

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

ABSENT: None

Mr. Lewis led the assembly in prayer followed by Mayor Zink leading in the "Pledge of Allegiance".

The minutes of the April 14, 2008 meeting and April 18, 2008 special meeting were accepted as presented.

CITIZEN OF THE MONTH: Lee Koogler presented the award to Shirley Foster for her work as Outreach Chairman for the Hillsboro Public Library and the various programs that she takes to area nursing homes and care facilities.

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

**PUBLIC REQUESTS:**

Darrell Wilson came before the council to request that the Hillsboro High School property at 338 and 358 West Main Street be rezoned to Residential B; this is the high school and the Scott House. There is a group that is interested in the property and need to look into financing, but it is necessary that the property be rezoned for them to proceed.

Mr. Koogler asked about the group that is interested in the property and Mr. Wilson said that they are in the process of drawing up a contract with them. They (school) know with what they are trying to do will require rezoning. Mr. Holt said that there is a Planning Commission meeting on May 20<sup>th</sup> and this matter would need to go to the Planning Commission.

Mr. Walker asked what it would be used for and Mr. Wilson said it would be a senior complex. Kathy Levo came forward and said that she was serving as the spokesperson for the Highland Quality Living. She explained that it was a non-profit group that arose out of the "Save HHS" group that has been meeting for months. One of the options that they had explored among many; was a senior complex. When they get the letter of intent from the school board, they will proceed with a feasibility study with Revere Healthcare which has clients in Ohio; Drake Center is one of them. Revere Healthcare will lead them through the feasibility of the complex. They are looking at turning the Middle and High School complex into one- and two-bedroom units; studio units all the way to a dementia unit.

She said that it was the intent of Highland Quality Living to preserve the High School and the Scott House as historic structures and keep them there as part of the community for the future. Mr. Holt asked how long the feasibility study would take and Mrs. Levo said that they had six months to decide whether it is a possibility. Preliminary research says that it is a very viable option and when you see the number of senior citizens who are moving to Highland County and the "baby boomers" they see a real possibility for the complex and it could help revitalize downtown Hillsboro in the long-term.

**COMMUNICATIONS:**

President Donley read a letter commending the Students With A Purpose (SWAP) students in their work with the city park. The Governor's Office of Appalachia in partnership with the Appalachian Regional Commission is providing a grant in the amount of \$3000 through the Appalachian Community Learning Project. They encouraged the community to reach out and support the SWAP students in their effort. This communiqué came from Fred Deel, Director of Governor's Office of Appalachia.

Mayor Zink said that Mr. Deel had been in his office a couple weeks ago and he was very impressed with the group of students that represented this organization. He commented on it two or three times. They are really getting some notice from the public and by some other people outside of Hillsboro.

CITIZEN COMMENTS: None

#### COMMUNICATIONS FROM THE MAYOR:

Meetings attended this month:

April 1 - Utilities Committee

April 2 - Zoning & Annexation Committee & Utilities Committee  
Department Head meeting

April 10 – 911 User meeting at the Justice Center

April 11 – Utilities Committee

April 14 – Interview for Water Treatment Plant Superintendent

Elected Officials Training

2 Public Hearings

Council Meeting

April 15 – Interview for Water Treatment Plant Superintendent

Planning Commission

April 17 – Signed contract for mowing Liberty Park

2 Interviews for Water Treatment Plant Superintendent

April 18 – Special Council meeting

April 21 – Interview for Water Treatment Plant Superintendent

Property & Maintenance Committee meeting & Street & Safety Committee

April 25 – Passed out trees at elementary school for Arbor Day

Wedding

I would like to address a question that was brought up at City Council at the April meeting regarding use of the Public Access building and equipment. There are guidelines set up by the Public Access Committee several years ago. In one paragraph it states, "All you have to use the Public Access Channel is to make sure your video is of good sound, good visual quality and your program content follows the rules." It also states what can and cannot be shown. To make a long story short; the Public Access office is not available to anyone wanting to use the city owned cable access equipment. City owned equipment just like dump trucks and any other equipment, is to be used by city employees only and not to be loaned or used by anyone else. I believe this is to protect city owned equipment from damage as well as opening the city up for any liability that comes forth by unauthorized use.

