

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, Mr. Brian Waller

ABSENT: None

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

The minutes of the May 11, 2009 meeting were accepted as presented.

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

PUBLIC REQUESTS: None

COMMUNICATIONS: A letter from Pamela Nickell requesting council to reconsider the handicapped parking space for Mr. Roberts and any other handicapped person working in Hillsboro.

CITIZEN COMMENTS: Raschell _____ of the Hillsboro Uptown Business Association came forward and stated that they thought it would be a mistake to increase the hours for the handicapped parking spaces. She provided some statistics for council members regarding the number of handicapped persons.

COMMUNICATIONS FROM THE MAYOR:

Meetings I Attended:

- May 4 - Wedding
- May 6 - Construction meeting for sewer line replacement
- May 7 - Construction meeting on the Police Department
 - Buddy Poppy Proclamation for the VFW
- May 8 - Attended Career Day at Southern State Community College
- May 11 - City Council meeting
- May 12 - Meeting with LW Associates for roadwork at the construction site on 73
- May 14 - Construction meeting on the Police Department
 - Sewer line replacement meeting with Howell Construction
- May 19 - Meeting with Hobart and PAS on the EDA funding
- May 21 - Final Police Department construction meeting
 - Met with WEASTEC on the EDA funding
 - Community Action for an AAARRA meeting
 - VFW planning Memorial Day service
 - Joint Planning Commission and Council public hearing
- May 24 - Proclamation for Ralph Stewart, Jr.
- May 25 - Proclamation at the cemetery for Memorial Day
- May 26 - Property & Maintenance Committee meeting
 - Street & Safety Committee meeting
- May 28 - Met with John Perkins on the restrooms at the Shelter House
 - Construction meeting for the Fire Department
 - Stakeholder's meeting for Hobart/Smith Road
- May 29 - 2 Weddings

The new home of the Police Department is nearing completion. As soon as AT&T gets the telephone hookup completed, we will have an open house and give the citizens an opportunity to tour the building. I would like to go on record thanking Kay Ayres for her cooperation with the city in making this property available for the police headquarters. And incidentally it appears, but it's not set in stone; but it appears that probably a week from this coming Wednesday we'll have a flag-raising at the new Police Department. But we'll contact everyone and let them know for sure but looks like the best date. The Chief said he would be in in the morning and we'll discuss it further.

Sewer line replacement on the south side of the city is also nearing completion. The construction company has started repairing cuts in the streets that had to be made to install the new lines. They are repairing the streets in the same order that they began the replacements. I know that there have been comments made about the inconvenience caused by the work being done throughout the city. I have one comment; I want to thank those of you that understand that with improvements there are often times when some sacrifices are needed for a short period of time. For those that don't understand, please accept my apology. There is a window of opportunity that weather permits a lot of this construction work to be accomplished. That is the reason so many projects are being done at the same time. Incidentally as late as this afternoon we got work that that will be completed by the end of the week so hopefully the new sewer lines will be in and the streets will be repaired by the end of the week and they will be ready to pull out of town.

The Wastewater Treatment upgrade will be ready for bid in September or early October. By that time we will know whether or not we will receive any more grant monies for the project. Currently the city has received six million plus dollars toward the construction and engineering costs. Kirby Ellison has also applied for two and half million from Economic Development Administration. The EDA criteria asks for economic development numbers. With the economy in its present condition I don't know how anyone can truthfully give any kind of estimate on job creation. That's the reason that we went to the three plants here in town and talked to them and with the way the economy is there's nothing they can give us that we could give to the EDA in order to try to get this money so we're in for it but I'm not too hot on getting it.

The next thing would be the Smith/Hobart Road construction. I think most council members attended the stakeholders meeting held at Southern State. After listening to the presentation, I don't recall any of the plans to put in turn lanes, stop lights and relocating driveways on Hobart Road being presented to Hillsboro City Council. I want to make it clear that I'm not opposed to putting a road in that area, however; at this point I have not heard of this work inside the city will be funded. I think this will need to be resolved by city council before the city commits to any project of this size.

Last I would like council's permission to proceed with the gate at Liberty Park. We lost another picnic table since our last meeting. I did talk to Terry Mull from the YMCA and we will work together to make the arrangements for opening and closing. We will need legislation to park opening and closing times in order to post this at the entrance. With that; any questions?

