

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, Mrs. Bonnie Parr, Mr. David Shoemaker, Mr. Charles Walker, Mr. Brian Waller and Mr. Tim Young

ABSENT: Mr. Levo

Mr. Koogler made a motion to excuse Mr. Levo who was on vacation and Mr. Young seconded the motion with all members present voting yea.

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

The minutes of the October 15, 2007 and special meeting of November 1, 2007 were accepted as presented.

CITIZEN OF THE MONTH- Mrs. Parr presented the award to Gretchen Huffman and cited some of the many contributions that Mrs. Huffman made to promote the City of Hillsboro. The nomination had been made by Willa Stanforth.

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

PUBLIC REQUESTS: None

COMMUNICATIONS: None

CITIZEN COMMENTS:

COMMUNICATIONS FROM THE MAYOR:

October 2 - Finance Committee & Special Council Meeting

October 3 - Attend DARE Awards

Wedding

October 8 - Council Meeting

October 9 - Uptown Merchants Meeting

Property & Maintenance Committee

I believe that council meeting was on the 15<sup>th</sup> instead of the 8<sup>th</sup>.

October 12 - Met with a local resident on yard sales.

October 16 - Wedding

Bicentennial Parade Committee

October 18 - Wedding

October 19 - Met with Flowmetrics on water leak detection equipment

October 23 - Public Meeting

October 30 - Bicentennial Meeting

October 31 - Public Records Committee

October saw the drought worsen. After going to the county water company to supplement our supply, we cleared Clear Creek of downed trees and beaver dams. This allowed pockets of water to flow downstream which helped the water supply some. After giving the situation much thought, I made a decision to have Moody Company of Dayton drill wells. Three test wells were drilled. We were lucky to get a fairly good water supply with the second test well. It is estimated that this well will produce from 200 to 300 gallons per minute. By calculating at 200 gallons a minute we figured 288,000 gallons per day to supplement our water supply.

Our present demand with the Level 2 water emergency in effect is approximately 750 [sic] gallons per day. As you can see, the second test well will not solve the problems, but it will allow us to decrease the demand on the reservoirs. We're still asking residents to conserve as much as possible until we get enough rain to help us through this extremely dry period.

I had previously announced my intentions to attend the training for public officials on Public Records Law conducted by the Ohio Municipal League. However, due to illness in the Administration Office on that date; I was unable to attend. I will be attending at a later date.

After running into Mr. Koogler on Thursday morning, I suggested to him that due to the controversy on the purchase on the North Elm and West Beech Street property; we should have a certified commercial appraiser look at the property. I don't want anyone to misunderstand me on the subject. I do believe that the best site for the Fire House is in this property, however; I feel that investment of this magnitude should be verified to true value by a professional appraiser. The appraisal should help ease taxpayers' minds on this subject also.

I have heard and read so much controversy about overtime in the Fire and EMA Department that I will be presenting to Council a plan to reduce this. It will include the number of positions required and the cost of the same. I have not completed the total for each, however; Council will get the opportunity to review and make up their mind the course of action to take. By using facts and taking into consideration the hours used for overtime versus the expense of adding enough positions to reduce that overtime; we should be able to come up with a reasonable solution. Anybody have any questions?

#### SAFETY-SERVICE DIRECTOR'S REPORT:

The work on North West Street is underway. The contractor has found some issues that we were not aware of. There are no drawings of our storm sewers other than the updates that have been made to the system in the past seven years. We are using Eric Smith with McCarty as a site inspector for this project. He is working very closely with the contractor and the city.

The well is in place at the Water Plant. We took water samples November 8<sup>th</sup> and sent them in for testing. When those results come back we will forward them to the Ohio EPA for their approval so we can start using that well.

I have a property appraisal for the two city properties; the property at Homestead Avenue and the property at Railroad Street. It was my understanding that Council wanted those appraisals in an effort to sell these properties. I'm asking what Council's wishes are for that.

Also, Council requested that I put out a bid for the farm land at Liberty Park. We bid that out; we got one bid from Mark Baldwin of 12025 Jury Road in Greenfield and Phillip Baldwin at 12246 Centerfield Road. The bid was for \$152 an acre payable May 1, 2008.

Mr. Walker made a motion to accept the bid and Mr. Young seconded the motion. All members present voted yea. Motion passed.

President Donley put the issue of the two appraised properties into the Property and Maintenance and Restoration Committee for review along with the material that Mr. Holt had. He asked them to bring a recommendation back to the Council.