The North West Street curb and gutter project is nearing completion. The Water and Sewer Department did have to move approximately eighteen curb boxes to allow the curbs to be installed. The resurfacing bid will be opened on June 5<sup>th</sup>.

We have sworn in Zach Moler as the new firefighter/EMS employee. Zach started on May 5, 2008. The bids for mowing Liberty Park, Railroad City Park and Washington School property were opened on April 10<sup>th</sup>. The bid was awarded to Hopkins Mowing at \$594 per week for 2008 and \$614 per week in 2009. The bid for 2007 just for Liberty Park was \$594 per week. With the addition of the City Park and Washington School properties this year, the cost went up \$19 per week from last year and I think that's pretty reasonable with the price of gas.

I have also attended two meetings with VFW in reference to the Memorial Day Parade. The veterans planning the event asked me to invite City Council to march from the Court House or they will provide rides to anyone not wanting to make the walk. The ceremony

on the Court House lawn is slated for between 9:30 a.m. and 10:00 a.m. The procession to the cemetery will begin at 10:00 a.m.

Through the efforts of our Systems Administrator, Eric Daniels, the Auditor's office and Administration; we have prepared legislation to be presented later in the meeting that will allow the financial burden of building a new fire station to be paid for without the need for additional tax revenue from the citizens. The additional money should allow the new fire station to be paid off in a relatively short period of time. I would ask council to pass this legislation tonight and then move forward on building the new fire station.

At this time Mr. President, I know we usually wait until the end of the meeting, but I would like to have a short executive session in regards to employee relations and land acquisition. Mr. Koogler made a motion to go into executive session and Mr. Levo seconded the motion with all members voting yea. Executive session entered into at 7:27 p.m. and came out of executive session at 7:49 p.m.

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

I will be coming to council at the June meeting requesting legislation to accept the bid for paving for North West Street. Hopefully we will have that back and be ready to bid that out. I'm working with McCarty and Associates now for the bid package for North West Street from Vaughn Avenue to Fenner Road. I would like to get that out no later than the end of May. We are working very strongly with Mr. McCarty on getting that ready to bid out with curbs and gutters.

With the amount of requisitions that I requested for WDC, I've reached my \$25,000 limit on what I'm allowed to write as far as requisitions, and spend. With the work that WDC has provided, I'm requesting a motion from council to increase my authority to \$50,000 so I may authorize WDC to move forward on work that council has requested. I need the approval from council to do that. That ends my report.

Mr. Walker asked what work that involved and Mr. Holt said to work on the firehouse and what it's going to cost to bring it up. That came up in a meeting and that would be an additional cost. Mr. Walker made a motion to increase the limit for WDC Group to \$50,000 and Mr. Koogler seconded the motion. All members voted yea; motion carried.

#### AUDITOR'S REPORT:

You have before you this evening my Year-to-Date Fund Report and my Year-to-Date Bank Report. As you can see the balance column of the bank report balances with the unexpended balance column fund report as they should.

I have two pieces of legislation for you this evening. The one resolution is for an increase in appropriations in Housing Revolving Loan Fund. We have experienced collections that have exceeded anticipated collections for the entire year. As you know, this money goes back into the community for property improvements. Therefore, I request that the three-reading rule be waived if necessary so that the funds can be put to immediate use in that fund.

The other item is an amendment as the Mayor had previously mentioned to revise the billing amounts for our squad runs and mileage fees. Since they were originally enacted, our fees have not been adjusted to offset the increase in operating costs. The new rates reflect the new rates allowable by Medicare and they would help in a big way, not only to overcome the immediate needs due to uncontrollable economic factors, but also help in alleviating now our infrastructure needs as well.

