

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. David Shoemaker, Mr. Brian Waller

ABSENT: Mr. Tim Young

President Donley read a letter dated February 25, 2009 from Mr. Tim Young that stated he was resigning his position on Hillsboro City Council due to a conflict with a new job that he was accepting with the Ohio Department of Transportation. The State of Ohio does not allow him to hold an elected partisan position as Ward 1 councilman.

Mr. Lewis led the assembly in prayer followed by Mayor Zink leading in the "Pledge of Allegiance". The minutes of the February 9, 2009 meeting were accepted as presented.

CITIZEN OF THE MONTH:

Mr. Shoemaker asked Mr. Leonard Becraft II and Mr. Matt Woolridge to come forward. Mr. Woolridge had to work and was not able to attend the council meeting. Mr. Shoemaker then asked if Matthew Clark was in the audience and was told that his father was in attendance and was asked to come forward.

Mr. Becraft II and Mr. Woolridge were nominated for the award because of their heroic efforts to rescue Mr. Clark when his truck overturned in an icy pond trapping him inside.

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

PUBLIC REQUESTS: None

COMMUNICATIONS: None

CITIZEN COMMENTS:

Brandon Nartker came forward, introduced himself and stated that he was the union president of the Hillsboro Professional Firefighters. He said that they understood times were hard and they brought it to a vote and passed to extend their contract for a year which would take it until December 31, 2010. By doing this they would be foregoing their three percent cost-of-living increase in that timeframe. They also understood that doesn't change anything as far as the medical requirement; that would stay the same.

He said that there were a couple forms that needed to be completed for SERB and he would get with Mr. Holt and get the paperwork finished.

COMMUNICATIONS FROM THE MAYOR:

Meetings I attended in February:

February 3 - Department Head Meeting

February 4 - Work Station meeting with the Police Department  
Wedding

February 5 - Construction meeting for the Police Department

February 11 - OVRDC at the Commissioners' Office

February 12 - Construction meeting for the Police Department  
Judge a chili contest won by Tom Horst

February 17 – Wedding  
February 18 – Construction meeting at the Police Department  
February 25 – Wedding  
February 26 – Construction meeting at the Police Department  
Met with WDC to review plans for the Fire Department/EMS building

Culvert construction is completed to the point that State Route 247 could be open on Thursday, February 26<sup>th</sup>. There's still some work to be done such as grading and seeding however, the safety issues have been addressed.

The construction of the new Police Department is presently running about four weeks ahead of schedule. The pre-bid meeting for the new Fire & EMS building will be held on March 19<sup>th</sup> at noon in the basement of the County Administration Building.

This brings me to a letter that I received from the County Commissioners dated February 13, 2009 stating that the city of Hillsboro will be charged \$27.50 per day for housing prisoners. This came one week after City Council had passed the budget for 2009. As I mentioned at the last meeting Mr. Lewis put a lot of time and hard work into this year's budget. I know there's no written contract or agreement on anything dealing with expenses at the Justice Center. I realize Sheriff Ron Ward has allowed the Police Department to share space in his department for which we are very grateful. However, I believe it is time to come to an agreement as to all charges between the county and the city to be documented and signed off on by both parties.

The last time I brought up what I felt to be excessive utility charges; city council at that time passed a resolution stating an agreement should be in writing using 17.3% of the square footage as a guide. However, the city having donated eight acres plus for the Justice Center to the county and paying \$400,000 for the Municipal Court construction, I still feel the charges for utilities are excessive.

I sent a registered letter to the County Commissioners saying the city would hire a forensic economist to review the use and conditions that the city should be held responsible for. I know this letter was received by the commissioners on February 26, 2009. The city utility bill for February was \$3,448.35 which included electricity, \$726.46; gas, \$1,562.39; water/sewer, \$946.25; trash, \$41.26 and telephone, \$175.00. I don't have a problem with trash or telephone; the rest is what I feel is excessive.

Just so everyone knows the effort being put into by the city administration, namely Kirby Ellison; in regards to grants and funding for projects in the city, the list is as follows: Recovery Ohio Projects that have been submitted and dollar amounts; Wastewater Treatment Plant Construction, \$18,900,000; North East Street Paving, Storm Sewers, Gutters and Catch Basins, \$700,000; New Fire Department and EMS Facility, \$2,100,000; Woodland Drive Water Main Loop, \$300,000.

It is our understanding that projects that are ready for immediate construction are more likely to be funded through the Recovery Ohio process than those that are not. This puts us in a better position due to the fact that we have our plans ready. Other grants that Kirby has applied for pertaining to the Wastewater Treatment Plant are as follows: Appalachian Regional Commission, \$250,000; Ohio Public Works Commission, \$605,000; Army Corps of Engineers, \$1,000,000; Economic Development Administration, she put in for \$400,000 and there was some question whether we would get that so she also asked for \$2,500,000; Department of Environmental Financing Assistance for the construction costs pending grant awards. The good news to that; we did receive word Friday that we did receive the \$2,500,000 with the possibility of another \$1,500,000 coming. But that hasn't been fully decided yet.

