

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. Roderick Daniels, Mr. Lee Koogler, Mr. John Levo, Mrs. Bonnie Parr, Mr. Peter Pence and Mr. David Shoemaker

ABSENT: Mr. Brian Waller

President Donley explained that Mr. Waller was on a service call and would not be able to attend the meeting. Mrs. Parr made a motion to excuse Mr. Waller and Mr. Koogler seconded the motion with all members present voting yea.

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

President Donley welcomed Mr. Pence to the Council and Mr. Pence's response was that he looked forward to taking on some of the challenges that the city was facing and hopefully it would be a positive experience for him and the city.

The minutes of the March 9, 2009 meeting were accepted as presented.

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

PUBLIC REQUESTS: There was a request for a Liquor License from the East Main Mini-Mart. This would be handled like previous requests.

COMMUNICATIONS: None

CITIZEN COMMENTS: None

COMMUNICATIONS FROM THE MAYOR:

Meetings I have attended in March:

March 3 - Utilities Committee

Joint Finance & Property Maintenance Committee

March 4 - Met with interested parties on the Public Access Building

Meeting with Highland County General Health District Advisory Council

March 5 - Construction meeting on the new police station

March 6 - Wedding

March 9 - Council Meeting

March 11 - Met with County Commissioners about utilities at the Justice Center

March 12 - Construction meeting on the new police station

March 16 - Met with Bill Smith of WEASTECH & he explained their employment status and statistics for us

Civil Service Commission Committee meeting

Joint Finance & Property Maintenance Committee

Street & Safety Committee

Wedding

March 17 - Wedding

March 18 - HHC meeting for the needs of the county and the city

March 19 - Construction meeting on the new police station

Pre-bid meeting for the new fire & EMS building

- March 20 – Met with the Police & Fire Departments to critique the fire at Magee’s.
Things went really well up there and we wanted to sit down and go over how things went together as we had planned earlier.
- March 23 – Wedding
Property & Maintenance Committee meeting at the church joining the Webster School property
- March 24 – Revolving Loan Commission
- March 25 – Construction meeting on the new police station
Sewer line replacement progress meeting
- March 31 – Joint Finance and Property Maintenance Committee meeting

I would like to say that the progress on the new Police Department is coming along very well. Construction is running approximately one month ahead of schedule. It appears the building will be ready around the middle of May.

Pre-bid meeting for the new fire station was held on March 19th and the bid opening was Friday, April 3rd. Jay-Car will be the general contractor on the fire building.

On Friday, April 3rd Curtis Pegram, the local postmaster came in to ask for the city’s support on the Postal Service Food Drive to be held May 9th. Mr. Pegram explained that the letter carriers will pick up nonperishable food items placed beside mail boxes throughout the 45133 zip code. These items will be distributed to local food pantries in our area. I feel the present economic conditions in our area, this would be a worthwhile project for the city. Mr. Pegram explained the needs are up and the shelves are getting bare. Also the donations including monetary are down. I would encourage all citizens to please take part in this very worthwhile food drive. Let’s see if we as a city of concerned citizens donate whatever items you can and give and place them by your mailboxes on May 9th in order to help those in need in our community.

As I reported last month on utility charges at the Justice Center, we are in the process of coming up with the documentation to present to the County Commissioners pertaining to paying the utilities. Ralph is supposed to be negotiating but so far he hasn’t been able to pen down anybody to negotiate with the county’s representatives in regards to metering the electric and water usage for the Municipal Court and the Sheriff’s Department. As soon as we come up with a contract we’ll present it to city council for approval.

We have received information in regards to grants for the Wastewater Treatment Plant construction. At this time we are assured of receiving 4.4 million dollars in grant money. This does not include the grant that Kirby Ellison has applied for through the Stimulus Program. I know Mr. Shoemaker and the Utilities Committee is and has been very interested in the grant dollars. Hopefully we will be hearing on the stimulus funding in the near future. I know Mr. Shoemaker will be looking at sewer rates when we find out the amount of the total grant dollars the city is awarded.

At this time the sweeping of the streets is approximately half complete. We have received compliments on the streets in the area that has been completed.