That's all I have for you this evening. Should you have any questions, I'll be happy to answer them and if there are no questions, then Mr. President; I do request a motion from council to accept the reports as provided. Mr. Koogler made a motion to approve the report and Mr. Walker seconded the motion with all members voting yea. Report accepted.

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

No report.

## **REPORT OF THE STANDING COMMITTEES-**

### **FINANCE COMMITTEE – Mr. Koogler, Chairman**

Finance Committee did not meet this past month. However, Finance is anticipating a meeting this coming Monday at 7:00 p.m. That is a tentative date at this time subject to confirmation with our clerk. Furthermore, an issue has been brought to the Finance Committee which I would like openly discuss at this time. The Mayor and Safety-Service Director have been interviewing for the position of our Water Treatment Plant Supervisor that is becoming vacant. This is a situation that the city's trying to be competitive. The pay ordinance of the city already put in place allows for an increase pay based upon work experience of the individual. The applicant the city is looking to hire currently has fifteen years of experience and the necessary accreditation in which to take over that position for the city.

The Mayor and Safety-Service Director have proposed to me and the committee that that rate of pay be \$27.40 an hour. That is currently less by almost two dollars than what we are paying our current supervisor. It is more than what this individual is making in their current position with another municipality. In order to be competitive I believe the Mayor and Safety-Service Director feel that \$27.40 is competitive and a reasonable price for this individual. I would concur and would ask for a vote of the committee at this time to give the Safety-Service Director approval to extend that rate of pay to the individual in question.

A committee vote followed a motion by Mr. Levo seconded by Mr. Walker with all committee members voting yea. Mr. Koogler continued: Furthermore the issue is the applicant is currently residing outside of the county of Highland. It's my understanding that our current ordinance requires them to reside within the county, however; this individual lives just outside of Highland. Actually he's closer than if he lived in certain parts of the county with this current location. I don't think he's eager to relocate as his children currently attend another school district and are well set and adjusted in that district. It would take a variance by all of council to go ahead and allow an individual to take the job while not moving in the county.

I believe it is a reasonable request and would ask the matter be taken to a full vote of council at this time. So I would like to know if anybody would make that in the form of a motion. Mr. Levo made the motion and Mr. Shoemaker seconded the motion. All members voted yea; motion carried.

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

We've had several meetings; tried to work on ordinances, but it never happened.

The Property Maintenance & Restoration Committee met on April 21, 2008 at 6:00 p.m. at the city building with all members; Brian Waller, David Shoemaker and Bonnie Parr; present. Also present were SSD Holt, Mayor Dick Zink and council members Tim Young, John Levo and Charlie Walker.

1. Ken & Karen Dunaway wanted a sign to put on the north side of a building at 214 West North Street. This is for dog training. After discussion, Brian Waller made a motion to allow this sign. David Shoemaker seconded the motion and all members voted yes. Motion carried.

2. Bill Musser applied for a lighted hanging sign over the sidewalk from his building which is Magee's Restaurant. After deep discussion, David Shoemaker made a motion to not allow by the ordinances. Brian Waller seconded the motion and all members voted yes to not allow. Motion carried.

3. Bob Bailey, Board of Directors for the Colony Theater was asking for a variance for two 28" x 38" enclosed digital screens. After discussion David Shoemaker made a motion to allow and Brian Waller seconded the motion will all members voting yea. Motion carried.

4. Dale Martin from Alley 21 wanted a fence up to cover up the south side of the building from the impound lot. They are putting outside eating on the patios and would like to cover up some of the bad scenery. Mr. Holt spoke of this. Mr. Shoemaker asked to table

this until we receive an appraisal to see what could be done. Brian Waller seconded the motion and all members voted yea. Motion carried.

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

The Property Maintenance & Restoration Committee met on May 1, 2008 at 6:00 p.m. in the Conference Room of the City Building at 130 North High Street. In attendance were committee members Bonnie Parr and David Shoemaker; Brian Waller was excused. Also in attendance were Mayor Dick Zink, SSD Ralph Holt, Auditor Gary Lewis, Council President Dick Donley and members Tim Young and John Levo.

