

In attendance were President Richard Donley, Mayor Richard Zink, Safety-Service Director Ralph Holt, Auditor Gary Lewis, Law Director Fred Beery and Clerk Beverly Brown

President Donley opened the meeting at 7:00 p.m.

ROLL CALL: Mr. Lee Koogler, Mr. John Levo, Mrs. Bonnie Parr, Mr. David Shoemaker, Mr. Charles Walker, Mr. Brian Waller and Mr. Tim Young

ABSENT: None

President Donley led the assembly in prayer followed by Mayor Zink leading in the "Pledge of Allegiance".

CITIZEN OF THE MONTH-

Mr. Walker presented the award to the Highland County Board of Realtors for their many contributions to the City of Hillsboro.

The minutes of the November 13, 2007 meeting and special meeting of December 3, 2007 were accepted as presented.

MONTHLY REPORTS- Hillsboro Public Utilities, Hillsboro Income Tax Bureau, Water/Sewer Maintenance Department, Wastewater Treatment Plant, Auditor's Office, Water Meter Department, Street Department, Water Treatment Plant, Police Department, Fire Department and Life Squad.

PUBLIC REQUESTS: Albert Lakes of 335 East Walnut Street came before the council expressing his concern over the amount of money being paid for property in the city when there were streets that needed to be repaired. He said that everybody was getting something but the taxpayers and they were the ones who had to pay for it. He explained that he would come back every month until he saw some justice done.

COMMUNICATIONS: Time Warner Cable had sent notice of some changes in their programming.

CITIZEN COMMENTS:

COMMUNICATIONS FROM THE MAYOR:

November 6 - 2 Weddings

November 13 – Went with Chief Thompson to Chillicothe for a AAA Safety Award
Public Hearing & Council Meeting

November 14 – CIC Meeting
Records Commission Meeting

November 19 – Bi-centennial Parade Meeting

November 20 – Planning Commission
Post Audit Meeting with State Auditors

November 28 – Property & Maintenance Committee
Street & Safety Committee

The month of November saw Marsha Louderback, our water meter reader; retire after eighteen years of service to the city. Marsha will be missed by all of our co-workers. The meter reader job has been properly bid and filled by an employee of the Water and Sewer Maintenance Department. Randy Barr, the maintenance supervisor and I, talked this over and we determined that progress that has been made with using the cameras in the lines; has put us ahead of the EPA mandate schedule. Coupled with the financial situation in the Water Fund, we decided not to replace the laborer's position at this time; however, we're going to fill a vacant labor position in the Street Department. This will allow more flexibility towards street and storm sewer repair and maintenance.

As this gentleman stated here awhile ago, we've got a lot of work to do on the streets and it's pretty hard to do with a small crew.

Last week Ron Hennison submitted a letter of resignation as the Public Access supervisor effective December 31, 2007. Ron has agreed to train his replacement and still do the special events for our Public Access channel. Ron has been given additional duties at his normal job and now travels a lot, therefore making it impossible for him to carry the requirements for operating the Public Access Channel with the quality that he feels the community deserves.

I would personally like to thank Ron and the entire Hennison family for the many years of dedication and quality they have put into making the Public Access Channel what it is today. We've already named the replacement for Ron and as you can see manning the camera is Kyle Clemons. He's a young man who has had some experience in the technical field which will be an asset to taking on this position. Kyle will also be doing the scanning of records and report directly to the Systems Administrator. I've previously prepared a job description for the scanning position with a proposed salary and had presented this to the Finance Committee to allow time for it to be included in the pay ordinance for 2008 non-union employees.

We plan to move the Public Access equipment to the Administration Building. This will allow more control and a better environment for the equipment. At the same time we will be saving by cutting utilities from the old building on North High Street. I believe that we will have a more timely update to the announcements with the employee and equipment located in the Administration Building.

I again want to thank the Hennisons for all that they have done in the past to make Public Access an asset to the city. I know that Ron, Jr. will be missed, however; his family and his fulltime job comes first. His energy and efforts need to be concentrated on these two most important things. I would like council to join me in wishing Ron the best of luck as he advances in his new position at Hobart.