The last item that I have is the contract sent to the city pertaining to the housing of inmates at the Justice Center. I asked our law Director to review the contract and asked for a clause to be added stating the case number, name of inmate and time of confinement. The charge will be \$27.50 a day. There is other verbiage that neither Mr. Beery nor I had a problem with. You should all have copies in your packets and since I had this typed up I talked to Sheriff Ward and he says that we get the information that we were asking for with the exception of one item so I think what I want to do; I’m going to ask council’s permission to enter into a contract with the blessing of the law director. The contract must be returned to the Sheriff’s Department by April 15th so we won’t be having another meeting before the deadline. I ask council’s approval to sign the contract. If you give me that and I think I have talked to the law director about it and we’ll go ahead and sign-off on that and get it back out to the sheriff. That’s the end of my report; any questions?

Mrs. Parr made a motion to allow the mayor to sign the contract for prisoner housing and Mr. Koogler seconded the motion with all members present voting yea. Motion passed.
SAFETY-SERVICE DIRECTOR'S REPORT:

At tonight's meeting you will see legislation requesting resolutions for change orders in contracts for the new police building. I want to assure you that we are still within budget and we continue to work within the funding that council approved for that project.

The bid opening for the fire building was done at 12 p.m. on March 3rd. The estimates for construction was 1.7 million dollars. When council agreed to add the mezzanine, that increased the cost of the project to 1.9 million dollars. We received the bid tabulations from WDC Group. The project came in at 1.6 million dollars. That is about a \$300,000 under budget for the project cost.

At the meeting with Finance week before last, Mr. Levo handed me a letter that he received from an employee of US Bank. I'll read the letter to all council.

In December of 2008 US Bank hired a handicapped individual for our uptown Hillsboro office. Matt Roberts has muscular dystrophy and cannot walk from our parking lot located behind the Main Barber Shop. There was no handicapped parking places located close to our bank either. The closest was Town Jewelers.

I called Ralph Holt to inquire about putting in a handicapped parking place in front of US Bank and he most graciously had one installed. Matt has been parking there since his employment began and it was never a problem as the city police never mark tires in the winter. Now they are marking the tires and he is getting ticketed and fined. He comes to work at 8:00 a.m. and leaves at 4:00 p.m. The employees all watch for him because he sometimes falls. He cannot walk from the parking lot and if he has to change parking spaces all day to avoid a ticket, he would surely fall and sustain an injury.

We are requesting the committee to release the two-hour parking limit on this one handicapped parking place so that he can park there during his work schedule. I'm sure it would be to the city's advantage rather than facing a possible injury to this handicapped citizen. I hope you will give this your utmost consideration and reply to me with your decision.

I talked with Mrs. Rhude and explained to Mrs. Rhude that when I agreed to place the handicapped parking last winter that I talked with her and told her that there would be an issue; that there is just two-hour parking uptown. Now she's asking for that employee to be able to park for eight hours. I told her that I did not have the authority; we had an ordinance in place that specified two-hour parking. But she wanted me to bring it before council for council to make a decision. That's why I've done that by reading this letter to council.

Mr. Levo said, "I really feel for the individual with the disability, but I honestly do not believe that we can allow a single dedicated parking space for one individual. I think it will open up requests throughout the city for the same such thing. I feel that the bank should work with the individual to assure that he can get to work whether it's somebody who re-parks his car after he gets to work or someone waits for him at the parking area and then assists him to the office. I just do not feel that we can accept this request for a dedicated handicapped parking space for a given individual.

This is not setting a precedent either. As I recall last fall we had a request from a handicapped individual on East Main Street to have a handicapped place in front of his house so I believe the Hills and Dales bus could pick him up and at that particular time other individuals were parking there and it was an inconvenience for him to get from his house to the bus. The thing in that particular case was the individual did not drive and we did deny that request. So this is not setting a precedent; it's not in my opinion; we're not picking on the handicapped. We're looking at the overall best interest of all citizens in Hillsboro."

