016. He hopes to complete the dog park in 2016, utilizing the ODNR grant funds. No bids were received for the Colony Theatre electrical work and Mr. Wilkin will solicit proposals from local contractors to complete the work. Hillsboro FOP conciliation was held on September 2 and the agreements were made at that time but are not official until the report of the conciliator is received.

Mr. Wilkin was unable to complete a report for Council concerning the water/sewer rate moratorium but will provide the information as soon as the report is completed. He recommended that the Utilities Committee meet after they receive the information to discuss a possible moratorium.

The report that Council will receive will include water/sewer income for the past three years showing that income is greater than water/sewer expenses. The report will also show the change in income after the minimum rate legislation was passed earlier this year. Mr. Wilkin recommends a change in the distribution of the \$8 surcharge on the sewer bill. Currently 54% of the surcharge is placed in the sewer debt retirement fund and 46% is used for sewer improvements. The city collects approximately \$255,000 per year from the surcharge. Mr. Wilkin asked Council to consider using \$6.00 (75%) from the surcharge for debt and improvements and creating a new enterprise fund for storm water infrastructure improvements. The remaining \$2.00 (25%) of the current surcharge would be placed in the enterprise fund. There would be no change to the surcharge rate.

Currently the water treatment plant pumps approximately 730,000 gallons of water/day (based on a yearly average). The wastewater treatment plant treats 1.3 million gallons/day. The difference in numbers indicates there is a significant amount of I & I (Inflow and Infiltration), which is an issue the city must remedy. At some point the EPA will require a sewer plant update. Storm water is finding its way into the sewer system and causing higher volumes of water to be treated through the wastewater treatment plant. On August 9, 2016, the water treatment plant pumped 860,000 gallons of water but the wastewater treatment plant treated 2.8 million gallons of water. The city received 2.5 inches of rain on that day.

The proposed storm water improvement surcharge will generate approximately \$64,000 per year and would be used only for storm sewer improvements. In the first year the current storm water system can be mapped and then the city can pursue grants to improve the deficiencies. The Ohio Public Works Commission (OPWC) funds projects such as this. Mr. Wilkin suggested that Council pass a temporary moratorium on the water/sewer rate increase until the committee can meet to review his proposal.

President Koogler placed the matter into the Utilities Committee and asked Council if they recommended a 30-day moratorium on the water/sewer rates.

MOTION Mr. Donley moved, seconded by Ms. Klein, to approve a 30-day moratorium on the scheduled water/sewer rate increase. Vote: all yeas. Council approved the moratorium.

Mr. Wilkin will provide data to council members early next week. 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 \$7,051,053.64 in the various accounts. Mr. Lewis asked for a motion to accept the reports as submitted.

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

Mr. Lewis explained the legislation he presented to Council:

- Approval of the annual tax budget and the rates, which are approved each year.

PLANNING COMMISSION (Mayor Hastings, Chair)

The Planning Commission met on August 15, 2016 at 5:30 p.m. in the Hillsboro Firehouse Community Room. Present for the meeting were Tom Eichinger (Chair), Drew Hastings (Mayor), Ruth Robbins, Buck Wilkin and Todd Wilkin (Safety & Service Director).

The Commission discussed the Zoning Code Update. The Zoning Code Diagnosis completed in May 2016 was far under budget leaving approximately \$20,000 to start the Zoning Code Update in 2016. Additional funds will be appropriated in the 2017 budget. The estimate for the total update is \$37,000 and will be completed in four parts over the course of the next 12 – 18 months. Anyone interested in serving on the Zoning Code Update Review Committee should contact Buck Wilkin. The committee will review the consultant’s updates once or twice each month for approximately one to two hours per meeting.

Todd Wilkin recapped the completed sidewalk pilot project. The Planning Commission agreed to continue with the Sidewalk Program with the expectation of completing three to six blocks of sidewalk each summer. The Commission discussed a plan for choosing sidewalks for the program but no decision was made.