1. Mr. Holt brought a request from Alley 21 to construct a fence along the property line that separates Alley 21 from the city impound lot. After discussion, David Shoemaker made a motion that Mr. Holt draw up a contract that they (Alley 21) pay half of the cost of the fence and maintain it after construction. The city will pay for half of the construction costs only. Bonnie Parr seconded the motion and all members voted "yes"; motion carried.

2. Bonnie Parr made a motion to go into executive session related to property issues. David Shoemaker seconded the motion and entered into executive session at 6:12 p.m. and came out of executive at 6:50 p.m. With nothing further to discuss; the meeting was adjourned.

On May 7, 2008 Property Maintenance & Restoration met at 6:30 p.m. All committee members; Brian Waller, David Shoemaker and Bonnie Parr were in attendance. Also in attendance were Mayor Dick Zink, SSD Ralph Holt and council members Tim Young, Lee Koogler and Charlie Walker. This was after a joint meeting with Zoning at 6:00 p.m.

I, Bonnie Parr, asked to go into executive session on property acquisition at 6:38 p.m. and came out of executive session at 7:25 p.m.

After a five-minute break, the committee returned to work on ordinances. Brian Waller brought up that the Colony Theater wanted to know if they could put business donations on the screens. The Colony is non-profit so all members of the committee determined that they could do that. Their sign had already gone through the committee.

Mr. Mark Wilson came to talk to the committee and apologized for being late. We asked him to apply for signs after the council meeting on May 12, 2008 and he said that he would.

After this discussion, it was too late to work on the ordinances and Mr. Shoemaker asked that the meeting be adjourned. Bonnie Parr

I just ask that council approve our signs. Mr. Levo said that he was not in attendance at the May 1<sup>st</sup> meeting. Mrs. Parr made a motion to approve the signs and Mr. Young seconded the motion. All members voted yea; motion passed.

CIVIL SERVICE AND EMPLOYEE RELATIONS- Mr. Levo, Chairman  
No report.

STREET & SAFETY COMMITTEE- Mr. Walker, Chairman

I apologize for not having a report. Anyway; cat problem has been going on for about ten years I think. Opera House, that can be taken out until they do something if they ever get the coffee shop.

Looked into moving the Skate Park. I met with some of the people from Good News Gathering Saturday a week or two ago out at Liberty Park and we put some paint down. I've asked everybody to go look at it and I think everybody's approval on it that it's a good place and I would like a motion to give them the okay to go ahead. I asked everybody to look at it and I think everybody pretty well has to let them move the Skate Park out at Liberty Park in the parking lot out there next to the "Y".

President Donley asked what part of the parking lot Mr. Walker was talking about. Mr. Holt said that it was the northeast corner of the parking lot next to the road that goes back to the firing range. Mr. Walker put the request in the form of a motion and Mrs. Parr seconded the motion. All members voted yea; motion passed.

Paula Kaiser wanted to know if they could explore grant options on trying to get some additional funding. She said that they had a \$30,000 quote for blacktopping and she wanted to know if they could use the 501C3 that the city has. She said that they would also probably change the name to the Hillsboro Skate Park Association.

Mr. Beery said that there was no problem with them using the city's tax exempt status as long as everything is run through the Administration and any funding is run through the Auditor's office. Ms. Kaiser said that anything they did they would run through for approval. Mr. Walker said that he thought they needed to get the city's insurance carrier involved with the equipment. That way everything would be up to specifications and it wouldn't get anybody in trouble.

Mr. Ron Hennison said that they appreciated it; he thought it was going to be a good move. He said that they had talked to John Kellis and he's a grant writer in town and Mr. Kellis had indicated that he would help them out as far as forming the association and work with them with the grants and any regulations that they would have to go through. He said that they had contacted a couple different foundations, but they couldn't get any grant money without the status to do that. Tony Hawk Foundation and a new group called Athletes for Hope with a lot of top notch athletes involved and they want to work with them also.