Now, in an answer to statements about our fire and EMS employees; I've prepared a plan that I will be passing out to you after the meeting that will show the salaries in that department. Some of the complaints that you have heard is about high salaries. I've talked this over with Chief Powell and it is our feeling to make a significant reduction in overtime in the fire and EMS departments that four employees need to be added to each shift. At the present time there are twelve members of the fire and EMS departments plus the chief.

Now for the good news; early in 2007 I asked council's permission to bid out the services at Liberty Park to see if we could save some money. Going into 2007 the budget for Liberty Park; that was line item 206.320 was \$79,152.00. Presently the activities in the park being done for the year; our expenses for 2007 have also been closed out. The unencumbered balance was \$25,043.04 which we have saved. I know we had a dry summer and the grass wasn't mowed every week, but even in a normal year the savings would exceed \$20,000.00.

At this time I would like to wish all members of City Council, Council President, Clerk of Council, Law Director, Auditor and their families a very merry Christmas and a Happy New Year. Also I would like to wish the best for all the citizens of Hillsboro in 2008. Thank you.

SAFETY-SERVICE DIRECTOR'S REPORT:

I wanted to make sure that council remembered medical insurance bids will be opened December 17th at 10 a.m. I will be meeting with Mark Chambers from Time Warner Cable Thursday to verify that we can extend cable from the alley behind the Merchant's Bank to the City Building so that we may move Channel Access to that building. If it is possible, Time Warner will give us an estimated cost for the installation of the cable.

Yesterday I received a request from the employees' Safety Committee that a member of Council attend their meetings as recommended by the Bureau of Workers Compensation in

2004. The last Council person named to attend these meetings was Kevin Chambers. The meetings are held the second Thursday of each month at 8:30 a.m. at the City Building Conference Room. Your consideration would be appreciated. This program was started to reduce our liability insurance rates. That's all I have Mr. President.

President Donley asked if any Council member would like to volunteer to sit on the Safety Committee. Mr. Walker suggested that Mr. Levo had retired and maybe could attend the meetings and several others agreed. President Donley said that Mr. Levo could say "No" but said that he would be the back-up if Mr. Levo could not attend a meeting.

AUDITOR'S REPORT:

All of you have in your packets this evening my reports. I trust that you have all had ample time to review those and at this point in time if anybody has any questions, I'm available to try to answer those for you right now and if I can't, I'll certainly get that answer to you as soon as possible. Are there any questions?

At our meeting with the state auditors at their urging; they suggested that we entertain a motion to accept those reports. So if you would please do so. Mrs. Parr made a motion to accept the report and Mr. Levo seconded the motion with all members voting yea.

Mr. Lewis continued- As you can see; it would have been a light evening if it weren't for my in-depth resolution writing last week; but this is the end of the year and so we're tying up some loose ends and that's what virtually all of this legislation is this evening. The one main concern as you all know is concerned with the Water Fund, however; with the legislation that we have here this evening, we should be able to tie that up without making any type of advance from the General Fund. I'm very confident of that. I don't foresee that being a possibility. If we could take care of that this evening, I would appreciate it if you would go ahead and waive the three-reading rules on each piece of this legislation because this is the end of the year and we don't have too much longer to act upon that.

Each piece does have a brief description on it for your convenience so you know exactly what it's used for. If there's any other questions, I'll be happy to answer them for you at this time.

HILLSORO PLANNING COMMISSION- Mr. Young

REPORT OF THE STANDING COMMITTEES-

FINANCE COMMITTEE – Mr. Koogler, Chairman

Finance met twice this past month, on November 29th as well as December 6th. All members were present for all of the meetings that we did have. At the November 29th meeting there were issues that we addressed that were ultimately addressed at the December 3, 2007 special council meetings so I won't go over those again.

However, the committee did go into executive session on the 29th and there's legislation before you in regards to that executive session. That is in regards to the salary of the mayor, the auditor as well as the law director. The committee has been investigating the salaries of those positions since much earlier in the year. A salary summary put out by the Ohio Municipal League that I ordered with our Law Director back I think it was April or May, never materialized. A subsequent request was made and it never materialized so I called again and ultimately did receive it, but did not receive it until early November. So as to give a better analysis and comparison of those salaries which we believe to be under funded.

