

In attendance were President Richard Donley, Mayor Richard Zink, Safety-Service Director Ralph Holt, Auditor Gary Lewis and Clerk Beverly Brown

President Donley opened the meeting at 7:00 p.m.

ROLL CALL: Mr. Lee Koogler, Mr. John Levo, Mrs. Bonnie Parr, Mr. Peter Pence and Mr. Brian Waller

ABSENT: Mr. Roderick Daniels, Mr. David Shoemaker

Mr. Koogler made a motion to excuse Mr. Shoemaker due to illness and Mr. Daniels due to his active military responsibilities. Mr. Levo 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 November 9, 2009 regular meeting and the December 1, 2009 special meeting were accepted as presented.

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

PUBLIC REQUESTS: None

COMMUNICATIONS: None

CITIZEN COMMENTS: None

#### **COMMUNICATIONS FROM THE MAYOR:**

Meetings attended last month:

November 1 - Special Council meeting

November 3 - Special Planning Commission meeting

November 4 - Wedding

November 5 - Fire construction meeting

November 9 - Council meeting

November 12 - Wedding

November 13 - CIC meeting

November 17 - Planning Commission meeting

November 18 - Wedding

Met with county engineer on Smith/Hobart Road

Fire construction meeting

November 23 - Wedding

November 25 - Met with PAE Construction & Randy Dresba, engineer

We finally got a bid award made in November as you know. PAE will be the general contractor. The engineer's estimate was over \$19,000,000. The combined construction-electrical bid totaled \$13,788,000. I believe the last count I got from Kirby Ellison on grant totals were 7.1 million dollars for the plant construction. We did finally get a letter from EDA and we've all been waiting to hear from them, and thanked us for applying for their grant, however; the city will not be funded. Kirby did put an awful lot of hard work and telephone calls and everything answering their questions and it was all for nothing but that's the way it goes I guess sometimes.

The next issue I would like council to view is a clause in the handbook regarding bereavement leave. We recently had a misunderstanding relating to the number of days

allowed. The handbook under Article 23, Section P states “An employee is entitled to three days of bereavement leave”. The misunderstanding comes as I see the bereavement section being to allow an employee time from the day of the passing until the funeral. I have a problem with visitation being on Friday, the funeral on Saturday and the employee taking Friday, Monday and Tuesday off. I know the leave maybe extended using sick leave in case someone lives out of town or at a distance that they would have to travel. So, this is no way meant to punish the employee that brought this up to our attention, but I do think it needs to be cleared up in the handbook as well as in the union contracts so that we don’t run into this in the future.

Also I would like to thank the Uptown Merchants. They had another good day weatherwise for the Holiday Parade. There was a good crowd to enjoy the festivities and there is one item I’ll be discussing later with the committee for next year.

With that I would like to wish all members of City Council, the President of City Council, clerk, law director and their families a merry Christmas and a happy new year.

President Donley said the handbook question would probably go into the Civil Service Committee and Mr. Kooger agreed.

#### **SAFETY-SERVICE DIRECTOR’S REPORT:**

On the firehouse; our construction schedule that we have been working from forecast that we would be moved into the new fire building at the end of November. However, there are always a few snags along the way. However, now the painting, tile, carpet are all complete. Eric and Keith have been working on the phones and computer wiring, they’re installing server and computers. AT&T started putting the phone system in today. We have our final construction meeting Thursday. Hopefully we will have approval from the State of Ohio to take possession and move into the building at that time.

The EPA met on December 10<sup>th</sup> and approved the Wastewater Treatment Plant loan to the city of Hillsboro for \$11,292,295. The interest rate will be at 1% for twenty years. The EPA should be in Hillsboro this week or the beginning of next week to sign off on the loan agreement.

I am getting requests from some of the bidders for the city to put out bids for the farmland at Liberty Park. I’m requesting that we bid the farmland out for a three-year period instead of yearly. I would appreciate council’s consideration on this matter and I will try to answer any questions that council may have.

Mr. Levo said that he understood an extended contract if the bidder wanted to apply chemicals. Mr. Koogler said he thought three years would only be an issue if the city had any designs to do anything else with the property and since they didn’t he would agree with Mr. Levo and make a motion to bid for three years. Mr. Levo seconded the motion and all members present voted yea.

#### **AUDITOR’S REPORT:**

You have in your possession this evening my Year-To-Date Bank report and my Year-To-Date Fund report and they balance as they should. I have several new items on the agenda this evening for your approval.

The first is the annual resolution to increase appropriations in the General Fund and to advance funds from the General Fund to other funds as needed. As you know we must end the year with all funds balanced and this resolution gives me permission to make moves as necessary without having to have additional special meetings to obtain authorization to do so. Again this is an annual resolution that’s made each year.

The next item is a resolution to decrease appropriations in the Water Fund. This decrease is a result of not financing and carrying out several projects that were on the list of possible projects for this year and as such the appropriation for these items will not be needed.

The next item is a resolution to increase appropriations in the Sewer Debt Retirement Fund. This is the result of an error on my part. I had properly calculated the amount required to be transferred from the Sewer Revenue Fund to the Sewer Debt Retirement Fund, however; I failed to include a payment in the original appropriation. The money is there; this resolution rectifies that problem and also allows my office to legally make the necessary payment.

