

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. Rodrick Daniels, Mr. Koogler, Mr. John Levo, Mrs. Bonnie Parr, Mr. David Shoemaker, 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 August 11, 2008 meeting were accepted as presented.

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

PUBLIC REQUESTS: None

COMMUNICATIONS:

A request was received from the Hillsboro Uptown Business Association to change the Holiday Parade route and time. Parade route to start at the fairgrounds, come up West Main Street to the center of town, turn left on North High Street and end by turning left on Beech Street and ending back at the fairgrounds. In order to gain more participants, they wanted to move the parade up to 4:00 p.m.

Mr. Levo made a motion to approve the requests for parade route and time and Mr. Waller seconded the motion with all members voting yea. Request approved.

CITIZEN COMMENTS: None

COMMUNICATIONS FROM THE MAYOR:

Okay, for the sake of time I'm going to skip all the meetings and weddings that are in my report for August. There's some issues I would like to address to clear up some misunderstandings and rumors that took place this past month.

Number one; at the Finance and Utilities joint meetings, the statement was made that County Commissioners were not aware of Mr. Heaton coming to the City to ask for the increase in water and sewer rates be put off for one year due to the financial situation the county is presently in. I thought at that time I had misunderstood or read something into the request which I had not actually heard. The next morning, August 20th; I had already asked to be on the commissioner's agenda to discuss the holdup on the annexation of the right-of-way on State Route [sic] 62 south at the new high school location.

When the commissioners called on me, I told them I wanted to clear up a statement I had made at the August Council meeting regarding their request on water and sewer billing. I told them that I should have apologized to the other two commissioners. I thought they were aware of the request that was made by Commissioner Heaton, however; I had been told by a city council member that he had talked to both Mr. Rector and Mr. Graves and that they knew nothing of the request until after it had been made.

At this point Mr. Heaton stated that the other two commissioners knew he was coming to my office, but they had not sent him. Mr. Graves spoke up and stated that as the three of them walked across the street; Mr. Heaton asked if they had a problem with his request.

Mr. Graves then said that they told Mr. Heaton it was not a problem. The bottom line to all of this is that the information presented at the council committee meeting was not entirely true. All of the commissioners knew of the intent of the request before it was made; not after the fact as stated at the meeting.

Thanks to Commissioner Graves for having a good memory of actually what happened.

Item number two is something near and dear to all of us and that is the question of a sally port for the Police Department; to be or not to be. I was approached by a Hillsboro resident on August 25th and the conversation went directly to the sally port issue. This gentleman informed me that he had made a trip to the Wilmington Police Department. The police chief told him their sally port was used for storage and to wash cars. I replied that our Safety-Service Director Ralph Holt and our Police Chief Nick Thompson had both made separate phone calls to Wilmington regarding the use of their sally port. Both city officials were told that Wilmington verified the use and Hillsboro would benefit by having one.

So on August 28th, Chief Thompson and I went to Wilmington and met with the police chief while standing in their sally port which is actually a garage. The first thing I said to the Wilmington chief was, "I don't want to put you on the spot, however; I need to ask a couple of questions pertaining to your sally port. Did you tell a couple of Hillsboro residents that this area was only used for storage and washing cars?" I gave him the name of the individual that approached me. The chief answered that he did not tell the resident that. The chief brought to my attention there is not a drain in the floor so washing cars would be impossible. He then pointed to three bicycles that were being stored and said that these are here until they can be transported offsite.

I then asked the police chief if he had an officer by a certain name on your police department. He verified that officer was part of the Wilmington Police Department. I then informed the chief that that officer was at the home of one of our City Council members when asked about the sally port usage. This officer stated that the department did not use the area. The Wilmington chief then explained that this officer would not use the area since he is a bicycle patrol officer and not one that would bring prisoners into the facility.

