

HILLSBORO CITY COUNCIL MEETING
Hillsboro Municipal Court – 130 Homestead Drive

March 13, 2017

At 7:01 p.m., Council President Lee Koogler called the Hillsboro City Council meeting to order. The following were present for the meeting: Mayor Drew Hastings, Gary Silcott, Consulting Safety and Service Director; Gary Lewis, Auditor; Fred Beery, Law Director; and Debbie Sansone, Clerk.

ROLL CALL

Bill Alexander, Tracy Aranyos, Justin Harsha, Claudia Klein, Ann Morris, and Becki Wilkin were present. Mr. Donley was out of town and unable to attend the meeting.

MOTION Ms. Klein moved, seconded by Ms. Aranyos, to excuse the absence of Mr. Donley. Vote: all yeas.

President Koogler led the council in prayer and the Mayor's guests, Boy Scout Troop 37, led the Pledge of Allegiance.

MINUTES

There were no additions or corrections to the meeting minutes from the February 13, 2017 Regular meeting. The minutes were approved as written.

MONTHLY REPORTS

There were no questions about the February 2017 monthly reports and the clerk read the reports by title only: Auditor, Income Tax Bureau, Police, Public Works (includes Street Department), Wastewater Treatment, Water Meter, Water Office, and Water Treatment.

PUBLIC REQUESTS

Mr. Silcott explained that the Administration talked with multiple firms and chose the Montrose Group LLC to complete a plan for the city to create a Downtown Redevelopment District (DRD). Nate Green from the Montrose Group addressed Council about DRDs. In September 2016 Ohio passed legislation to allow the creation of DRDs. It is a historic preservation tool and is not restricted to only downtown areas. He referred to it as a "super TIF" that allows for municipalities to renovate, rehab, and preserve historic buildings. Like a TIF, the funds come from property taxes that are redirected to the DRD for the preservation of historic buildings through grants. The money can be loaned to non-historic buildings.

A DRD will incentivize building owners to rehab their buildings to bring in new business and jobs. An economic development plan is required to create the district. The plan looks at the parcels to be included in the DRD, which cannot exceed ten acres. There can be multiple districts. The Montrose Group works with Council and the stakeholders to determine what is in the DRD and the existing tax base. They will talk with building owners and developers to determine future investments in the area and everything that impacts the downtown area. This is the learning phase. That information is used in the "listening" phase to determine what is wanted in the downtown. That information is then implemented in the "action" plan. Montrose will help write the legislation for Council to

pass as well as notify the schools. Finally the economic development plan is created to determine how to attract business to the downtown and what type of community development can be done. Once the DRD is created, individual development grants can be made with building owners but that is in addition to the creation of the DRD.

COMMUNICATIONS None

CITIZENS' COMMENTS

Boy Scout Pack 37 addressed Council and asked if they could have a clean-up day at Liberty Park. President Koogler said that would be wonderful and the troop should contact the city administration with a date and the city will announce it city-wide. They would like to do it on Earth Day, April 22.

Chris Matthews addressed Council about the possibility that Hillsboro may join the Paint Creek Fire District and asked Council what their collective views are on the matter. If it goes forward there will be a lot of unhappy people and it will come down on Council as a whole. He is opposed to a public tax stating it is absurd and fiscally irresponsible to the citizens of the town.

Mayor Hastings said that there are a number of options other than property taxes and he did not believe Mr. Matthews represented all of Hillsboro. Any time a property tax is proposed there is ground work before it is implemented, which includes why the tax is necessary and why the City should be able to impose the tax. The Mayor said that in the last four or five years the administration and council have done a remarkable job of turning the city around. The city is financially in good shape and a great deal has been done with infrastructure. He believes the citizens want to see more improvement which may or may not result in more property tax. Council will make the decision whether to join the district and there are options. President Koogler said that he has known for some time that this would be an issue before Council and plans to address it during the second half of the year. There will be public notice at that time, there will be opportunity for discussion before Council, and it will not be a rushed decision.

COMMUNICATIONS FROM THE MAYOR (Drew Hastings, Mayor)

Mayor Hastings began his report by thanking everyone present for the largest Council turn-out in quite some time. He is glad to see citizens involved and bringing their support or complaints before Council.

Sherry Davis is the new Income Tax Commissioner and will replace the current commissioner, Peggy Gard, who retires in May 2017. Tasha Gregory will be the new Deputy Tax Commissioner, replacing Sherry Davis in that position. Tasha is currently a clerk in the water office.

