

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. John Levo, Mrs. Bonnie Parr, Mr. Peter Pence and Mr. David Shoemaker, Mr. Brian Waller

ABSENT: Mr. Roderick Daniels, Mr. Lee Koogler

Mr. Levo made a motion to excuse Mr. Koogler due to his illness and that Mr. Daniels be excused from this meeting as well as previous meetings due to his active military responsibilities. Mr. Waller seconded the motion and all members present voted yea.

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

The minutes of the September 14, 2009 regular meeting and the October 6, 2009 special meeting were accepted as presented.

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

PUBLIC REQUESTS:

Phillip McCoppin sent a request asking the city to turn over a portion of two alleys to Cottages of Springlake Condominiums and Springlake Condos. President Donley put the request into the Street and Safety Committee. Mr. Shoemaker asked Mr. Holt to provide the committee with a GIS map of the area.

COMMUNICATIONS: None

CITIZEN COMMENTS:

Mr. Brent Sears is the owner of Indell Construction and they have been working with Mr. Holt and the city developing the area known as the Hillsboro Plaza. He said they had turned the corner on Northview Drive and have developed the professional suites for the Hillsboro Hospital for physical therapy. He said there were three more suites on the strip that they would like to draw attention to in a better way than they are right now. He said that they have a 4'x8' sign on North High Street in front of Walgreens; a typical plywood sign. They would like to have a bigger sign to draw more attention to the space behind Walgreens. They are having a hard time getting interest back there. He would like to know the size they would be permitted and then he would design a layout for council to approve.

President Donley put the request in the Property Maintenance and Restoration committee for review.

COMMUNICATIONS FROM THE MAYOR:

Meetings attended:

September 1 - Finance Committee

September 2 - Property & Maintenance Committee

September 4 - Wedding

September 8 - Records Commission

Interviewed an Inspector for the Wastewater Treatment Plant project

September 9 - Wedding
September 10 – Fire Construction Meeting
September 14 – Fair Housing Meeting
City Council Meeting
September 15 – Planning Commission
September 17 – Fire Construction Meeting
September 18 – Pre-award meeting with Contractors
Wedding
September 22 – Finance Committee
September 23 – Department Head Meeting
September 24 – Fire Construction Meeting
September 28 – Census Meeting
September 30 – Proclamation – Operation Christmas Child

Cynthia King, an employee of the federal government and 2010 Census Committee, came to Hillsboro on September 28th to discuss the importance of the 2010 census to our city. The meeting was well attended and Ms King explained the need for an accurate count in April 2010. She also explained the need to hire some folks to follow up on contacts probably from April through June 2010. Some of the positions will be up to approximately \$16.00 per hour.

We will be having another census meeting in November and have more information at that time. Thanks to Dave Shoemaker for attending the meeting.

I think everything else has been discussed, either as member stopping in the office to ask questions or in the special council meeting. Any questions?

SAFETY-SERVICE DIRECTOR'S REPORT:

Very short report. I'm requesting permission from council to demolish a house at 116 South Glenn Street. The house is a health and safety concern to the city. I will follow the advice of our law director with the correct procedure to follow. The city has bid out the demo work and Mootz Construction was the low bid at \$7,650.

The Sewer Extension on North West Street from Treewood Apartments to the entrance of the fairgrounds is completed.

The only other thing I have is I have resolutions that will follow in this meeting that I am requesting council to think about and possibly pass either this evening or under(?) the three-reading rule. That's all I have.

AUDITOR'S REPORT:

You have in your possession my Year-to-Date Fund report that shows the unexpended balance is in line with the Year-to-Date Bank Report balance that you also have in your possession. I have several pieces of legislation for you this evening and they are as follows:

The first is a request for an increase in appropriations in the Sewer Fund. An excess of funds was achieved in the Sewer System Refunding Bonds Series 1997 because of declining interest rates since the refunding of the bonds. As a result, the excess in the amount of \$122,287.03 was returned to us. The reason for the request stems from the fact that during their financial review and subsequent recommendations, RCAP inadvertently omitted taking into account the need for an equipment storage facility for our water and sewer maintenance operations. These additional funds will address the bulk of that omission without altering our RCAP formula. Furthermore, the storage facility has been placed in the 2010 preliminary budget. However, this will allow us to get a head start on the facility. I do understand, however; that should this legislation be passed additional legislation will be forth-coming from the administration before the project proceeds.

The next resolution is a request to increase appropriations in the General Bond Retirement Fund. This request stems from a local retail establishment filing an appeal

with the state disputing the amount of property taxes they have paid for the previous three years. The state granted their appeal and the result is a refund to the establishment. As a result, appropriations must be increased to make room for the refund. I will note that there are adequate funds available for this request.

The next resolution is a request to change appropriations in the water and sewer funds. In keeping with the RCAP formula recommendations, several new funds were approved for appropriations under Ordinance No. 2009-1. However, prior to setting up the new funds, they were submitted to the State Auditor for approval. For various reasons they did not deem the new funds appropriate. Therefore, this resolution eliminates the new funds from the original appropriation. The monies appropriated for the new funds will be placed into existing funds under their own separate line items.

The next legislation is the annual resolution accepting the amounts and rates passed by the budget commission and certified by the County Auditor. This is commonly referred to as the tax budget and it is required by the County Commission that each entity within the county submit a budget to them.