The chief did say that if an arrest is made of someone not thought of as dangerous, the sally port is not used. Any prisoner considered a threat is driven into the sally port; the overhead door is put down before they are taken to a holding cell. This is the safest way for officers to transport that kind of prisoner. Another point he made is, if a vehicle is involved in a serious crime, the use of the sally port is a must so as to be able to place the vehicle in a secure area while the evidence is being collected. The chief went on to say that he uses the garage as a sally port since he was denied one during construction of the building. His final statement was; "A sally port is a much needed asset in law enforcement and he wished he had a pull-through instead of having to make the garage work as his sally port.

The bottom line into all of this investigation; the reason stated above; the safety of our law enforcement employees and also the need to be able to secure large items that are being processed for evidence relating to a crime; I strongly recommend to City Council to proceed with the addition of a sally port behind the future Police Station. I do understand that there's a extra cost involved, however; I believe the advantages outweigh the negatives.

If there's any questions, I'll be glad to answer them now or after the meeting.

SAFETY-SERVICE DIRECTOR'S REPORT:

Council should have in front of them, a resolution to apply for a grant and low interest loan through the USDA Rural Development Housing and Community Facility program for the construction of the new Fire Department. In order for us to apply and receive the grant and loan, we need the preliminary engineering for the project. We met with Chris Widener this evening. Hopefully he has answered your questions in regards to the cost of the Fire Department building. That will allow us to move forward with hiring his services for both the fire project and the police project.

The cost for engineering provided to you this evening with the two ordinances in front of you, are taken from Mr. Widener's estimates. They are not in addition to his estimates.

You have two other resolutions before you; one to allow the mayor to apply for grants through the Ohio Public Works Commission for the upgrade of the Wastewater Treatment Plant. The second resolution before you, will allow the mayor to apply to the Ohio Public Works Commission for a grant funding the upgrade to North East Street with curbs, gutters and catch basins much like what we have done on North West Street on the first and second phases.

Because of the Highland County Fair last week, our contractors did not have North West Street closed down to try to reduce traffic congestion. They are back to work this week. We are still anticipating the Phase Two to be completed by the end of October.

The City of Hillsboro received a contract from Cargill; the vendor that we are using for deicing salt for 2007-2008 season. They estimate that with our usage in the past; they will provide 800 ton of salt for this season at a cost of \$78.37 per ton. That is a \$24.32 from last year's cost per ton. The auditor has allocated \$75,000 for salt for this season. The cost of this 800 ton will be \$62,696.00. I am requesting that council will approve the contract with Cargill for this season's salt.

And Mr. President; I am requesting that city council go into executive session prior to adjournment to discuss a property issue.

There was discussion on why the contract needed to be approved if the amount had already been budgeted and Mayor Zink explained that the law director said if it was over \$25,000 he wanted council to approve the spending of the money. Mr. Koogler made a motion to approve the contract with Cargill and Mr. Young seconded the motion with all members of council voting yea; motion passed.

AUDITOR'S REPORT:

You have in your possession my Year-to-Date Bank Report and my Year-to-Date Fund Report and note that the bank balance matches the unexpended balance on the Fund Report as it should.

If you look at your report on income tax collections you will see that we are down by 9.44 percent over this time last year. However, please note that we are only 3.77 percent below where we should be based on my original projection for the year. This is a workable number and it can fluctuate from month to month and therefore, at this point I do anticipate finishing the year at the same level; maybe a point or two below.

I have three pieces of legislation for you this evening. The first is a resolution to transfer funds from the General Fund to the Recreation Fund. This is related to SWAP (Students With A Purpose). Earlier this year it was agreed to provide the organization with \$5000 because they were doing work on city-owned property; however, we never presented you with a resolution for approval in order to transfer the funds for their use. This resolution takes care of that oversight and it also gives me the authorization to make that transfer.

The second resolution seeks the increase in appropriations in the Municipal Court Computer Fund. This fund ended last year with approximately \$50,000 and I projected approximately \$70,000 in revenues for this year. I had hoped to build this fund up over the course of this year and I went against the historic trends of what is usually spent. However, it is now apparent that this will not be able to be achieved this year and therefore I ask that in this resolution that the appropriations be brought up to where they were last year. Note that there has not been any extraordinary spending and that the revenues are exactly where they should be for this time of year and the fund will end this year where it ended last year and that's right at that \$50,000 mark.