The Commission received a request to close an alley between Terrace Avenue and Springlake Avenue and voted to keep the alley open. Jeremy Carter requested the detachment of 0.081 acres on SR 73 to prevent the creation of an incorporated “island” between his home property and the adjoining property also scheduled to be detached. The Commission agreed to vacate an alley between 317 and 323 East South Street. Re-platted maps were submitted for Northfield Drive (Slater) and Tanglewood (Heaton).

Due to the city's expense to install a new fire hydrant on Chariss, the Fairboard will install a locked gate in the fence at the end of the street to access the existing fire hydrant located on the fairgrounds. Mr. Todd Wilkin discussed the situation with the Paint Creek Fire Chief who agreed with the plan. The gate will not be used for traffic.

The meeting adjourned at 6:52 p.m. There were no questions for Mayor Hastings.

STANDING COMMITTEE REPORTS

FINANCE COMMITTEE (Dick Donley, Chair)

The Finance Committee did not meet but Administration provided information to the committee regarding funding for the Visitor's Bureau. He will schedule a committee meeting in the next two weeks. The issue of funding for the Colony Theatre is ongoing. There were no additional questions for Mr. Donley.

PROPERTY MAINTENANCE AND RESTORATION (Ann Morris, Chair)

The Property Maintenance and Restoration Committee met on August 17, 2016 at 6:00 p.m. in the Firehouse Community Room. Present for the meeting were members Justin Harsha and Ann Morris. Council excused Dick Donley's absence. Also present were Council members Claudia Klein, Becky Wilkin, and Tracy Aranyos; and Todd Wilkin, Safety and Service Director. Several Hillsboro citizens were also in attendance.

The Committee discussed an ordinance addressing blighted and vacant residential properties. Fred Beery, Law Director, prepared a preliminary ordinance for the committee to consider. The committee then discussed unsightly cars at properties in town. Many are unlicensed and cluttering up the city as well as creating blight. The committee decided to have Mr. Beery write a designated stand-alone paragraph in our existing ordinance addressing this issue.

The next topic of discussion was the future of the Colony Theater. The prevailing opinion is to either save the existing façade and bring it back to life, or if it is not in salvageable condition, choose to rebuild the Colony back to the current look, or the original Colony from years ago. Mr. Donley, Mr. Harsha, Ms. Morris and Darin Schweickart, architect, toured the Colony again on Friday, August 19 to see what the committee had to work with. After climbing around and doing some investigating, the preliminary observations were that the façade was in good condition, with some tuck work needed on the top of the brick work. There are steel I-beams creating a self-supporting situation for the front part of the Colony façade. Mr. Schweickart took a piece of the exterior metal home with him to see if it can be restored to its original nature. He will be creating estimates for the committee to review for the construction and restoration of the building.

The committee met again on August 24 at 6:20 p.m. at the Firehouse. Committee members Justin Harsha, Dick Donley, and Ann Morris were present. Also present were Council members Claudia Klein, Becki Wilkin, and Tracy Aranyos, as well as several interested citizens from the community.

The first topic of discussion was how to proceed with the proposed unlicensed car violation. The ordinance would deny the property owners having unlicensed, or junked cars on personal property causing blight. The committee asked Mr. Beery to look into how this ordinance affects commercial properties as well. The committee agreed that the ordinance should be brought to Council for consideration while the wording is decided upon.

The committee recognized a mistake in the most recent sign ordinance revision that omitted a paragraph referring to temporary signs. The paragraph was not meant to be removed. The committee recommended that the wording about temporary signs be replaced.

The Colony Theatre was discussed and the committee recommends to Council that the front part of the Colony be refurbished. A proposed mini-park and larger parking lot are in the discussion for possible areas to be constructed behind the Colony lobby area. Mr. Harsha moved the above, seconded by Mr. Donley. Vote: all yeas. Other items considered were public restrooms in the front part of the Colony, meeting rooms, and all agreed that the ticket booth should be restored to the area.