I also did commence calling various municipalities on my own initiative of similar size to look into the salaries of those positions as well and what we found was that to be competitive that ultimately we felt those positions were under funded. The matter has been discussed by the Finance Committee and it is making a recommendation that the pay for those three positions be increased. That the Auditor would receive a salary of \$45,000 per year to commence beginning of 2008; that the Mayor would receive a salary as a part-time

position of \$25,000 a year commencing January of 2008 and that the Law Director would receive a salary of \$37,500 per year commencing January of 2008.

Furthermore, an issue did come up in terms of after the election, if this is something that we can still do. I did ask the Law Director for a legal opinion in regards to that. There is some precedent through the Highland County Court of Common Pleas as well as other different case law out there that support going ahead and enacting that pay increase at this time so long as it's prior to the election. If this is going to happen, it must happen here tonight. After unanimous approval by the committee, we would recommend that that three-reading rule would be suspended and that those particular legislations be passed this evening. However; there would need to be an amendment to 07-58 and 07-60; Section Two reads that the legislation is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare and for the reason that immediate action is needed to adopt this measure prior to the General Election. The words "General Election" would be stricken and replaced with the language "The Commencement of the Next Term of Office" would be inserted for those two words in both pieces of those legislation which otherwise Section Two reads identical in both of them. So we would be proffering that amendment as well to the legislation.

Also the Mayor as he did indicate at our December 6th meeting, did advocate the creation of a new position as Mr. Hennison is leaving the Public Access. The mayor presented to the Finance Committee basically the cost of salaries for Public Access in addition the appropriated funds for scanning the documents for the Municipal Court and various other entities within the city. We had currently appropriated \$15,000 for scanning and the appropriations for salaries on the Public Access were roughly \$18,000 a year. After presenting the facts and figures to the committee; the committee recommends; and this will be coming in the pay ordinance which will be presented on December 18th for non-union employees; that a new position be created that would fall under the jurisdiction of our technology advisor for the city being Eric Daniels, so he would oversee the employee but that employee would be in charge of scanning and operating our public access television.

We see based upon the figures presented by the mayor, even though this would be a salaried position of \$22,500 a year; once you do include benefits we still see an expected savings to the city depending upon whether you do include utilities out at the former Public Access station; of somewhere between \$5000 and 10,000 a year, therefore; it is the recommendation of the committee that that position be created and be funded and that will be included as I said in the pay ordinance.

Also the committee is recommending a three percent increase for non-union employees. I had intended to have that legislation here this evening as I have drafted that myself in the past with the help of the Law Director. Unfortunately, I decided about a month and a half ago to upgrade the computers at my law office. In doing so I believe that I had saved all of the information on the computer down to a USB drive. Unfortunately, in so doing; it's not there. So when about eleven o'clock last night, went to my office to tweak the legislation to have it prepared for everybody this evening; much to my consternation, I did find out that; lo and behold, it no longer exists on my computer nor the USB drive. So I will have to retype that entire piece of legislation and then tweak it; so it would be my intention to present that at the special council meeting being conducted on December 18th and would obviously ask that we approve and adopt that legislation at that time; to suspend the three-reading rule.

Also, on the December 6th Finance Committee meeting; we did discuss the appropriations for the calendar year of 2008. As we have temporary legislation that's been offered by the Auditor here this evening, that would get us at least through the first quarter. We would share jointly in asking that that legislation be enacted as; if it is not, the Auditor will not be able to make any payments beginning January 1st of this year, so we believe that that would be necessary for the functioning of the city.

Finance Committee will continue to review the proposed appropriations for 2008 and with regular meetings over the next several months it would be our intention to have a resolution as to that matter and to present it to council after getting with the Auditor.

Furthermore, I would personally like to thank the Auditor. I've been in regular contact with him over the last month in regards to the appropriations and he and his office have been extremely courteous in providing me the information that I have requested and I do thank you for that. That would conclude my report at this time and I would field any questions that may be proffered.

PROPERTY MAINTENANCE & RESTORATION-Mrs. Parr Chairman

A Property Maintenance & Restoration Committee meeting was held on November 28, 2007 at 6 p.m. at the City Building Conference Room. All members were present.