Mr. Holt asked if there would be any backlash allowing them to use the tax ID number and Mr. Beery said that actually the city was going to be using it since everything goes through Administration and the Auditor's office. Mr. Beery said that it was really no different than having a public interest committee formed by the Administration to look at some problem or make some recommendation. We're certainly no experts on skate parks and so it's a perfectly reasonable setup to have. The concerns are ones that you've already raised. Will our insurance cover it? Make sure that taxpayers don't lose any money on it and that's the case; that's great.

Ms. Kaiser said that basically this would fall under the same guidelines that SWAP is using; you know going through you and being able to get grants and things. We just want to give back to the community.

Mr. Shoemaker said that he had one question. The situation, and I'm all for the Skate Park so that's a great thing we're doing here, but I don't want the city in time owning the Skate Park. See what I'm saying? Mr. Hennison asked if he could address that. "I think if you go back in the records, the city actually put that piece of blacktop in there to cover the ordinance that was written in '79. You already own the Skate Park. We came in to rebuild the equipment." Ms. Kaiser said that it was Ordinance 132.19.

UTILITIES COMMITTEE- Mr. Shoemaker, Chairman

Utilities did not have a meeting and has nothing to report at this time.

ZONING AND ANNEXATION COMMITTEE- Mr. Young, Chairman

On Wednesday, May 7, 2008 the Zoning and Annexation Committee held a joint meeting with the Property and Maintenance Committee. Those present from the Zoning Committee were Bonnie Parr, Charlie Walker and Tim Young along with Dave Shoemaker and Brian Waller from the Property Maintenance Committee. Also present were Lee Koogler, Dick Zink and Ralph Holt.

First on the agenda was the rezoning request from the School Board for their property between Chillicothe Avenue and East Main Street. The property is currently zoned Residential A and the school has requested the property be rezoned to Residential B. The Hillsboro Planning Commission recommended the property be left at Residential A, but be given a variance. Darrell Wilson from the School Board explained that Mark Wilson of Wilson Real Estate wanted to purchase the property for his business offices. That purchase was contingent on the rezoning of the property to "B". There was concern that if the property was rezoned "B", the building could be converted into apartments. While that is

true, those present seemed to agree that the building was not constructed in a way that would allow it to be remodeled into apartments. It was stated that no one wanted another empty building in need of maintenance. A motion was made and seconded to recommend to Council that the property be rezoned to Residential B. By a vote of 3-0 the motion passed.

Second on the agenda was a request from the State to change some of the wording of our CRA ordinance, (Ord. 2007-23) to make it, according to them; easier to understand. Kirby Ellison made the changes in wording and contacted the State for approval. The State seemed to approve of our changes and asked for us to send them the approved amendment to the ordinance. The only change to the ordinance being requested is to also allow a 50% reduction in property tax for a new single-family home even if the property owner does not live in the dwelling. Currently the reduction is only for new single-family homes when owner-occupied. A motion was made and seconded to recommend to council that the amendment be approved. By a vote of 3-0 the motion passed.

On behalf of the committee, at this point we would like to move we vote tonight to approve the rezoning of the school property from "A" to "B". Mr. Young put this in the form of a motion and Mr. Walker seconded the motion with all members voting yea except Mr. Shoemaker who abstained due to conflict of interest. Motion passed.

COMMUNITY ENHANCEMENT COMMITTEE- Mr. Waller, Chairman  
Nothing in that committee.

#### **UNFINISHED BUSINESS-**

Mayor Zink said that the Carson & Barnes Circus has been bugging him to have a circus at Liberty Park. He said that they finally sent down a host agreement and it says that the host; which would be the city or someone who would sponsor it, would furnish 3,500 gallon of potable water for circus needs from a water hydrant that we would furnish at no cost to them; that we would have trash receptacles for trash and animal refuse without lids having a top opening at least eight feet wide with a total of twenty cubic yards. There's a lot of things here in this thing; I showed it to Fred and I would just like to know whether council wants me to proceed with trying to find someone to sponsor it or if we want say, "We're not interested in Friday, June 27<sup>th</sup>".