Mayor Hastings began talks with the Paint Creek Fire District regarding the sale of the firehouse property. He and some Council members toured the facility and the city believes this is the time to resolve the issue. There should be news regarding this later in the week.

The Mayor said that it has been a long time since he has had as much interest and opinion on a single topic as he has had regarding the strip of bricks exposed on West Main Street. He informed Council that it was not going to happen (leaving the brick exposed). It was quickly evident that it was the wrong kind of brick and was too patched-up to leave it exposed. He predicted that Mr. Adkins (Public Works Superintendent) would have the strip repaved as quickly as possible.

The first case in court to abate blight through receivership went very well. He said this method along with other options will be used to fight the blight in town. Phillip Lutton, Code Enforcement Officer, is working with the police department on blight issues to speed things along where necessary. Another portion of Jack Hope's property behind the Parker House Hotel collapsed. Mayor Hastings said he would wait a brief time to learn how Mr. Hope will proceed to abate the problem then the city will take appropriate action. He would like to see how Mr. Beery, Law Director, wants to handle any possible court action since Mr. Beery is Mr. Hope's personal attorney. An independent attorney may be needed to deal with the situation. President Koogler said that if Mr. Beery goes on record to say he has a conflict then other counsel would be selected. Mr. Beery was not in the room at the time of the Mayor's report to respond.

A resolution is presented to Counsel opposing Governor Kasich's proposed plan to centralize municipal tax collection at the state level. This would divert business taxes away from local control. Also before Council is a resolution to renew a partnership with Community Action Organization for the CHIP grant. Mayor Hastings met with the housing administrator who agreed some of the concerns the city had were valid and they would provide better reporting to the city and oversight on the subject properties within Hillsboro that receive CHIP funds.

Under new business, the Mayor asked to enter into Executive Session involving real estate. The position for Safety and Service Director was posted and hopefully the position will be filled soon. The Mayor commended Mr. Silcott for the excellent job he is doing as consulting Safety and Service Director.

SAFETY AND SERVICE DIRECTOR'S REPORT

Mr. Silcott presented the Safety and Service Director's report to Council. He has been working with the public on complaints and permits as well as addressing blighted structures. Department Heads meet with Mr. Silcott twice each month. The Colony Theater is ready to bid as soon as the asbestos survey is completed. The initial comment from the asbestos inspector was that sometimes the only asbestos in theaters is in the curtain, which is already gone, and around heating pipes.

A public meeting was held to discuss the pathway on North High Street from Northview to Hobart Road. Mr. Silcott is working with staff to perform income surveys in parts of the city with the hopes to apply for the Neighborhood Revitalization Grant and the Critical Infrastructure Grant which are based on low-to-moderate income households. A Letter of Interest was submitted to ODOT for a TAP grant for sidewalks on West Main and portions of East Main. The city was asked to submit a complete application which is not a guarantee of funds but does allow the city to progress to the next round.

Different firms were contacted for the Downtown Redevelopment District and the Montrose Group was the best fit. Mr. Silcott is working with Shawn Adkins, Public Works Superintendent, on a micro-monitoring study to narrow-down sources of I&I. North East Street Improvements Phase II will be offered for bid in June and construction should begin in August. The city is reviewing funding options to develop water and sewer along the Hobart Road extension to allow for development. He met with Council members to discuss projects and possible sources of funding. Mr. Silcott contacted different fountain providers trying to move the project along for an Uptown fountain. Sidewalks and lighting are planned for the Uptown in the South High Street block and Harry Sauner widening project is progressing. The appraisals are completed for the easements needed and should be approved late this year or early next year.

AUDITOR’S REPORT (Gary Lewis, Auditor)

Mr. Lewis presented the year-to-date fund report and the year-to-date bank report to Council. The reports show a balance of \$6,616,019.52 in various accounts in the form of demand deposits, savings, and investments. President Koogler asked Mr. Lewis if the expenditures and encumbrances exceed the estimated revenue. Mr. Lewis said that, for example, the funds for fire coverage are encumbered at the beginning of the year so it looks scary but he said that at this time the city is on track for a carry-over of over a half million as anticipated.

MOTION Mr. Harsha 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 recommended to Council:

A resolution for the lease of a dump truck/snow plow. The current truck has reached the end of its useful life and the cost for a new truck is in the budget. Ms. Aranyos asked Mr. Lewis if he could keep Council informed of anticipated purchases. Mr. Lewis said the tax budget prepared in late spring lists anticipated expenditures.