#### AUDITOR'S REPORT:

All of you have in your possession my reports. All of you should be able to read those by now. If any of you have any questions, please submit those questions to my office in writing and I'll respond to them within a two-week period timeframe.

Also each piece of legislation I've prepared for you this evening has a brief description of what it's intended for. That's all I have for you this evening.

### **HILLSBORO PLANNING COMMISSION- Mr. Young**

October 16<sup>th</sup> the Hillsboro Planning Commission held their meeting. Katie Fauber brought information on the requested site-distance study for the drive cut on the property next to Days Inn on Harry Sauner Road. The study stated that at 35 m.p.h.; 250 feet is required and that the requested drive cut was more than 1400 feet from the crown of the hill. The driveway cut was approved.

The next item was a request from William H Myers to build a barbershop at 124 West Beech Street. The building proposed would be a one-story building; either a masonry or wood and would have the old-time store front look. The proposed building was approved.

Last on the agenda was a request from McCarty and Associates for LW Associates to have a temporary driveway cut onto 73 near Prospect [sic] Road. It was asked if a turn-lane would be built and it was stated that current plans do not have that in it; but the City could demand that. It was also asked if a deceleration lane was needed because of the high traffic in the area. (To Mr. Holt) Can you explain what the final outcome of that was?

Mr. Holt replied, "They're doing a traffic study to verify whether a decel lane is required." Mr. Young then asked, "But there was no approval for that driveway cut at this point. Is that correct?" Mr. Holt responded, "The approval was for the driveway cut. There is a temporary driveway cut there at this time. What they are requesting now is before they build that, because of the size of the lot; they're not going to have room to use that and come in and out of the apartments."

With no further business the meeting was adjourned.

### **REPORT OF THE STANDING COMMITTEES- FINANCE COMMITTEE – Mr. Koogler, Chairman**

Finance met October 30<sup>th</sup> in the City Administration Building. I was unable to appear that evening due to illness so Mr. Walker was kind enough to chair in my absence. Discussed at that time were pay issues for non-union employees as well as health insurance for all employees of the city for the year 2008. Those issues do continue to remain in committee and will be addressed at the next committee meeting which will be next week; just waiting for Mr. Levo to get back in town and schedule a time. I believe that's it.

President Donley said, "While we're within your committee Mr. Koogler, I'm going to also follow up on what the mayor offered. I think what I'll do is to put that acquisition of that property back in Finance along with Property and Maintenance for you guys to review. I know that we've been getting a lot of concerns from the community and I think that it's something that we need to look at further.

### **PROPERTY MAINTENANCE & RESTORATION-Mrs. Parr Chairman**

Property Maintenance and Restoration Committee met on October 31, 2007 at 6:30 p.m. at the Hillsboro City Building. Those present were David Shoemaker, Brian Waller, Bonnie Parr along with Safety-Service Director Ralph Holt and attorney Mr. Wagoner and Mr. Jones.

First on the agenda was the YMCA and realtor's sign. After discussion and the reading of the letter from the Board of Realtors; a motion from David Shoemaker to okay the 4-foot by 8-foot sign to be replaced at the Liberty Park entrance. The motion was seconded by Brian Waller and all were in agreement. Motion carried.

Second was the Hometown Payday Loan LLC. Mr. Wagoner spoke on behalf of Mr. Jones of Hometown Payday Loan LLC. After discussion, David Shoemaker made a motion to grant a variance for their 3-foot by 12-foot roof sign and Brian Waller seconded the motion. All were in agreement; motion carried.

Third on the agenda was a Professional Service Corp. HDH. After a short discussion there was a motion by Brian Waller to place a 48-inch by 96-inch Professional Service

sign on the front of the building located at North High Street; the old K-Mart Building beside Jerry Haag Motors. David Shoemaker seconded the motion, all in agreement; motion carried.

Fourth on the agenda was Elli May's Grooming Service. This was submitted by Sonya Sammons. After discussion there was a motion from Brian Waller to give Ms. Sammons a variance for her 2-foot by 6-foot roof sign; seconded by David Shoemaker. All were in agreement; motion carried.

Fifth on the agenda was Hillsboro Taxi. Mick Short submitted four sign permits. These signs are already up and all committee members have seen the location. After discussion, there was a motion from Brian Waller to keep the 4-foot by 4-foot signs on the east and the west sides of the building located on 124. All other signs to be taken down and the poles in the front are to be painted and no writing or numbers present. David Shoemaker seconded the motion and all members were in agreement; motion carried.