The first thing on the agenda was Mike Shoemaker from the Dominos Pizza Place had asked for a variance for two signs; man held and these are temporary signs. After discussion, David Shoemaker made a motion according to our ordinances we do not have any type to even consider a temporary man held sign and I say "No" and it was seconded by Brian Waller. And that motion was carried.

Also Mr. Hennison had came to us and asked us to move the Access Channel Station. The committee decided to look into it and some places I think Mr. Shoemaker agreed on that and to get with Mr. Holt on those.

There was nothing else discussed and the meeting was adjourned.

CIVIL SERVICE AND EMPLOYEE RELATIONS- Mr. Levo, Chairman

I do not have anything in my committee to report upon; therefore I do not have a report; however, I do want to thank Mr. Walker and Mr. Young during my absence last month, for taking charge with the Festival of the Bells decision and I understand that it is now set to go for next year.

STREET & SAFETY COMMITTEE- Mr. Walker, Chairman

On November 28th at 6 p.m. we had a Safety meeting and the only thing on the agenda was parking on one side of the street on Joan Avenue, West Josie, East Josie, June Avenue, Oak Hills Drive and Elizabeth Drive and we recommend which has legislation here later; to approve that parking on one side of the street only due to snowplow restrictions and that kind of stuff.

Then we went into executive session for the rest of the night. That's all I have.

UTILITIES COMMITTEE- Mr. Shoemaker, Chairman

The Utilities Committee did not have a meeting; however, in discussing with Mrs. Ellison up at the city building, that we are still collecting information from Wayne Cannon of RCAP. And we are also still working with progressing forward with the Wastewater Treatment Plant.

ZONING AND ANNEXATION COMMITTEE- Mr. Young, Chairman

Tonight at 6:30 the Zoning and Annexation held a meeting. Those present were Bonnie Parr, Charlie Walker and myself. The meeting was to discuss the rezoning the properties at 211 and 215 South High Street from Residential A to Business C. At the November 13th public hearing there were no objections to this change. The Planning Commission at their November meeting also recommended that this be changed from A to C and tonight at our meeting we agreed with that recommendation. We would make a motion tonight to rezone the properties at 211 and 215 South High Street from Residential A to Business C.

President Donley said that the council had heard the motion to change the zoning on those two locations and Mr. Walker seconded the motion. All members of the council voted yea. Motion carried.

COMMUNITY ENHANCEMENT COMMITTEE- Mr. Young, Chairman

No meeting.

UNFINISHED BUSINESS- Mr. Koogler made mention that the demolition of the Washington School building was less than originally thought and less than anticipated so that was excellent news for the city. Mayor Zink said that they would close on that on the 20th. Jeff Anderson had brought up the paperwork and the monies were considerably less than the \$165,000.

PASSAGE OF ORDINANCES AND RESOLUTIONS- None

SECOND READING OF ORDINANCES AND RESOLUTIONS-

RES. 07-45 – A RESOLUTION TO ENTER INTO AN AGREEMENT WITH THE HIGHLAND COUNTY COMMISSIONERS TO PROVIDE LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH SERIOUS OFFENSES AND LOSS OF LIBERTY OFFENSES IN THE MUNICIPAL COURT- The clerk read the resolution by title only for a second reading. Mr. Young made a motion to suspend the three-reading rule and Mr. Walker seconded the motion with all members voting yea except Mr. Koogler who abstained. Motion passed. Mr. Young made a motion to approve the resolution and Mr. Shoemaker seconded the motion with all members voting yea except Mr. Koogler who abstained. Resolution passed.

RES. 07-47 – A RESOLUTION TO AUTHORIZE ENTERING INTO AN AGREEMENT WITH McCARTY ENGINEERING AND TO DECLARE AN EMERGENCY MEASURE- The clerk read the resolution by title only for a second reading..

ORD. 2007-23 – AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING BOUNDARIES OF THE COMMUNITY REINVESTMENT AREA IN THE CITY OF HILLSBORO AND DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVES REVIEW COUNCIL- The clerk read the ordinance by title only for a second reading.

FIRST READING OF ORDINANCES AND RESOLUTIONS-

RES. 07-52 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE LAW ENFORCEMENT TRUST FUND- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to approve and adopt and Mr. Shoemaker seconded the motion with all members voting yea. Resolution passed.