PLANNING COMMISSION (Mayor Hastings)

The Planning Commission met on February 20, 2017 at the Hillsboro Firehouse. Present for the meeting were Tom Eichinger, Chair; Charlie Guarino, Vice-Chair; Mayor Hastings, Joe Mahan, Ruth Robbins, and Gary Silcott. Mike Countryman requested a variance to build a dog boarding kennel at 536 North East Street at Stephanie’s Pet Spa. The property is zoned Commercial C but city ordinance states that no kennel can be within 200 feet of a residential district. After reviewing the plans and discussing the zoning, the Commission voted to deny the request for a variance.

Jeff Brusbaugh requested a variance to fabricate metal at 970 West Main Street. Mr. Brusbaugh owns a metal fabrication company in the Cincinnati area and would like to expand to Hillsboro. The property is zoned Commercial C which excludes metal fabrication. The Commission will take one month to decide if it will grant a variance at that location.

Mr. Eichinger addressed the issue of a master plan for Hillsboro. The current zoning code amendment project needs direction from the Commission regarding their plans for the city. He asked each member to prepare a purpose statement for each zoning district and to identify key factors for use as guiding principals. The meeting adjourned at 7:30 p.m. The next meeting is March 22, 2017 and the meetings are always open to the public. The Mayor encouraged anyone interested in planning and zoning to attend the meetings. There were no questions for Mayor Hastings.

STANDING COMMITTEE REPORTS

FINANCE COMMITTEE (Dick Donley, Chair)

Mr. Donley was not present to report for the Finance Committee.

PROPERTY MAINTENANCE AND RESTORATION (Ann Morris, Chair)

The Property Maintenance and Restoration Committee met on March 13, 2017 at 6:45 p.m. at the Municipal Court. Ms. Morris and Mr. Harsha were in attendance. Mr. Donley was absent. Full council, Mayor Hastings, Mr. Beery, and Mr. Silcott were also present. The Committee discussed updates on vacant commercial property ordinance for Uptown. The committee looked at ways for better enforcement of the ordinance. They discussed a form letter sent to vacant property owners requesting proof of insurance as well as verifying the building has water, sewer, and electric. The meeting adjourned at 7:01 p.m.

Ms. Morris asked if the bid previously received for the Colony would be used. Mr. Silcott said the project was rebid because the project changed to demolish more of the theater than previously planned. Ms. Morris asked when the bids would be received. Mr. Silcott said the specifications are ready and waiting for clearance concerning asbestos. He hoped to have bids out in the next two weeks and will allow three weeks for the contractors to prepare bids. 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)

The Street and Safety Committee met on Monday March 13, 2017 at 6:00 p.m. at the Hillsboro Municipal Court to discuss FRS transportation. The Committee agreed that they did not recommend any changes to FRS and Ms. Aranyos moved to draft a resolution of support for the FRS bus service.

UTILITIES COMMITTEE (Becki Wilkin, Chair)

The Utilities Committee met on February 28, 2017 at 6:00 p.m. at the Hillsboro Firehouse with all committee members present. Ms. Morris was also present. Mr. Patel from the Greystone Motel requested a reduction of his water and sewer rates from 1.5% of the city rate to the regular city rate (the Greystone Motel is outside of the city corporation limits). After discussion the Committee made a recommendation to take no

action. The Committee offered to look at other options regarding septic but after speaking with Mr. Silcott they learned that the motel cannot have a septic system. Mr. Patel may consider annexation into the city. The meeting adjourned at 6:25 p.m.

President Koogler verified that the committee recommended no action in regards to water/sewer rate reduction.

ZONING AND ANNEXATION COMMITTEE (Tracy Aranyos, Chair)

No report

COMMUNITY ENHANCEMENT (Claudia Klein, Chair)

No report

UNFINISHED BUSINESS

No unfinished business

PASSAGE OF ORDINANCES AND RESOLUTIONS (THIRD READING)

- **Ordinance No. 2017-02** An Ordinance to Amend Section 35.90 of the Hillsboro Code of Ordinances to Modify the Distribution of Funds *Introduced by the Mayor*

MOTION Mr. Harsha moved, seconded by Ms. Klein, to approve and adopt Ordinance No. 2017-02. Vote: all yeas. Council approved and adopted the resolution.