Access Building was on the agenda for number six. Mr. Hennison had brought to our attention at the last meeting that we needed to do something about the Access Building and that he had some information on putting a new roof on it. He had one estimate of \$21,000. I, Bonnie Parr; asked Mr. Hennison to bring all of his information to the next meeting and we would present it at that time. Mr. Hennison called me before the meeting tonight. He said that he had had second thoughts on fixing the old building and that it would be much too costly to repair. He made a suggestion that we move him to another location. Discussion followed and David Shoemaker made a motion to table this until we could look into everything. Brian Waller seconded the motion with all in agreement; motion carried.

Being nothing else to discuss; meeting was adjourned. Chairman, Bonnie Parr

Mr. Shoemaker made a motion that they approve all signs and variances as a group and Mr. Walker seconded the motion with all members present voting yea.

CIVIL SERVICE AND EMPLOYEE RELATIONS- Mr. Levo, Chairman

Mr. Levo was not present and Mr. Young reported that he and Mr. Walker were on the subcommittee for the Festival and they had not had a meeting during the month. Mr. Young said that he had requested that one member of the Fire Department and one member of the Police Department be added to the committee. He said that would help to address some of the safety concerns that he had; especially during the concert. He said that he would like for the Council to vote to okay the uptown area for the 2008 Festival.

Mr. Young made a motion for the Festival to be held in the uptown area for 2008 and Mr. Waller seconded the motion with all members voting yea. Mrs. Parr's "yea" was with reservations.

STREET & SAFETY COMMITTEE- Mr. Walker, Chairman

The Street and Safety and Property and Maintenance Committees met on October 24<sup>th</sup> at 6:00 p.m. and all members were present.

The first item on the agenda was the issue of cats. And that is still being worked on.

The second item was the bad sidewalks in town. The committee recommended that the safety-service director send a letter to the property owners from the Pants Factory to West Main Street in regard to the bad sidewalks in that area.

The third item was the Skate Park and it was discussed with Ron Hennison concerning the location for the park. I've met with him and he's also met with Mr. Holt on that and we're looking at a couple locations. So we are looking at something else.

The fourth item was a request from Drew Hastings through John Hern to request the alley from South West Street to South High Street; only from the last four-way stop to South High Street; that be made a one-way to accommodate a drive-up window for a coffee shop. The committee recommends approval when plans are received in writing that it is

definitely going to be a coffee shop in there. At that time we would approve a one-way street.

Committee went into executive session at 6:30. That completes my report.

**UTILITIES COMMITTEE-** Mr. Shoemaker, Chairman

We did not have a formal meeting and I'm still waiting to hear from Wayne Cannon from RCAP to see what magic he has coming forth from the figures he gathered. We'll have a meeting as soon as I hear from him.

**ZONING AND ANNEXATION COMMITTEE-** Mr. Young, Chairman

Our committee did not have a meeting this month but later this afternoon we will be presenting for the first reading; our CRA ordinance. We will ask that that replace Ordinance 2006-6.

**COMMUNITY ENHANCEMENT COMMITTEE-** Mr. Young, Chairman

No meeting.

**UNFINISHED BUSINESS-** None

**PASSAGE OF ORDINANCES AND RESOLUTIONS-** None

Ord. 2007-19 – AN ORDINANCE DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY LOCATED IN THE CITY OF HILLSBORO, OHIO TO BE A PUBLIC PURPOSE UNDER SECTION 5709.40 OF THE OHIO REVISED CODE, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND AND DECLARING AN EMERGENCY- Mr. Walker made a motion to bring it to a vote and Mr. Koogler seconded the motion and all members present voted no. Ordinance failed.

**SECOND READING OF ORDINANCES AND RESOLUTIONS-** None

**FIRST 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 in full for a first reading. Mr. Young made a motion to approve the resolution and Mr. Shoemaker seconded the motion with all members present voting yea except Mr. Koogler who abstained. Resolution adopted.

RES. 07-46 – A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF HILLSBORO TO ENTER INTO A CONTRACT WITH BEEKMAN AND ASSOCIATES FOR UPDATE OF THEIR EXISTING COMMUNITY HOUSING IMPROVEMENT STRATEGY AND RESEARCH PREPARATION AND FILING OF THE CITY'S COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) BY 2008 APPLICATION AND TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO, ODOD OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS UPON FUNDING APPROVAL AND TO ENTER INTO CONTRACT WITH BEEKMAN AND ASSOCIATES FOR THE ADMINISTRATION OF THE CHIP UPON FUNDING APPROVAL FROM THE OFFICE OF HOUSING AND COMMUNITY PARTNERSHIPS- The clerk read the resolution in full for a first reading. Mr. Walker made a motion to waive the three-reading and Mrs. Parr seconded the motion. All members present voted yea. Mr. Walker made a motion to pass the resolution and Mrs. Parr seconded the motion with all members present voting yea. 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 in full for a first reading.