Mr. Lewis said, “With respect to everyone’s comments and everything; I disagree. Myself suffering from a handicap myself; nothing to the degree that Mr. Roberts suffers from by all means. I think that really city council should weigh in with a little bit of compassion for the individual. I don’t think it’s going to be an issue where you’re going to have many people coming up and requesting these types of things for handicaps. And maybe it’s just me personally because I understand some of what he has gone through. I just feel; I really commend Mr. Roberts for you know.... He could be someone who is completely on disability but he doesn’t choose to do that. He chooses to remain active; to be part of the workforce and me personally even though I’m not a voting member of council; if I were I would support that request myself.”

Mr. Levo made a motion that they reluctantly deny the request of US Bank for an additional handicapped parking space in front of their building. Mr. Levo then changed the motion to not waive the handicapped parking restrictions. There was no second to the motion and Mr. Holt said that he would contact the individual.

AUDITOR’S REPORT:

I do have a quick report for you this evening. You have my Year-To-Date Bank Report and my Year-to-Date Fund Report and they balance as usual. I will make the one note that on the Fund Report on the 501 Water Revenue Fund that because of a large receipt that we had from the folks on Route 73 with the apartments; that has nearly doubled. There is close to \$300,000 in that fund as of today. So it is substantially different from what your report shows.

The only legislation that I have for you this evening is a resolution to create new funds within the water and sewer departments. This is necessary in order to send it to the Auditor of State for approval of the funds that have been set forth under the RCAP guide lines that council has adopted. That is all I have for you this evening, if there are no questions I do request a motion from the floor for approval of my reports.

Mr. Koogler made a motion to approve the report and Mr. Daniels seconded the motion. All members present voted yea; report approved.

HILLSORO PLANNING COMMISSION- No meeting

REPORT OF THE STANDING COMMITTEES-

FINANCE COMMITTEE – Mr. Koogler, Chairman

Finance met twice this past month I believe on the 16th of March and again on the 31st. We met in regards to two issues being that of a request by Mary Turner and that of Phil Loudon. The committee did meet jointly with that of Property Maintenance and Restoration so I’m hoping that I can kind of read in for both committees here so we don’t have to have any redundancy.

The issues as I stated we addressed were Mary Turner and Phil Loudon in regards to the issue for the church that Mary Turner owns down by the Washington School. It was unanimously agreed upon that we would recommend to council that we extend the church a three-year lease option to them that would be renewable automatically if neither party did anything in regards to the option. That we would lease it for one dollar per year and this would be subject to Ms. Brown getting a survey done of the space that she wants for the church to utilize for parking so that we could basically attach that to the lease to know what they are leasing.

In regards to the old Public Access TV building and Phil Loudon’s request to lease it or to rent it; we are recommending to council that we allow the safety-service director to enter into negotiations with Mr. Loudon. That was also unanimously agreed to by both committees. I don’t believe that I have anything further from Finance at this time.

I think ultimately on both of those issues council probably needs to take a vote at this time and make a decision. But it is the recommendation of both committees that those be approved.

Mr. Shoemaker asked Mr. Holt if he had met with Mrs. Turner on what they had talked about as far as survey lines and Mr. Holt responded that they hadn't met. Mr. Holt said that if council would pass it with the agreement of their meeting; he could move forward on that. Mr. Koogler said that he would ask that they take a vote on the committee report and if it is approved it would be ratified. Mr. Shoemaker said that he would second Mr. Koogler's request and all members present voted yea; report accepted.

PROPERTY MAINTENANCE & RESTORATION- Mrs. Parr, Chairman

Mrs. Parr said that she had nothing to add to the Finance Committee report.

CIVIL SERVICE AND EMPLOYEE RELATIONS- Mr. Levo, Chairman

The committee met on Monday, March 16th with members Levo and Koogler present. Also present were council members Shoemaker and Parr along with Mayor Zink and Safety-Service Director Holt. It was determined that sufficient procedures were in place to reveal if an employee was abusing the city's sick leave policy and taking advantage of their co-worker's generosity of donating their personal unused sick days to an employee who had run out of theirs. Therefore, it was decided that no changes to the existing employee policy need to be made at this time.

With no further business to discuss the meeting was adjourned.

STREET & SAFETY COMMITTEE- Mr. Levo, Chairman

The Street & Safety Committee had its first meeting of the month on March 16th with all committee members present. Also attending were councilmen Koogler, Parr and Daniels, Mayor Zink and Safety-Service Director Holt.