The Committee did not discuss the proposed residential blighted property ordinance but is still looking to bring the matter before Council. The meeting adjourned at 7:05 p.m. Ms. Morris said her committee will meet again within the month to discuss blighted properties, unlicensed cars, the Colony, and the sign ordinance. Mr. Beery will prepare new legislation to correct the sign ordinance.

CIVIL SERVICE AND EMPLOYEE RELATIONS COMMITTEE (William Alexander, Chair) No report. Mr. Wilkin said the update to the Civil Service Manual is ongoing.

STREET AND SAFETY COMMITTEE (Justin Harsha, Chair)

Mr. Harsha reported that the Festival of the Bells Committee met to “wrap up” the festival. He asked Council to approve the dates of July 6, 7, and 8, 2017 for the Festival, closing down on July 5 to prepare. Mayor Hastings asked who Mr. Harsha was speaking for when making his request: Council or the Festival of the Bells. Mr. Harsha said the president of the Festival of the Bells resigned and he was asked by the Festival Committee to make the request to Council. Mr. Harsha is a member of the Festival of the Bells Committee. Mr. Alexander noted that the Festival Committee needs to set the date as early as possible in order to arrange for the best talent.

MOTION Mr. Alexander moved, seconded by Ms. Aranyos, to approve the dates of July 6, 7, and 8, 2017 for the Festival of the Bells. Vote: Mr. Alexander, yea; Ms. Aranyos, yea; Mr. Donley, yea; Mr. Harsha, abstain; Ms. Klein, yea; Ms. Morris, yea; and Ms. Wilkin, yea. Council approved the dates.

There were no questions for Mr. Harsha.

UTILITIES COMMITTEE (Becki Wilkin, Chair)

No report

ZONING AND ANNEXATION COMMITTEE (Tracy Aranyos, Chair)

No report

COMMUNITY ENHANCEMENT (Claudia Klein, Chair)

The Community Enhancement Committee met on August 24, 2016, to discuss the dog park. Committee members Claudia Klein, Becki Wilkin, and Dick Donley were present for the meeting. Also present were Council members Ann Morris, Tracy Aranyos, and Justin Harsha. Several concerned citizens were present as was Safety and Service Director Todd Wilkin who gave a short presentation on the proposed location of the dog park (behind YMCA). The dog park was moved from its original location due to drainage problems. A line of trees is incorporated into the park and a water supply is available. There will be benches and other items can be added as funds are raised. Ms. Wilkin moved, seconded by Mr. Donley, to recommend that the city solicit bids to move forward with the dog park in its new location. Vote: all yeas. The meeting adjourned at 6:15 p.m.

UNFINISHED BUSINESS

No unfinished business

PASSAGE OF ORDINANCES AND RESOLUTIONS (THIRD READING)

- **Ordinance No. 2016-08** An Ordinance to Amend Hillsboro Code Section 144.03 to Provide for Mobile Food Vehicles and to Amend the Fee Schedule for Applications for Permits *Introduced by the Finance Committee*

MOTION Mr. Donley moved, seconded by Ms. Klein, to approve and adopt Ordinance No. 2016-08. Vote: all yeas. Council approved and adopted the ordinance.

SECOND READING OF ORDINANCES AND RESOLUTIONS

- **Resolution No. 16-33** A Resolution to Authorize the Hillsboro Area Economic Development Corporation (HAEDC) to Demolish the Entire Colony Theatre and to Declare an Emergency *Introduced by the Safety and Service Director*

President Koogler asked for discussion or debate regarding the second reading of the resolution. Ms. Klein said the Council as a whole body has decided that the front can be salvaged and they do not want to demolish the entire building. President Koogler said Council's options are 1) to have a second reading; 2) remove it and place it in committee (as determined by the President); and 3) table the legislation (President Koogler conversed with Mr. Beery concerning tabling legislation). President Koogler said it was most appropriate to remove it and place it into committee rather than table the issue. Mr. Harsha recommended that the legislation be placed back in committee. President Koogler removed the legislation and placed it in committee.