President Donley asked if they requested a certain size of lot and Mr. Beery said, "Yes! Exactly the size of the lot on firm flat ground." Mayor Zink said they also wanted plenty of parking. The adult price prior to the show would be \$12 and on show day \$16. A child would be \$6 (2-11) and \$8 on the day of the show. Then if someone would be interested in sponsoring it, from 1-250 advance tickets sold to the host; host will pay the circus 80%. Box office and upgrade seating and the circus will retain 100%. Circus will pay 5% over 500 tickets sold and 10% from 501 to 1000 and 10% 1001 on.

He said that he had talked with Scott Miller with the Joint Fire Department and thought maybe it would be something they might want to tackle to help raise money for equipment. After seeing this, I think there's so much red-tape in it that it's up to council if they want me to proceed to try to find somebody to bring the circus in.

Mr. Walker said that there is so much that goes on at Liberty Park with soccer and T-ball that he didn't think they needed anything else out there. Mr. Walker put that in the form of a motion and Mrs. Parr seconded the motion with all member of council voting yea. Motion carried.

#### **PASSAGE OF ORDINANCES AND RESOLUTIONS- None**

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

1. ORD. 2008-3 – AN ORDINANCE TO ADJUST THE RATES CHARGED FOR WATER USAGE- The clerk read the ordinance by title only for a second reading.

2. ORD. 2008-4 – AN ORDINANCE TO ADJUST THE RATES CHARGED FOR SEWER USAGE- The clerk read the ordinance by title only for a second reading.
3. ORD. 2008-5 – AN ORDINANCE TO AMEND THE BULK WATER PURCHASING RATES- The clerk read the ordinance by title only for a second reading.

**FIRST READING OF ORDINANCE AND RESOLUTIONS-**

1. RES. 08-10 – A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF HILLSBORO, OHIO TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE COMMUNITY DEVELOPMENT BLOCK GRANT WATER & SEWER COMPETITIVE GRANT PROGRAM & DECLARING AN EMERGENCY- Council President Donley 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 voting yea. Mr. Koogler made a motion to adopt the resolution and Mr. Shoemaker seconded the motion. All members voted yea, resolution adopted.

2. ORD. 2008-6 – AN ORDINANCE TO AMEND SECTION 35.80 OF THE HILLSBORO CODE OF ORDINANCE TO CHANGE THE BILLING AMOUNTS FOR SQUAD RUNS AND MILEAGE FEES- Council President Donley read the ordinance in full for a first reading. Mr. Koogler made a motion to suspend the three-reading rule and Mr. Levo seconded the motion with all members voting yea. Mr. Koogler made a motion to approve the ordinance and Mr. Waller seconded the motion. All members voted yea; ordinance approved.

3. RES. 08-11 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE HOUSING REVOLVING LOAN FUND- Council President Donley read the resolution in full for a first reading. Mr. Koogler made a motion to approve the resolution as written and Mr. Levo seconded the motion. All members voted yea; resolution passed.

4. ORD. 2008-7 – AN ORDINANCE TO AMEND ORD. 2007-23 TO MAKE CHANGES TO THE COMMUNITY REINVESTMENT LEGISLATION AND DECLARE AN EMERGENCY- Council President Donley read the ordinance by title only. Mr. Shoemaker made a motion to suspend the three-reading rule and Mr. Young seconded the motion with all members voting yea. Mr. Shoemaker made a motion to pass the ordinance and Mrs. Parr seconded the motion. All members voted yea, ordinance passed.

**NEW BUSINESS:**

President Donley placed the travel reimbursement for city employees into the Finance Committee for review.

Mr. Walker said that he would like to see council pay addressed since it would not affect him. He also wanted them to look into staggering council terms so there would be no possibility of all members being changed at the same time. This would need to be ready for the ballot by August. Mr. Koogler volunteered to take council pay into his committee. President Donley said that he would talk with Mr. Beery and see how to proceed.

With no further business to come before the Council, Mrs. Parr made a motion to adjourn and Mr. Walker 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