The last item that I have for you this evening is a resolution to adopt a Fixed Asset Policy. The current policy that is in place was adopted in 1993 and since then there has been

several changes that should be made to keep the policy within Generally Accepted Accounting Principals. I present it this evening for its first reading only.

That is all I have for you this evening. Should you have any questions I would be happy to answer them for you. If not, I would appreciate a motion to accept my report to council. Mr. Koogler made a motion to accept the report and Mr. Levo seconded the motion with all members of council voting yea; motion passed.

HILLSORO PLANNING COMMISSION- Mr. Young

August 19th they held a meeting. The first to be addressed by the commission was Mr. Sharma who was not in attendance to answer questions concerning the recycling center that he was interested in establishing. There were several people at the meeting that were interested in getting information regarding his proposal. Brief discussion that followed about the watershed, however; since Mr. Sharma was not in attendance to address the request, noting was done by the commission.

The next item was represented by Mr. Metzger and concerned the corner lot on the south side of State Route 73 and Harry Sauner Road. There was a proposal to place a Sonic Drive-in at that site. He explained that it would front on Harry Sauner and there would be no inside seating. He had maps and showed the commission members what the client would like to have. A motion was made and seconded to approve the plans and it passed. After that the meeting was adjourned.

REPORT OF THE STANDING COMMITTEES-

FINANCE COMMITTEE – Mr. Koogler, Chairman

Finance Committee last met on August 19th of this year with all members present. Issues discussed were Skate Parking funding, firefighter, volunteer and auxiliary officer pay, the request for additional firefighters and the reported request from the County Commissioners and any new business.

In regards to the Skate Park, it was agreed to table the issue of additional funds for them at this time until more can be known about its ultimate location.

In regards to firefighter/volunteer pay, it was recommended unanimously that it be raised to \$12 per call and \$8 per hour thereafter. For volunteer firefighters appropriate legislation if necessary on that, will need to be addressed. The issue of auxiliary officer pay for the Police Department was tabled at this point pending further information. I think PERS was one of the issues we were concerned on.

The issue of additional firefighters was continued to be tabled. Issue of County Commissioners' request was not specifically addressed as there was a question as to whether there was a request made. Also at that meeting, Russ Newman, former county commissioner addressed the joint committee once again in regards to the increase in the water and sewer rates.

Also one other issue of new business was brought up, that was approving \$8,000 to McCarty & Associates for inspections on the North West Street Project upgrade which was also unanimously recommended by the committee. That's all I have at this time.

Mr. Holt said that Finance recommended the increase for the Fire Department volunteers and wanted to know if legislation was required. Mr. Beery responded in the negative. Mr. Holt then asked if the Finance Committee report was accepted; would that be suitable. Mr. Beery responded, "Yes. If you approve the report of Finance; so everybody knows. If you approve the report of the Finance Committee, that would be having the effect of proving the recommended pay increase for volunteers."

Mr. Koogler made a motion to approve the Finance Committee report and Mr. Young seconded the motion. All members present voted yea except Mr. Daniels who voted "no".

UTILITIES COMMITTEE- Mr. Shoemaker, Chairman

In an effort not to be redundant with Mr. Koogler, there is only one paragraph in his meeting that we had a joint meeting; so he took care of that.

STREET & SAFETY COMMITTEE- Mr. Levo

We met twice; one was a joint meeting with Mrs. Parr's committee and which she will give a report on. However, we did have a reorganizational meeting on August 19th in the Conference Room of the City Building.

Those in attendance were committee members Waller and Levo. Others attending were council members Young and Parr, President Donley, Mayor Zink, SSD Holt and department representatives Pence, Thompson and Puckett.

Mr. Levo asked that committee member Shoemaker be excused from this meeting because of another commitment. Mr. Waller seconded the motion which passed. Mr. Levo welcomed Mr. Waller to the committee and thanked President Donley for his appointment. Mr. Levo explained that he was now the chairman of the committee because of Mr. Walker leaving council. Because of this, he wanted to know the progress on various matters that the committee might be involved with. He presented a list of fifteen items that were for discussion during the evening. A copy of that report is attached.