As of March 2<sup>nd</sup> I went on the Recovery Ohio website and there had been fourteen thousand nine hundred and ninety-six applications filed and we're optimistic that by having our projects ready that we will be at least considered for some of the projects. That concludes my report; any questions?

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

As the mayor stated March 19<sup>th</sup> at 12:00 p.m. at the County Administration Building there will be a pre-bid meeting for the Fire Department's new building for all the interested bidders. On April 3<sup>rd</sup> at 12:00 p.m. in the City Administration Building we will hold the bid opening for the construction of the Fire Department's new building.

Howe Construction began work on the sewer infrastructure on the south side of Hillsboro. They completed the 100 block of West Walnut Street today and they will be moving to the 300 block of West Walnut Street to dig and repair that section.

I am requesting permission from City Council to put out for bid the cleaning of the restrooms at Liberty Park. Also the city of Hillsboro had a contract with Paint Township to provide them fire coverage beginning January 1, 2009. To date Paint Township has not paid that. Got a call from Paint Township today and they are requesting an extension to the end of April to pay that amount for 2009. My question is; what is Council's wishes on allowing them to wait to the end of April to pay this? That's the end of my report.

Mr. Koogler made a motion to extend the period of time till April for Paint Township to pay their fire contract and Mr. Levo seconded the motion will all members present voting yea. Motion carried.

Mr. Koogler made a motion to put out bids for the cleaning of the restrooms at Liberty Park and Mr. Shoemaker seconded the motion. All members present voted yea; motion carried.

## **AUDITOR'S REPORT:**

You have in your possession my reports and they are in balance as they should be. I have just one piece of legislation before you this evening. This is in regards to the funds we received related to the clean-up after last fall's windstorm. I had already anticipated this money in our budget, however; I didn't realize that the funds needed to be receipted into a fund set-up specifically for this purpose and then dispersed from there. Therefore, this legislation represents a technicality so that I can transfer the money to the departments where the expenses were incurred.

To follow up on what the mayor had already elaborated on, I do want to express my frustration having worked several months on our budget, have it approved by council and then have the County Commission announce their decision on the housing of prisoners a week later. In spite of this I do see it as a positive opportunity to work with the county to get rid of all of the so called "gentleman's agreements" as well as those agreements that exist by resolution only but do not have a valid contract included. Therefore, there should be written agreements between the City Council and County Commission for but not limited to the Justice Center utilities, housing of prisoners and the Smith/Hobart Drive project. Since there is strong anecdotal evidence that the city has been overcharged in the past and in order to compel quick resolution to these situations, please be advised that I will be withholding payments to the county in these areas until there is final resolution.

That is all I have for this evening. If there are no questions, I would request a motion from the floor to accept my report. Mr. Koogler made a motion to accept the report and Mr. Waller seconded the motion will all members present voting yea except Mr. Daniels who abstained. Motion carried.

## **HILLSORO PLANNING COMMISSION- No meeting**

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

If please president and other members of Council, as Mrs. Parr and I had a joint committee meeting and with the recent loss of her voice, I'd like to give both committee reports at this time. That is that we did do a joint meeting with the Property Maintenance

and Restoration on March 3<sup>rd</sup> of this year. Newly appointed member of the Finance Committee being Mr. Shoemaker was present as well as myself. Mr. Levo was on vacation and his presence was excused. Furthermore all members of the Property Maintenance & Restoration Committee were present for the meeting. The issues before the committees at that time were a petition of Mary Turner Brown [sic], a petition of Phil Louden, lease/rent possibility of the Fairley building and a sign request on Hillsboro Regional Dialysis.

It was the determination that the petitions of Mary Brown Turner and that of Phil Louden were being tabled as we were looking in to more information in regards to both issues. On the issue of "lease/rent" of the Fairley building, it was unanimous by both committees that the City not move forward with leasing that at this time and explore other options that we have for storage solutions for the city now and in the future. In the regards to the issue of the sign request by the Hillsboro Regional Dialysis there was a vote of 2-1; I believe it was Mrs. Parr that was the "nay" vote, the others in favor of denying the request for basically a deviation on the sign ordinance for what was requested by Hillsboro Regional Dialysis. I don't think there was anything else that came from that meeting. Furthermore, Finance will need to go ahead and meet again this month just to explore a few other things.

However, in regards to what is currently placed in Finance Committee; I did kind of want to get a few things off here if we could. Financing for the Safety-Service Building which has been listed as 8/8/07; I think effectively that has been resolved and I would request that it be taken out of committee at this time unless we need to review something as time goes on. In regards to an additional firefighter; I think at this point with where we're at financially I would also ask that it be taken out of committee. We will be happy to look into it if a request is made again. In regards to the Skate Park, I'm not really sure. We did discuss some issues there but I'm not sure what we're looking at with the Skate Park at this point so that can remain in committee although I'm not sure what we're doing with it. The auxiliary officer pay, I think we still leave in to continue to look at and issue five has been resolved.