SECOND READING OF ORDINANCES AND RESOLUTIONS None

FIRST READING OF ORDINANCES & RESOLUTIONS

- **Resolution No. 17-07** A Resolution to Lease/Purchase Equipment (Dump Truck with Snow Plow) *Recommended by the Auditor*

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. Aranyos moved, seconded by Ms. Morris, to approve and adopt Resolution No. 17-07. Vote: all yeas. Council adopted the resolution.

- **Resolution No. 17-08** A Resolution Authorizing the Mayor of the City of Hillsboro to Enter Into a Joint Partnership Agreement with Highland County for the Program Year 2017 Community Housing Impact & Preservation (CHIP) Program *Introduced by the Mayor*

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

MOTION Ms. Aranyos moved, seconded by Ms. Aranyos, to approve and adopt Resolution No. 17-08. Vote: all yeas. Council approved and adopted the resolution.

Because the remaining legislation was voluminous in terms of the language, President Koogler asked that the legislation be numbered and requested that a motion be made to read the legislation by title only.

MOTION Ms. Aranyos moved, seconded by Ms. Klein, to read Resolution 17-09 and Ordinance No. 2017-03 by title only. Vote: all yeas.

- **Resolution No. 17-09** A Resolution Strongly Opposing the State of Ohio Governor's Proposed 2017-2018 Budget Which Proposes Centralized Collection of Net Profit Tax Returns and Other Provisions Related to Municipal Income Tax Which Will Cause a Substantial Loss of Revenue Needed to Support the Health, Safety, Welfare, and Economic Development Efforts of Ohio Municipalities and Declare it an Emergency *Introduced by the Mayor*

Mr. Lewis added that this matter is the State getting their foot more and more into the door, starting with the revamping of the income tax issues last year and now with collection of business tax. He believes that next year the state will propose the centralized collection of all earnings taxes. The Ohio Business Gateway would collect the tax and is probably one of the most inefficient and ill-run agencies in the State of Ohio. Mayor Hastings said he was opposed to anything that goes against Home Rule and local communities are best equipped to collect and disburse local funds. Mr. Lewis encouraged the Mayor to send copies of the legislation, if passed, to the city's state representative, senator, the governor, and Mr. Joe <inaudible>.

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. Klein, to approve and adopt Resolution No. 17-09. Vote: all yeas. Council approved and adopted the resolution

- **Ordinance No. 2017-03** An Ordinance to Amend City Code Section 50.25 to Provide for a Surcharge Replacement Fee for Storm Water Improvement *Recommended by the Utilities Committee*

Mr. Lewis informed Ms. Wilkin that he spoke with Dave Thompson at the State Auditor's Office who is responsible for approving new funds. He suggested that a new fund be created for Storm Water Improvement and if the legislation is approved, Mr. Lewis will present legislation at the next council meeting to create the fund. Ms. Wilkin said that previously Mr. Beery stated that a separate fund was not necessary but Mr. Lewis stated that a separate fund makes it more manageable than placing the funds in a sub-account.

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

MOTION Ms. Wilkin moved, seconded by Ms. Aranyos, to approve and adopt Ordinance No. 2017-03. Vote: all yeas. Council approved and adopted the ordinance.

NEW BUSINESS

There was a request from the Mayor to consider city-wide trash collection and President Koogler asked if Mayor Hastings would like the matter in committee or would like to discuss it. The Mayor asked for Council to look at the matter. President Koogler placed the matter in the Utilities Committee.

Mayor Hastings said he forgot to mention during the Mayor's Report that a new police officer, Andrew Gosink, was sworn-in last month and has already had sixteen arrests. The Mayor also expressed his desire to use the city property next to the water plant (across from Hobart Drive) for a potential commercial space for a specific business. President Koogler placed the matter in the Property Maintenance and Restoration Committee.

The Administration requested an Executive Session to discuss property acquisition.

MOTION Ms. Aranyos moved, seconded by Ms. Klein, to enter into Executive Session. Vote: all yeas. At 8:08 p.m. Council entered into Executive Session.

At 8:31 p.m., Council returned to Regular Session. There was no action taken

ADJOURN

MOTION Mr. Harsha moved, seconded by Ms. Klein, to adjourn. Vote: all yeas. Council adjourned at 8:31 p.m.

The next scheduled meeting of the Hillsboro City Council is Monday, April 10, 2017, at 7:00 p.m. in the Hillsboro Municipal Court.

Lee Koogler, President

Debbie Sansone, Clerk