President Donley asked if the mayor was going to check with the Law Director on getting legislation for the opening and closing times for Liberty Park.

SAFETY-SERVICE DIRECTOR'S REPORT:

I would like to forego my report and I would like to go into executive session to discuss contract negotiations.

Mr. Koogler made a motion to go into executive session to discuss contract negotiations and Mrs. Parr seconded the motion with all members voting yea. Executive session entered into at 7:11 p.m. and came out of session at 7:22 p.m.

AUDITOR'S REPORT:

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

I will draw your attention to the fund report for a moment. You will see a negative number for the Wastewater Improvement and Sewer Debt Retirement Funds. In the Wastewater Improvement Fund just be advised that this is due to the bills which have been paid on our system improvements but we have not been reimbursed for that as yet from the entities that are going to pay for that. So once that happens the negative number will be balanced out. Note however that since that's an ongoing project you may see that occurring again in the future. I will keep you updated on that whenever that does happen.

In the Sewer Debt Retirement Fund note that this is the result of payments that are scheduled to be paid before July 1st. To balance that out a transfer will be made under authorization of Resolution 09-09 that you approved earlier this year. I just did not do that transfer as yet. If you had any concerns about that I just wanted you to be aware of those and that those will be taken care of.

The only legislation that I have for you this evening is the Resolution to Increase Appropriations in the Recreation Fund. While putting the budget together for this year, one thing I neglected to take into consideration was the fact that we had a two-year contract for mowing at Liberty Park. And while I did have the funds for partial mowing that I put into the budget, I did not include enough to cover the costs of the entire contract and this resolution does rectify that problem. If that concerns you as far as increasing that please note that with our income tax collections we still are on a very good positive side of that so far this year. As far as income that \$10,000 is not going to affect us that much so that is the conclusion of my report and if there are no questions I request a motion for approval from the floor.

Mr. Levo made a motion to accept the Auditor's report and Mr. Koogler seconded the motion with all members voting yea.

HILLSORO PLANNING COMMISSION-

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

Finance did not meet this past month. I don't think there is anything to report out of the Finance Committee at this time. The committee will meet again as deemed necessary by the committee. I have been in contact with our auditor obviously in regards to our finances. I'm very optimistic that our projected revenues have actually in terms of the income tax have actually exceeded our projections. We're certainly looking good there at this point. We're still a little concerned obviously about our revenues on the squad have been less than we had projected but overall the city is actually doing fairly well. I'm very appreciative of Mr. Lewis' hard work and crunching the numbers and getting us to where we're at at this point.

PROPERTY MAINTENANCE & RESTORATION-Mrs. Parr Chairman

On May the 26, 2009 at 5:30 p.m. Chairman Parr called the meeting to order in the small meeting room at the County Administration building. The members present were Peter Pence, Rod Daniels and Bonnie Parr. Others present were John Levo, David Shoemaker, Brian Waller, Mayor Dick Zink, Safety-Service Ralph Holt, Auditor Gary Lewis and Council President Dick Donley.

First on our agenda was the gate for Liberty Park. The approximate cost would be \$2,800. After discussion Mr. Daniels made a motion to allow the gate to be purchased and put up. Mr. Pence seconded the motion; motion carried with all three members voting yea.

Second on the agenda was a sign for Shoe Show on Harry Sauner. They were asking for a variance for the rear sign on their building. After deep discussion Mr. Daniels made a motion to allow them to have the sign. Mrs. Parr seconded the motion and after more discussion Mrs. Parr cancelled her second and the motion died. The discussion wasn't made; this will remain in committee.

Third was Mayor Zink brought to our attention that he had received a call that the old Kroger Shopping Center was to be offered for purchase to the city of Hillsboro. The gentleman that owned the center had passed away. His wish before he passed was that his daughter contact the city and offer it to us. After discussion with the committee we asked Mayor Zink to call her and say "No thanks but we appreciate the thought".

With nothing else to come before the committee, the meeting was adjourned.