Finally, I have the temporary annual appropriation ordinance. This is not changed over last year's ordinance and it allows us to go into the next year and function on a financial basis while we firm up our permanent budget.

This brings me to my next topic that I would like to talk to you about and that is the 2010 General Fund budget. In 2010 we will have new debt service for our police and fire stations of \$210,000 and we will experience an increase of \$76,000 for our employee health care coverage. In addition our projected revenue is expected to be approximately \$435,000 than it was in 2009 and this results in a negative turn from our favorable position in 2009 of approximately \$720,000 to \$750,000. Compounding that problem is the fact that we will fall short of our 2009 projected revenues by approximately \$200,000.

So needless to say this is going to create a tight budget for 2010. Virtually all General Fund departments will be seeing reductions in their budgets and that is with the health care increase factored in. No department will be exempt. Very little in the way of new equipment will be able to be purchased and as of now unless funding can be procured elsewhere, there probably won't be much if anything for repaving any streets. And further we must be very careful about committing to obligations where there may be some perceived money available but we would have hidden costs in those as well.

Having said that; each department will have to be very diligent in watching and keeping within their budget that is given to them. Our supervisors do do a pretty good job of that. But this coming year they will have to be creative in making the dollar stretch and they have some experience in doing that as well. As a whole they're pretty good about that. But we'll be watching spending much more closely and we'll be tracking revenues much more closely as well. If it comes to a point where it looks like what we are doing is not working; I'll advise the administration and council and we'll work together to take corrective action. Unfortunately I do not see this negative train improving in the near future until employment picks up in our region.

That ends my report for this evening. If there are any questions I'll be happy to answer them if I can. If there are no questions I do request a motion from the floor to accept my report. Just one other note; I just want to note that this is Mr. Donley's last regularly scheduled meeting as is Mr. Levo's and I want to thank you both for your time and efforts in service to the community and I wish everybody a merry Christmas and a happy new year.

Mr. Koogler made a motion to accept the Auditor's report and Mr. Waller seconded the report. All council members present voted yea; motion passed.

#### **HILLSBORO PLANNING COMMISSION-**

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

Finance did meet on December 2, 2009 at 6:00 p.m. in the Hillsboro City Building. All members of the committee were present. The items on the agenda were the health insurance costs for year 2010, personnel issues, pay raises for non-union employees for the calendar year 2010 and the General Fund financial condition for the city for the upcoming year. It was reported that the health insurance increase was going to be a little over \$70,000 so that was one thing that we discussed. That was an 8 percent increase.

Went into executive session at 6:12 p.m.; came out at 6:41 in regards to personnel issues. In regards to non-union employee pay raises for the calendar year 2010; the

recommendation of the Finance Committee with all members voting unanimously was for the city not to extend pay raises to those employees for the year 2010. As the auditor said, the budget is extremely tight at this point. We have some grave concerns as to where we're financially going to be at for the upcoming year; so therefore we do not recommend a pay increase at this time. Something obviously we will revisit as the financial condition of the city improves. Furthermore, in regards to the overall financial condition of the city; that was discussed at length. The auditor's touched on that quite a bit so I am not going to elaborate any further.

I would personally like to thank the members of the Finance Committee for their service over the last four years and for allowing me to be the chairman of that committee. I would like to wish Mr. Levo well. Your years of service the last four years and previous years have been a great benefit to the city. President Donley, I would also like to personally thank you for your guidance for city council for the last four years and your eight years as a member of city council. We will miss you. We hope you both come back and give us your input from time to time. You will be returning to being not a vote on council, but as one our usual citizens that will be able to voice their concerns whenever they come up.

I also would like everybody to know that I have as the upcoming president of city council; I have made committee assignments. I have tried to distribute those to everybody. I hope if you don't have them we'll make sure that you get a copy of them. I would like to get everybody ready for the next year and truly look forward to being the president of council and working with the Administration, being Dick and Ralph and all doing the best to serve the city for the upcoming year.

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

I would like to wish everybody a merry Christmas and a happy new year.

Property Maintenance & Restoration committee met on November 23, 2009 at 5:30 p.m. at the city building. The meeting was called to order at 6:00 p.m. with committee members Mr. Peter Pence and Bonnie Parr in attendance. Mr. John Levo was absent. Also present were Mayor Richard Zink, Safety-Service Director Ralph Holt, council member David Shoemaker and others who were representing their requests for churches and real estate signs.

First on our agenda was the Carpenters House of Prayer at 7450 Fairground Road. They were asking for a 3 x 3 directional sign to be placed on the corner of Moore Road and Fairground Road. The sign would be on county property but they have written permission from the county fair board. Mr. Pence made a motion to approve this placement and Mrs. Parr seconded the motion; motion carried.

Second was the Hillsboro Freedom Fellowship Church at 7451 Pea Ridge Road. They were asking for a two-sided 3 x 4 pylon sign. To place the sign in front of the church they needed a variance since it would not comply with the city's forty-foot requirement. The distance from the center of the road would only be thirty-eight feet. Mr. Pence made a motion to allow the variance to place their sign and Mrs. Parr seconded the motion; motion carried.