The meeting was to address a letter received from an East Main Street business owner requesting handicapped parking spaces along the street. By city ordinance the granting of such spaces is the responsibility of the safety-service director and not the committee. Council would only be involved should the person making the request appeal the decision to the safety-service director. The committee requested Mr. Holt to make the appropriate contact with the business requesting the handicapped space.

Mr. Levo stated the committee would meet prior to the April council meeting to start the review and update of the City Fire Code. With no further business to discuss that meeting was adjourned.

On April 7th the committee again met to start the review of the existing fire code. Members Waller and Levo were present. Due to sickness Mr. Shoemaker was absent but excused from the meeting. Also attending were Mayor Zink, Safety-Service Director Holt and Ed Puckett of the Hillsboro Fire Department.

Mr. Levo asked Mr. Puckett to explain to the committee the reason for the Fire Code to be changed to which Mr. Puckett had several valid reasons. Following much discussion Mr. Levo stated at the next committee meeting he hoped to have Mr. Shoemaker present and then start a scrub of the ordinance similar to what had been with the Utilities and Sign Ordinances.

Although the Fire Code is spread throughout various sections of the ordinance book, he thought a final draft should be ready for the May council meeting. The next meeting of the committee will be April 16th at 5:30 at the city building. The committee also commended the Fire Department for their quick actions related to the recent fire at Magees where a nasty situation could have developed into a disastrous fire to the whole downtown business area.

Before adjourning for the evening Mr. Holt updated the committee on the progress of the Police Department building and the Fire Department bids. He had also received a request for a handicapped parking space to be used by a US Bank employee. He will contact the bank to discuss why their request cannot be granted. Respectfully submitted- John Levo, Chair

UTILITIES COMMITTEE- Mr. Shoemaker, Chairman

The Utilities Committee did not meet this month but I'm anxiously awaiting Mr. Holt and the Mayor's final tabulation as soon we know what stimulus money we have coming in and with our grant money so we can actually have a meeting and look at our water and sewer rates for the citizens of Hillsboro and ourselves also. As soon as those get in I would appreciate a call as soon as possible so we can bring the committee together.

ZONING AND ANNEXATION COMMITTEE- Mr. Daniels, Chairman

No meeting this month.

COMMUNITY ENHANCEMENT COMMITTEE- Mr. Waller, Chairman

No meeting this month.

UNFINISHED BUSINESS- None

PASSAGE OF ORDINANCES AND RESOLUTIONS- None

SECOND READING OF ORDINANCES AND RESOLUTIONS- None

FIRST READING OF ORDINANCES AND RESOLUTION-

1. RES. 09-16 – A RESOLUTION TO CREATE NEW FUNDS WITHIN THE WATER AND SEWER DEPARTMENTS- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to adopt the resolution and Mr. Shoemaker seconded the motion. All members present voted yea; resolution passed.
2. RES. 09-17 – A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF HILLSBORO TO FILE A COPS HIRING RECOVERY PROGRAM APPLICATION AND TO ENTER INTO CONTRACT UPON FUNDING AND DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Levo asked how long the grant ran and Mr. Holt said it was three years. Mr. Levo then asked if we had the mechanism in place to cover this position and Mr. Holt said that there were several retirements coming up in the next three years. Mr. Koogler asked if there was a condition in the grant that stated the employment had to continue after the three years and Mr. Beery said it was for one year. Mr. Levo made a motion to suspend the three-reading rule and Mr. Daniels seconded the motion with all members present voting yea. Mrs. Parr made a motion to pass the resolution and Mr. Levo seconded the motion. All members present voted yea; resolution adopted.
3. RES. 09-18 – A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF HILLSBORO TO ENTER INTO A CONTRACT WITH PEG BEEKMAN FOR THE RESEARCH, PREPARATION AND FILING OF THE CITY'S COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) FY 2009 APPLICATION AND TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, ODOD, OFFICE OF HOUSING & COMMUNITY PARTNERSHIPS (OHCP) UPON FUNDING APPROVAL, AND TO ENTER INTO CONTRACT WITH PEG BEEKMAN FOR THE ADMINISTRATION OF THE CHIP UPON FUNDING APPROVAL FROM THE OFFICE OF HOUSING & COMMUNITY PARTNERSHIPS AND DECLARING 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 Mrs. Parr seconded the motion with all members present voting yea. Mr. Koogler made a motion to approve and adopt and Mrs. Parr seconded the motion. All members present voted yea; resolution adopted.
4. RES. 09-19 – A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO CONTRACT(S) FOR THE CONSTRUCTION OF THE NEW FIRE FACILITY AND