The two hour meeting was very productive and cleared the air on some matters. Of major concern is if the city will be unable to secure street salt for this year due to shortages at the mines. Mr. Pence asked the local media to advise citizens of the situation. I kind of gather that we need to reverse that in the advise to the citizens.

Fire Lieutenant Puckett asked if anything had been done concerning the proposed updating of the Fire Code. As no one had knowledge of this proposed update request, Administration will find out what happened to the draft.

Manpower shortages in the Police Department is known and the shortage in the Fire Department is being addressed. Mr. Levo said that he thought a look should be given to the Street Department because Mr. Pence is doing manual work and is not adequately supervising. He said he thought only the Sewer Department might be at full strength. Mr. Levo asked Mr. Donley if a meeting date has been set for a meeting with the County Engineer concerning the extension of Hobart Drive. He asked that he and Mr. Shoemaker talk with Mr. Otworth to gather more information. Mr. Holt requested Mr. Donley to set the meeting as soon as possible.

With no other business to discuss, the meeting was adjourned. There was also a meeting on September 4th and Mrs. Parr will give that in her report.

PROPERTY MAINTENANCE & RESTORATION-Mrs. Parr Chairman

Property Maintenance & Restoration Committee met with a joint meeting with Street & Safety on September 4, 2008 at 5:30 p.m. at the City Building. The meeting was called to order with committee members David Shoemaker, Brian Waller and Bonnie Parr in attendance. Also in attendance were Tim Young, John Levo, Mayor Dick Zink, SSD Ralph Holt and Auditor Gary Lewis.

This was a joint committee meeting with John Levo's Street & Safety Committee. This meeting was to discuss the report from Shell & Meyers Structural Engineers on their findings on the Parker House. There was deep discussion with both committees on this report and Safety-Service Director Ralph Holt reports to us that the city lawyer Mrs. Hapner sent Mr. Holt copies of the reports and a letter of intent on his part.

The recommendation from Shell & Meyers Structural Engineers was to contract for a rental barricade to surround the Parker House complex to give safety to the city. A motion was

made by David Shoemaker to rent a proper barricade to keep the city safe and to turn it over to Safety-Service Director Ralph Holt. Brian Waller seconded the motion and the motion was carried by both committees. Meeting was adjourned.

Mr. Holt said, "We got the area measured. I haven't been able to find...Mr. Shoemaker requested that we look at some type of fencing or protection that was covered; had some kind of a cover so they could walk on the sidewalk. When we went down there today looking at the front of the building, I'm kind of concerned about putting anything there because I don't know the amount of weight that will withstand and looking at a portion of the front of that building; you don't know what's going to come off of it. I looking basically at going back to just the fence and make it big enough so if it does fall; it will be within an area where no one will be. I talked to the Barber Shop owner today; and talked with him about closing off the alley except about six feet so to give him access to his back door which he uses for people with wheelchairs and that entrance. So that's where we're at right now."

Mrs. Parr said that they have rewritten the sign ordinances and she wasn't sure why they hadn't been presented.

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

ZONING AND ANNEXATION COMMITTEE- Mr. Young, Chairman
No report.

COMMUNITY ENHANCEMENT COMMITTEE- Mr. Waller, Chairman
No meeting.

UNFINISHED BUSINESS- None

Mr. Levo asked if Administration if they found a copy of the proposed fire ordinance and Mr. Holt said that he had put it in everyone's mail bin uptown.

PASSAGE OF ORDINANCES AND RESOLUTIONS-

1. RES. 08-24 – A RESOLUTION TO ADOPT POLICY GOVERNING THE USE OF CITY CONTROLLED PETTY CASH- The clerk read the resolution by title only for a third reading. Mr. Levo made a motion to approve the resolution and Mr. Koogler seconded the motion with all members voting yea. Resolution adopted.