That is all that I have for you this evening. If there are no questions, I request a motion from the floor to accept my reports. Mr. Shoemaker made a motion to accept the report and Mr. Waller seconded the motion with all members present voting yea. Motion passed.

HILLSORO PLANNING COMMISSION-

Mayor Zink said that they did meet last month and they are requesting a hearing between the City Council and Planning Commission on November 9th before the council meeting.

REPORT OF THE STANDING COMMITTEES-

FINANCE COMMITTEE- Mr. Koogler, Chairman

PROPERTY MAINTENANCE & RESTORATION- Mrs. Parr Chairman

The committee did not have a meeting.

CIVIL SERVICE AND EMPLOYEE RELATIONS- Mr. Levo, Chairman

Nothing to report

STREET & SAFETY COMMITTEE- Mr. Levo, Chairman

Although the committee did not meet, members Shoemaker, Waller and Levo independently viewed the alley off of Wellston Street. This is the alley that the Zimmerman families have requested to be closed. It's located between 155 Wellston and 151 Wellston Street; the Daniel Zimmerman and the Randy Zimmerman properties. Each member has indicated that there is no objection to starting the process to close the alley. We therefore request the required public hearing be set prior to the November 9th council meeting and that the residents of the affected area be notified by mail of the hearing. Additionally, I understand as of this evening we have a potential request for a vacation of an alley off of Springlake Avenue and we might as well kill two birds with one stone and schedule a public hearing for that particular night also. I will be absent from that particular meeting and therefore I request that Brian Waller be assigned to chair the hearing that night.

UTILITIES COMMITTEE- Mr. Shoemaker, Chairman

Utilities did not meet this past month.

ZONING AND ANNEXATION COMMITTEE- Mr. Daniels, Chairman

Nothing in the committee at this time.

COMMUNITY ENHANCEMENT COMMITTEE- Mr. Waller, Chairman

No meeting this month.

UNFINISHED BUSINESS- None

PASSAGE OF ORDINANCES AND RESOLUTIONS-

SECOND READING OF ORDINANCES AND RESOLUTIONS-

1. RES. 09-09-47 – A RESOLUTION APPROVING THE BID OF DUGAN & MEYERS CONSTRUCTION COMPANY AND AUTHORIZING THE SAFETY & SERVICE DIRECTOR CONTRACT FOR CONSTRUCTION OF THE WASTEWATER TREATMENT PLANT BY-PASS ELIMINATION AND EXPANSION PROJECT AND TO DECLARE AN EMERGENCY- The clerk read the resolution by title and Section One for a second reading.

FIRST READING OF ORDINANCES AND RESOLUTIONS-

1. RES. 09-48 – A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR- The clerk read the resolution by title only for a first reading.

2. RES. 09-49 – A RESOLUTION TO CHANGE APPROPRIATIONS IN THE WATER AND SEWER FUNDS- The clerk read the resolution in full for a first reading. Mr. Shoemaker made a motion to adopt the resolution and Mr. Waller seconded the motion. All members present voted yea; resolution adopted.

3. RES. 09-50 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE GENERAL BOND RETIREMENT FUND- The clerk read the resolution in full for a first reading. Mrs. Parr made a motion to accept the resolution and Mr. Waller seconded the motion with all members present voting yea; resolution passed.

4. RES. 09-51 – 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 read the resolution in full for a first reading. Upon questioning regarding the three-reading rule, Mr. Beery replied, “If you adopt this measure and then have a full either suspension of the three-reading rule and/or three separate readings for the approval if you’re awarded the money then it would be fine to do this as long as one of the pieces of legislation goes through the formal process.” Mayor Zink said that he didn’t have a problem with coming back if we get funded. He said he would just like to get the application in; North East Street needs a repair job in the worst way and we would like to see if we could some help doing that. Mr. Waller made a motion to approve the resolution and Mrs. Parr seconded the motion. All members present voted yea; resolution adopted.

5. RES. 09-52 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE SEWER FUND- The clerk read the resolution in full for a first reading. Mr. Shoemaker made a motion to accept the resolution and Mrs. Parr seconded the motion with all members present voting yea; resolution adopted.

6. RES. 09-53 – A RESOLUTION TO APPROVE CONTRACTING WITH PROFESSIONAL SERVICE INDUSTRIES, INC., (PSI), AND TO DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading.

7. RES. 09-54 – A RESOLUTION TO APPROVE CONTRACTING WITH B.W. COOPER SERVICES, LLC, AND TO DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading.

8. RES. 09-55 – A RESOLUTION AUTHORIZING THE SAFETY AND SERVICE DIRECTOR TO INVITE BIDS TO CONSTRUCT A WATER-SEWER MAINTENANCE SERVICE BUILDING AND TO DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading.

NEW BUSINESS:

Mr. Holt requested to go into executive session for pending litigation and he requested that Kathryn Hapner also attend. Mr. Waller made a motion to go into executive session and Mr. Shoemaker seconded the motion. Executive session entered into at 7:44 p.m. and came out of executive session at 8:10 p.m.

With no further business to come before the Council, Mr. Shoemaker made a motion to adjourn and Mrs. Parr seconded the motion with all members present voting yea. Meeting adjourned.

Richard Donley, Council President

Beverly Brown, Clerk of Council