ORD. 2007-21 – AN ORDINANCE TO ADOPT THE 2007 SUPPLEMENT TO THE HILLSBORO CODE OF ORDINANCES AND TO DECLARE AN EMERGENCY- The

clerk read the ordinance in full for a first reading. Mr. Shoemaker made a motion to suspend the three-reading rule and Mr. Young seconded the motion with all members present voting yea. Mr. Shoemaker made a motion to pass the ordinance and Mrs. Parr seconded the motion with all members present voting yea. Ordinance adopted.

ORD. 2007-22 – AN ORDINANCE TO CONTRACT FOR A PERFORMANCE BOND FOR A LEVY PERMIT WITH OHIO DEPARTMENT OF NATURAL RESOURCES- The clerk read the ordinance in full for a first reading. Mr. Walker made a motion to waive the three-reading rule and Mr. Shoemaker seconded the motion with all members present voting yea. Mr. Walker made a motion to pass the ordinance and Mr. Shoemaker seconded the motion. All members present voted yea; ordinance passed.

RES. 07-48 – A RESOLUTION TO TRANSFER FUNDS FROM THE SEWER SPECIAL ASSESSMENT FUND TO THE GENERAL FUND- The clerk read the resolution in full for a first reading. Mr. Walker made a motion to pass the resolution and Mr. Koogler seconded the motion. All members present voted yea; motion carried.

RES. 07-49 - A RESOLUTION TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE WATER REVENUE FUND- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to pass the resolution and Mr. Shoemaker seconded the motion. All members present voted yea; resolution passed.

RES. 07-50 - A RESOLUTION TO REPAY ADVANCE FROM THE TAX INCREMENT FUND TO THE GENERAL FUND- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to suspend the three-reading rule and Mr. Shoemaker seconded the motion with all members present voting yea. Mr. Koogler made a motion to pass the resolution and Mrs. Parr seconded the motion. All members present voted yea and the resolution was adopted.

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 first reading. President Donley explained that the ordinance had been received just prior to the council meeting so it would be read by title only for a first reading. Council members would have an opportunity to read through the ordinance before the next meeting.

NEW BUSINESS: None

Mr. Holt said that there was a piece of legislation that had been requested from Mr. Beery on a change order for Rose Excavating and Development in the amount of \$7580.00 for extra work performed for repair of a catch basin and box culvert in front of the feed mill. He said that he thought that Mr. Beery was copying that change order at the present time. He said that if at all possible he would appreciate it if Council could pass that this evening so they could pay for the change order.

Mayor Zink said that while they were waiting; he had received an email from Ron Hennison pretty late. Mr. Hennison was asking Council to look into the renting of the old Litt's Store. He said that he would like to have an answer tonight because the owner is holding up possible other rentals for it. He felt like that would be a place that the Public Access Channel could go into and operate out of. It's close to a bank and would be no problem in hooking up with the cable for live broadcasts. Mayor Zink said that he had not had an opportunity to look at it but he thought it might be big enough to be able to hold council meetings in if it were arranged properly. He thought the rent might be \$900 a month and the Public Access Channel brings in \$47,000 a year and their budget is \$35,000 so he thought it would be feasible if Council saw fit; to use the remainder of the Public Access Franchise Tax on renting that building. He thought they might save enough in heat and utilities to help out on that.

Mrs. Parr said that they had talked about some of that stuff and she thought it should be left in committee because they need to check on some other areas.

RES. 07-51 – A RESOLUTION TO APPROVE A CHANGE ORDER FOR ROSE CONSTRUCTION IN THE AMOUNT OF \$7,500 AND TO DECLARE AN EMERGENCY- Mr. Holt explained that this was necessary because when they bid the project they did not know the full extent of the repairs that were needed and this was something that hadn't been anticipated. Mr. Walker made a motion to waive the three-reading rule and Mr. Parr seconded the motion with all members present voting yea. Mr. Shoemaker made a motion to pass the resolution and Mrs. Parr seconded the motion. All members present voted yea; resolution adopted.

Mr. Walker said that he would like to have “executive session” with City Council and the Law Director to discuss personnel issues. Mr. Waller seconded the motion and all members present voted yea. Council went into “executive session” at 8:08 p.m. and returned from “executive session” at 8:28 p.m.

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.

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Richard Donley, Council President

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Beverly Brown, Clerk of Council