On June 2nd at 5:30 p.m. Property Maintenance also met. Chairman Parr called the meeting to order in the Conference Room at the City Building. Members present were Peter Pence, Rod Daniels and Bonnie Parr. Others present were John Levo, Mayor Dick Zink and Council President Dick Donley.

First on our agenda was the variance for the Shoe Show on Harry Sauner. They were asking for a variance to put a sign on the back of their building. After discussing this, Mrs. Parr made a motion to deny their request and Mr. Pence seconded the motion. All committee members voted for the motion; motion passed.

Second on our agenda was the request for building a fence on or near an alley which hasn't been used for a long time on John Street in Hillsboro across from the fairgrounds. After presenting this to the committee, the committee agreed to table their request until such time as they can get more information.

With nothing else to come before the committee; the meeting was adjourned. Thanks- Bonnie Parr Mrs. Parr then asked for a motion to accept the report.

Safety-Service Director Holt asked Law Director Beery, "If this individual wants to put a fence up and there is an alleyway supposedly there that goes to nowhere; that has to go through council and that alley has to be closed. Is that correct?" Mr. Beery responded, "That's right". Mr. Holt asked, "So that's going to take an act of council in order to do that?"

Mr. Beery said, "To vacate the alley. Then you have to keep in mind that it will split between the property owners." President Donley asked if you would have to notify the surrounding property owners and Mr. Beery responded, "Yes. You need to have a public hearing after putting notice in the paper for four weeks and determine that it is not injurious to the public safety."

President Donley asked for a motion to accept the report and Mr. Waller made the motion. Mr. Levo seconded the motion and all members voted yea. Report approved.

CIVIL SERVICE AND EMPLOYEE RELATIONS- Mr. Levo, Chairman

Nothing to report

STREET & SAFETY COMMITTEE- Mr. Levo, Chairman

Street and Safety had a busy month. Our first meeting was on May the 26th. The meeting was held in the County Administration building and we met as a "Council of the Whole" with all members present with the exception of Mr. Koogler. Mr. Donley called the meeting to order at then turned the session over to Chairman Levo. Mr. Donley explained that Mr. Koogler had notified him that he was ill and unable to attend. Mr. Shoemaker moved to excuse Mr. Koogler and Mr. Waller seconded the motion which passed.

Levo explained that the reason for the meeting was a request from Phil Roberts to again consider the waiving of the two-hour parking restriction on handicap parking spaces.

Because his son has been using such a space for daylong parking, he had been receiving parking tickets. The issue goes back to the first part of the year when a request for a handicap space was made by US Bank. Each councilman expressed his opinion of his situation. Mr. Shoemaker called attention to the passage of the parking ordinances stating that parking is to be a "two hour maximum", however; handicap spaces may have an additional two-hour extension. Mr. Holt stated that he needed to research that passage with the law director and chief of police and requested time to do so.

Mr. Shoemaker moved to table the issue until the answer is received. Mr. Daniels seconded the motion which passed. Mr. Holt is to notify Chairman Levo once an answer is received and a meeting will be called at that time.

Following that action the HUBA representatives called attention to some other parking issues of concern to them. Mr. Holt and Mr. Zink will look further into those items. With no further business to discuss, Mr. Shoemaker's call for adjournment was seconded by Mr. Waller and passed.

We then met again on June 2nd with all members present. Also in attendance were President Donley and Mayor Zink. Phil Roberts met with the committee to plead for the city to waive the two-hour limit on handicap parking spaces. He answered questions concerning the bank's efforts to provide reasonable accommodations for his son's employment as well as his knowledge of the ADA act.

Following discussion between members, Mr. Shoemaker moved that vehicles displaying the handicap windshield placard or special handicap license plates, be permitted to park for a period of two hours in excess of the legal parking period at the designated handicap parking spaces in the business area described in Ordinance 76.14. Mr. Levo seconded the motion which passed by a 2-1 margin.

The committee then worked on the revision of Ordinance Chapter 91 Fire Prevention. It is the recommendation of the committee that the exception of Sections 91.02 and 91.04 of the present ordinance be revoked and replaced with the previously provided revised Fire Prevention Code. Section 91.02 is to have some additional updating. Also the proposed Section Establishment and Duties of Bureau of Fire Prevention will be eliminated and replaced by Ordinance 2006-5. Mr. Levo is to contact Law Director Beery to have the appropriate legislation prepared for presenting to council at the next meeting.