Third was the Buckeye State Investors requesting a temporary sign that was larger than usual; 6 x 6 real estate sign shaped in a "V". It will be placed on their own property. Mr. Pence made a motion to allow the 6 x 6 two-sided "V" shaped sign as a temporary in which it would be removed if all the businesses were occupied. Mrs. Parr seconded the motion; motion carried.

With nothing else to discuss the meeting was adjourned. Submitted by Bonnie Parr

I also request that a motion from council to accept committee decisions. Mr. Koogler made a motion to accept the report and Mr. Waller seconded the motion with all members present voting yea; motion passed.

CIVIL SERVICE AND EMPLOYEE RELATIONS- Mr. Levo, Chairman  
Nothing to report.

STREET & SAFETY COMMITTEE- Mr. Levo, Chairman  
Nothing to report

UTILITIES COMMITTEE- Mr. Shoemaker, Chairman  
Nothing to report at this time.

ZONING AND ANNEXATION COMMITTEE- Mr. Daniels, Chairman

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

**UNFINISHED BUSINESS- None**

**PASSAGE OF ORDINANCES AND RESOLUTIONS-**

1. RES. 09-56 – A RESOLUTION TO ADOPT A POLICY ON THE DEPOSIT OF PUBLIC MONEYS- The clerk read the resolution by title only for a third reading. Mr. Levo made a motion to pass the resolution and Mr. Koogler seconded the motion with all members present voting yea; resolution passed.

**FIRST READING OF ORDEINANCES & RESOLUTIONS-**

1. ORD. 2009-6 – AN ORDINANCE TO CLOSE AND VACATE AN UNNAMED ALLEY BETWEEN THE PROPERTIES OF 151 AND 155 TRENTON STREET IN THE CITY OF HILLSBORO- The clerk read the ordinance in full for a first reading. Mr. Koogler made a motion to adopt the ordinance and Mr. Waller seconded the motion with all members present voting yea; ordinance adopted.

2. ORD. 2009-7 – TEMPORARY ANNUAL APPROPRIATION ORDINANCE- Mr. Koogler made a motion that it be read by title only and Mr. Levo seconded the motion with all members voting yea; motion passed. Mr. Koogler then said that because it was appropriations that he would make a motion to approve and adopt. Mrs. Parr and Mr. Holt said that they couldn't because they needed two-thirds and Mayor Zink said it was two-thirds on an emergency. Auditor Lewis said that if that was the case, since this was of the utmost importance he was requesting of three council members, safety-service director or president to schedule a special meeting for tomorrow prior to the Planning Commission meeting because as you know we cannot go into the new year without temporary appropriations.

Mr. Levo questioned the advertising and Mr. Lewis noted that there was a member of the press in attendance. Mr. Holt was concerned that Mr. Shoemaker would still be sick and President Donley said Mr. Shoemaker had assured him that he would probably be able to make it tomorrow evening. It was determined that the meeting would be at 6:30 p.m. tomorrow. Ordinance has had it first reading.

3. RES. 09-59 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE SEWER DEBT RETIREMENT 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. All members present voted yea; resolution adopted.

4. RES. 09-60 – A RESOLUTION TO DECREASE APPROPRIATIONS IN THE WATER FUND- The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to adopt the resolution and Mr. Waller seconded the motion with all members present voting yea. The resolution passed.

5. RES. 09-61 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE GENERAL FUND AND TO ADVANCE FUNDS FROM THE GENERAL FUND TO OTHER FUNDS AS NEEDED- The clerk read the resolution in full for a first reading. Mr. Kooger made a motion to pass the resolution and Mrs. Parr seconded the motion. All members present voted yea; resolution passed.

At this time Mr. Koogler interjected, “I was doing the math and in regards to Ordinance 2009-7 which was proposed this evening. I was doing the math about what would constitute a 2/3<sup>rd</sup>s majority which would 66.67% and my understanding by my calculations that each voting member of council constitutes 14.28%. If we were to have five members actually vote in favor of it that would constitute 71.4% of the total vote required, therefore; it would be meeting and exceeding the 2/3<sup>rd</sup>s majority required.

President Donley asked if they could trust his figures and Mayor Zink said, “We never could. I’m saying as long as I’ve been around six members had to be there, so you guys do whatever you want to do.” Mr. Levo said, “Thirteen years on council and it has always been six.” Mr. Koogler said that he was just running the numbers. President Donley said that they didn’t have legal counsel available so maybe they should just stick with what they had.

**NEW BUSINESS:**

President Donley said that they need two members to serve on the Volunteer Firefighters’ Dependents Fund Board. Mrs. Parr volunteered and Mr. Waller also volunteered.

The Safety Team also needed a council representative. Mr. Levo said that he had served as a member for the past year and he thought is a very beneficial experience. President Donley said he would leave it for Mr. Koogler since there would be two new members next year.

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

---

Richard Donley, Council President

---

Beverly Brown, Clerk of Council