SECOND READING OF ORDINANCES AND RESOLUTIONS-

1. ORD. 2008-16 – AN ORDINANCE TO ESTABLISH THE ANNUAL SALARY OF MEMBERS OF COUNCIL -The clerk read the legislation by title only for a second reading.

FIRST READING OF ORDINANCES AND RESOLUTIONS-

1. RES. 08-30 – A RESOLUTION TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE RECREATION FUND- The clerk read the resolution in full for a first reading. Mr. Shoemaker made a motion to pass the resolution and Mrs. Parr seconded the motion. All members of council voted yea; resolution passed.

2. RES. 08-31 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE MUNICIPAL COMPUTER FUND- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to adopt the resolution and Mrs. Parr seconded the motion with all members of council voting yea; resolution passed.

3. RES. 08-32 – A RESOLUTION TO ADOPT A FIXED ASSET POLICY- The clerk read the resolution in full for a first reading.

4. RES. 08-33 – A RESOLUTION TO AUTHORIZE THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS(S) AND TO EXECUTE CONTRACTS AS REQUIRED- (N East Street Project) The clerk read the resolution in full for a first reading. Mr. Levo made a motion to suspend the three-reading rule and Mr. Young 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 of council voted yea; resolution adopted.

5. RES. 08-34 – A RESOLUTION TO AUTHORIZE THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED- The clerk explained that this was exactly like the previous resolution except this pertained to the Wastewater Treatment Plant By-pass Elimination & Expansion Project. 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 all members voted yea; resolution adopted.

6. RES. 08-35 – A RESOLUTION TO AUTHORIZE THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE USDA RURAL DEVELOPMENT HOUSING AND COMMUNITY FACILITIES PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED- The clerk read the resolution in full for a first reading. Mrs. Parr made a motion to suspend the three-reading rule and Mr. Levo seconded the motion with all members voting yea. Mrs. Parr made a motion to pass the resolution and Mr. Daniels seconded the motion. All members voted yea; resolution adopted.

7. ORD. 2008-17 – AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH WDC GROUP LLC FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE POLICE FACILITY AND TO DECLARE AN EMERGENCY- The clerk read the ordinance in full for a first reading. Mr. Levo made a motion to waive the three-reading rule and Mrs. Parr seconded the motion with all members voting yea except Mr. Daniels who voted no. Mr. Levo made a motion to adopt the ordinance and Mrs. Parr seconded the motion with all members voting yea except Mr. Daniels who voted no. Ordinance adopted.

8. ORD. 2008-18 – AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH WDC GROUP LLC FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE FIRE FACILITY AND TO DECLARE AN EMERGENCY- The clerk read the ordinance in full for a first reading. There was discussion on whether storage should come in the form of a basement or a mezzanine and a voice vote was taken to design the facility with a mezzanine. Mr. Shoemaker made a motion to suspend the three-reading rule and Mrs. Parr seconded the motion with all members voting yea. Mrs. Parr made a motion to approve the ordinance and Mr. Shoemaker seconded the motion with all members voting yea. Ordinance passed.

9. RES. 08-36 – A RESOLUTION TO AUTHORIZE AN ADDITIONAL CONTRACT WITH MELVIN ASPHALT PAVING CO. FOR CHANGE ORDERS AND DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Holt this was the southernmost caution light on Fenner Road. Moving the light was necessary to maintain the street width. Mr. Shoemaker mentioned that Ron Bean, General Manager of Melvin Stone had stated the light would be \$1650. A motion to amend the legislation to show an amount of \$1650 instead of the \$2000 and Mr. Koogler seconded the motion with all members of council voting yea. A motion to waive the three-reading rule was made by Mr. Koogler and seconded by Mrs. Parr and all council members voted yea. Mr. Koogler made a motion to adopt the resolution and Mr. Shoemaker seconded the motion. All members of council voted yea; resolution passed.

Mr. Koogler made a motion to go into executive session to discuss property issues and Mr. Shoemaker seconded the motion and a voice vote was aye. Executive session began at 8:22 p.m. and they came out of executive session at 8:28 p.m.

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

Richard Donley, Council President

Beverly Brown, Clerk of Council