FIRST READING OF ORDINANCES & RESOLUTIONS

- **Resolution No. 16-34** A Resolution Authorizing the City of Hillsboro to Prepare and Submit an Application to Participate in the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Program(s) and to Execute Contracts as Required (Phase II N East St Reconstruction) *Introduced by the Safety and Service Director*

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

MOTION Ms. Klein moved, seconded by Ms. Wilkin, to approve and adopt Resolution No. 16-34. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-35** A Resolution Authorizing the City of Hillsboro to Prepare and Submit an Application to Participate in the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Program(s) and to Execute Contracts as Required (WWTP Belt Press) *Introduced by the Safety and Service Director*

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

MOTION Ms. Morris moved, seconded by Ms. Aranyos, to approve and adopt Resolution No. 16-35. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-36** A Resolution (Preliminary Consent Legislation) Granting Consent to ODOT to Perform a Signal Retiming Project Within the City of Hillsboro on US 50, US 62, and SR73 in FY 2017 (PID 103831) *Introduced by the Safety and Service Director*

MOTION Ms. Wilkin moved, seconded by Mr. Harsha, to read Resolution No. 16-36 by Title Only. Vote: all yeas. The Clerk read the resolution by Title Only.

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

MOTION Ms. Klein moved, seconded by Mr. Harsha, to approve and adopt Resolution No. 16-36. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-37** A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor *Introduced by the Auditor*

MOTION Ms. Aranyos moved, seconded by Ms. Klein, to read Resolution No. 16-37 by Title Only. Vote: all yeas. The Clerk read the resolution by Title Only.

MOTION Ms. Klein moved, seconded by Ms. Wilkin, to suspend the Three Reading Rule. Vote: all yeas. Council suspended the Three Reading Rule.

MOTION Ms. Klein moved, seconded by Mr. Donley, to approve and adopt Resolution No. 16-37. Vote: all yeas. Council approved and adopted the resolution.

- **Resolution No. 16-38** A Resolution to Approve Design Review Board Members Appointed by the Mayor

President Koogler said he did not often offer his thoughts prior to voting on legislation but was compelled to comment after the earlier comments about the Design Review Board. The Board is a government entity created by statute. It is an entity that still exists and continues to conduct business. His position is that the appointments of the current members should be ratified in order to allow them to continue conducting business. Council can then review the issue in committee. To protect the legitimacy of the boards operation it is apparent that the members should be ratified. Mr. Beery concurred. Mr. Harsha said he had no problem with the board membership and felt they operated for the best interest of the community. The Board should continue to operate until Council make a decision.

Mr. Alexander said that in the past a committee would review the appointees to assure there were no conflicts of interest and recommended that the committee review the appointees in this case. President Koogler said the issue was placed in committee and they will look at it and during the interim no issue of <inaudible> procedural <inaudible>. Mr. Alexander said he was not speaking of the decision to continue the Design Review Board, he is in favor of the board, but referring to specific appointments. President Koogler understands the point and the committees that will look at the Design Review Board can also look at the issue of the members.

MOTION Ms. Wilkin moved, seconded by Mr. Alexander, to approve the appointments to the Design Review Board. Vote: Mr. Alexander, yes; Ms. Aranyos, no; Mr. Donley, yes; Mr. Harsha, yes; Ms. Klein, no; Ms. Morris, no; and Ms. Wilkin, yes. Council approved and adopted the resolution.

NEW BUSINESS

President Koogler asked the Finance Committee to review proposed changes to the tax ordinance before the next council meeting. He also asked Council to consider what they would like on a new Web page for City Council.

ADJOURN

MOTION At 8:13 p.m., Mr. Harsha moved, seconded by Ms. Klein, to adjourn.
Vote: all yeas.

The next scheduled meeting of the Hillsboro City Council is Tuesday, October 11, 2016 at 7:00 p.m. in the Hillsboro Municipal Court (NOTE: The second Monday of October is a holiday.)

Lee Koogler, President

Debbie Sansone, Clerk