RES. 07-53 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE WATER DEBT RETIREMENT FUND- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to approve and adopt and Mr. Shoemaker seconded the motion with all members voting yea. Resolution adopted.

RES. 07-54 – A RESOLUTION TO TRANSFER FUNDS FROM THE WATER DEBT RETIREMENT FUND TO THE WATER REVENUE FUND- The clerk read the resolution in full for a first reading. Mr. Shoemaker made a motion to approve the resolution and Mrs. Parr seconded the motion. All members voted yea; resolution passed.

RES. 07-55 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE WATER FUND- The clerk read the resolution in full for a first reading. Mr. Shoemaker made a motion to approve the resolution and Mrs. Parr seconded the motion with all members voting yea. Resolution adopted.

RES. 07-56 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE GENERAL FUND AND TO ADVANCE FUNDS FROM THE GENERAL FUND TO OTHER FUNDS AS NEEDED- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to approve and adopt and Mr. Shoemaker seconded the motion. All members voted yea; resolution adopted.

ORD. 2007-24 – TEMPORARY ANNUAL APPROPRIATION ORDINANCE- The clerk read the ordinance in full for a first reading. Mr. Koogler made a motion to approve and adopt and Mr. Walker seconded the motion. All members voted yea; ordinance passed.

ORD. 2007-25 – AN ORDINANCE TO RESTRICT PARKING ON JOSIE AND JOAN AVENUES AND OAK HILLS AND ELIZABETH DRIVES- The clerk read the ordinance in full for a first reading. Mr. Walker made a motion to suspend the three-reading rule and Mrs. Parr seconded the motion with all members of council voting yea. Mr. Walker made a motion to adopt the ordinance and Mr. Shoemaker seconded the motion. All members voted yea; ordinance passed.

RES. 07-57 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE MUNICIPAL COURT COMPUTER FUND- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to approve and adopt and Mr. Waller seconded the motion with all members voting yea. Resolution passed.

RES. 07-58 – A RESOLUTION TO SET THE SALARY OF THE CITY MAYOR AND TO DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to suspend the three-reading rule as amended Mr. Shoemaker seconded the motion with all members voting yea. Mr. Koogler made a motion to approve and adopt and Mr. Waller seconded the motion. All members of council voted yea; resolution passed.

RES. 07-59 – A RESOLUTION TO SET THE SALARY OF THE LAW DIRECTOR AND TO DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to suspend the three-reading rule and Mr. Young seconded the motion with all members of council voting yea. Mr. Koogler made a motion to approve and adopt and Mr. Young seconded the motion. All council members voted yea; resolution adopted.

RES. 07-60 – A RESOLUTION TO SET THE SALARY OF THE CITY AUDITOR AND TO DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to suspend the three-reading rule as amended and Mr. Levo seconded the motion with all members of council voting yea. Mr. Koogler made a motion to approve and adopt as amended and Mr. Waller seconded the motion. All council members voted yea; resolution adopted.

NEW BUSINESS: Mayor Zink said, “I mentioned earlier that I had worked up something on the fire wages and I would like to give each council member a copy of this. They can look at it and kind of get a chance to tear it apart or whatever they want to do and then give me a call just for the information, but it pertains to adding four people per shift. If we would go with the EMT intermediate the additional cost would be \$576,000 a year. If we were fortunate enough to get paramedics it would be \$620,000 a year and I haven’t got the overtime cost of the department yet for this year. I know that Cherri’s been awful busy and hasn’t had a chance to get it to me, but we’ll have that for comparison of what we would have to add in order to cut that down.

The only other thing; I’ve got Plan B on the back of it and that would be we would have to pay four employees to stay at home and be on call for 24-hours after their shift is completed. That would amount to about \$466,000 a year and that couldn’t happen until our next union contract anyway, but that’s just kind of food for thought. I’ll give everybody a copy of this and they can look over it and if they’ve got any questions they can give me a call.”

President Donley said that he would also like to wish the Council and Administration a happy and safe holidays and especially the residents to have a safe and good holiday season.

With no further business to come before the Council, Mr. Shoemaker made a motion to adjourn and Mr. Koogler seconded the motion with all members approving. Meeting adjourned.

Richard Donley, Council President

Beverly Brown, Clerk of Council