TO DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Levo made a motion to suspend the three reading rule and Mrs. Parr seconded the motion. Mr. Shoemaker had a question on the “alternates” that were listed in the resolution. Mr. Holt tried to explain how the alternates were chosen to give the city the best total price for the building and that everything on the list totaled the amount in the opening paragraph not to exceed \$1,293,221.68. Vote as follows: Mrs. Parr, yea; Mr. Pence, yea; Mr. Shoemaker, no; Mr. Daniels, yea; Mr. Koogler, no; Mr. Levo, yea. The resolution had its first reading.

5. RES. 09-20 – A RESOLUTION TO AUTHORIZE AN ADDITIONAL CONTRACT WITH GEUY CONSTRUCTION CO., INC. FOR CHANGE ORDERS AND DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to waive the three-reading rule and Mr. Levo seconded the motion with all members present voting yea. Mr. Koogler made a motion to approve and adopt and Mr. Levo seconded the motion. All members present voted yea; resolution passed.

6. RES. 09-21 – A RESOLUTION TO AUTHORIZE AN ADDITIONAL CONTRACT WITH REDDY ELECTRIC COMPANY FOR CHANGE ORDERS AND DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Levo made a motion to suspend the three-reading rule and Mr. Koogler seconded the motion with all members present voting yea. Mrs. Parr made a motion to adopt the resolution and Mr. Levo seconded the motion. All members present voted yea; resolution passed.

7. RES. 09-22 – A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH OM WORKSPACE AND 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. Daniels seconded the motion with all members present voting yea. Mr. Koogler made a motion to approve and adopt and Mrs. Parr seconded the motion. All members present voted yea; resolution adopted.

8. RES. 09-23 - A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH SOUND COMMUNICATIONS AND DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Shoemaker made a motion to suspend the three-reading rule and Mr. Koogler seconded the motion with all members present voting yea. Mr. Shoemaker made a motion to approve the resolution and Mr. Koogler seconded the motion. All members present voted yea; resolution approved.

9. RES. 09-24 – A RESOLUTION TO AUTHORIZE AN ADDITIONAL CONTRACT WITH COX PAVING, INC. FOR CHANGE ORDERS AND DECLARE AN EMERGENCY- The clerk read the resolution in full for a first reading. Mr. Shoemaker made a motion to suspend the three-reading rule and Mr. Levo seconded the motion with all members present voting yea. Mr. Shoemaker made a motion to approve the resolution and Mrs. Parr seconded the motion. All members present voted yea; resolution adopted.

10. RES. 09-25 – FINAL RESOLUTION- (Concerning the paving of state routes within the City of Hillsboro) The clerk read the resolution in full for a first reading. Mr. Daniels had some questions regarding the lack of percentages on the resolution and Mayor Zink said that it was 20% for the city’s share and had been for years. Mr. Daniels then asked what would happen if they say that there isn’t enough funding and they want to change the percentages. Mr. Beery said we could simply say, “No thanks” since there is no percentage stated. Mr. Koogler made a motion to suspend the three-reading rule and Mr. Levo seconded the motion with all members present voting yea. Mr. Koogler made a motion to approve and adopt the resolution and Mr. Levo seconded the motion. All members present voted yea except Mr. Daniels who voted “no”. Resolution adopted.

11. RES. 09-26 – A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH OHIO CAT POWER AND 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. Shoemaker seconded the motion with all members present voting yea. Mr. Koogler made a motion to approve and adopt and Mr. Shoemaker seconded the motion. All members present voted yea; resolution adopted.

NEW BUSINESS:

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 present voting yea. Meeting adjourned.

Richard Donley, Council President

Beverly Brown, Clerk of Council