With no further business to conduct, that meeting was adjourned.

We do have proposed legislation for later in the evening for the revision to the parking ordinance. So Mr. President, that's my report.

Mr. Holt asked where they were on the Fire Ordinance because the chief had called him that day and basically they need the ordinance for the Festival; for issues they are going to have at the Festival as far as fire safety and he needs some help from the Fire Department on some issues that he has with some buildings up town.

Mr. Levo responded, "The chief called me also today. We talked briefly on it. Mr. Beery I believe is working on that legislation getting it so that the items in the proposed legislation can flow smoothly into Chapter 91 of the Code. At this point in time I do not believe it is..... We on the committee would like to go over it again so at this point I do not believe that we can present it for final reading tonight."

Mr. Holt asked if it could have its second reading tonight and wait for the third reading for all of the corrections. Mr. Beery said that it would count as a second reading if they amend it. He said that you can amend it at the first reading and still have a regular second reading, but if they amend it at the second reading you would still need two more readings. Mr. Holt then said, "We've already had a first reading. All I'm asking is can

we have a second reading and then when the amendments are made; it's going to take two more readings?"

Mr. Beery answered, "Yes, or you could suspend the additional reading if you want. I really do need to sit down with the chief. There are changes that he wants."

UTILITIES Committee- Mr. Shoemaker, Chairman

The committee did not meet this month.

ZONING AND ANNEXATION COMMITTEE- Mr. Daniels, Chairman

Zoning and Annexation; all the members, myself, Bonnie Parr, Peter Pence attended the Property Owners and Stakeholders meeting for the Hobart/Carl Smith Drive. All members were in attendance. There were a lot of members that attended the meeting, I was glad to see so many people interested in trying to help resolve some of the traffic congestion and things that we have. That was the only activity we had this last 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-

1. ORD. 2009-2 – AN ORDINANCE TO ADOPT THE CITY FIRE CODE- The clerk read the ordinance by title only for a second reading.

FIRST READING OF ORDINANCES AND RESOLUTION-

1. ORD. 2009-3 – AN ORDINANCE TO AMEND THE ZONING MAP- The clerk read the ordinance in full for a first reading. Mr. Koogler made a motion to suspend the three-reading rule and Mr. Waller seconded the motion and all members voted yea. Mr. Koogler made a motion to approve and adopt and Mrs. Parr seconded the motion. All members voted yea; ordinance adopted.

2. RES. 09-31 – A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF HILLSBORO TO ENTER INTO AN AGREEMENT WITH THE OHIO HISTORIC PRESERVATION OFFICE FOR THE ADMINISTRATION OF PROGRAMS USING HUD ALLOCATED FUNDS WITH DELEGATED REVIEW RESPONSIBILITIES AUTHORIZED UNDER 24 CFR Part 58- 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 voting yea. Mr. Koogler made a motion to approve and adopt and Mr. Shoemaker seconded the motion. All members voted yea; resolution adopted.

3. RES. 09-32 – A RESOLUTION TO INCREASE APPROPRIATIONS IN THE RECREATION FUND The clerk read the resolution in full for a first reading. Mr. Koogler made a motion to approve and adopt and Mr. Waller seconded the motion. All members voted yea; resolution adopted.

4. ORD. 2009-4 – AN ORDINANCE TO AMEND PARKING REGULATIONS IN THE BUSINESS DISTRICT- The Clerk read the ordinance in full for a first reading.

NEW BUSINESS:

Mayor Zink said that he had a request from Terry Mull at the YMCA to run cable from Time Warner to their facility. He had a drawing from Mr. Mull showing the location and requested it be placed into committee. President Donley put this in the Property Maintenance & Restoration Committee for review.

Mayor Zink in response to a query from Mr. Koogler explained that the YMCA already had an easement from WEASTEC to bring the cable from that direction. It was then explained to Mr. Mull that council would have to approve it first.

Mayor Zink explained that there had been a problem earlier with a phone line that was to be run to someplace on Liberty Park that no one had even asked about. He said that they were going about the right way if council approves to have this done.

Mr. Holt said that this would provide them with phone and internet service.

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