Mr. Holt asked Mr. Koogler is he needed to contact Mrs. Fairley and tell her that the city declined the offer and Mr. Koogler answered in the affirmative.

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

Mrs. Parr said that the item in her committee concerning the Public Access Building was on hold. Mayor Zink said that they had taken an interested party out to see the building and Mr. Holt had contacted the EPA and there are no problems there. Mr. Koogler asked if there was still interest after viewing the building and Mayor Zink answered in the affirmative. Mr. Koogler then stated that they would get a meeting together in the next couple weeks and discuss it further.

#### CIVIL SERVICE AND EMPLOYEE RELATIONS- Mr. Levo, Chairman

No meeting in February.

#### STREET & SAFETY COMMITTEE- Mr. Levo, Chairman

The Committee did not meet in February, however we have received requests for two handicapped parking spaces on East Main Street for the benefit of the businesses on East Main Street particularly the Eloquence Salon & Spa and that will be acted upon at our next meeting.

#### UTILITIES Committee- Mr. Shoemaker, Chairman

Utilities Committee met on April 3, 2009 [sic] at the city building. Those in attendance were committee members Bonnie Parr and I. Also attending were Mayor Zink, Ralph Holt and Dick Donley.

The purpose of the meeting was to look at a request for adjustment in a water bill for the Highland County Fairgrounds. Ralph Holt gave an explanation that the Water Treatment

Plant noticed that the towers were dropping which prompted the Water Department to search for a sizable break which was found on the lower end of the fairground property. There was 606,000 gallons of water lost during the break.

The committee was informed that this was a high and low read meter, thus low read was for \$599.87 and the high read was for \$3,732.19. The committee took into consideration that our Water/Sewer Department did not have to fix the break and the only overtime incurred was a total of seventeen hours for the Water Treatment Plant to bring the towers up to their normal level.

Mrs. Parr moved for an adjustment as follows: Highland County Fairgrounds to pay \$599.87 and the \$3,732.19 to be forgiven. All members voted in the affirmative.

Mr. Holt was asked on an update of the Wastewater Sewer Plant project. He informed the committee that the EPA wanted the city to ask for bids on the project, however; as the City of Hillsboro is in the middle of receiving grant funding from various sources should the project go out to bid before these grants were secured, the City of Hillsboro would lose any possibility of grant funding.

Therefore, this committee and the administration as much as we would like to see this project move forward, it would be in the best interest to the citizens that patience be of the virtue to allow the grants that have been applied for that their responses be answered.

That is the end of my report and if there are no questions, I would ask for this report to be accepted by council. Mr. Koogler made a motion to accept the report and Mr. Waller seconded the motion with all members present voting yea.

**ZONING AND ANNEXATION COMMITTEE-** Mr. Young, 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. 09-12 - A RESOLUTION TO TRANSFER FUNDS FROM THE 219 EMERGENCY MANAGEMENT FUND TO VARIOUS OTHER FUNDS- 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 with all members present voting yea. Resolution passed.

2. RES. 09-13 – A RESOLUTION TO AUTHORIZE AN ADDITIONAL CONTRACT WITH GEUY CONSTRUCTION COMPANY INC. FOR CHANGE ORDERS AND REQUIRE 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. Levo seconded the motion with all members present voting yea. Mr. Koogler made a motion to approve the resolution and Mr. Levo seconded the motion with all members present voting yea; resolution adopted.

3. RES. 09-14 – A RESOLUTION TO AUTHORIZE AN ADDITIONAL CONTRACT WITH TRAME MECHANICAL FOR CHANGE ORDERS 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 Mrs. Parr seconded the motion with all members present voting yea. Mrs. Parr made a motion to adopt the resolution and Mr. Levo seconded the motion with all members voting yea. Resolution adopted.

4. RES. 09-15 – 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 waive the three-reading rule and Mr. Waller seconded the motion. Mr. Koogler made a motion to adopt the resolution and Mr. Shoemaker seconded the motion. All members present voted yea; resolution adopted.

**NEW BUSINESS:**

There were requests for new liquor permits for the West Main Street Speedway and Wanda's Grill. There was some discussion but the consensus seemed to be that if a permit was available there was very little to be done to keep it from being awarded. Mr. Beery said that in the past if it was near the school or a church they have asked for the hearing, otherwise they have made their objections known in writing. He said the thing that ODLC is most interested in is public safety. If you had some objections that related to that they would give it a serious hearing. Mr. Koogler made a motion that we do what we always do and Mr. Levo seconded the motion with all members present voting yea except Mr. Shoemaker who voted nay. Motion passed.

Mr. Holt questioned Mrs. Parr saying that the physician whose third sign had been denied had contacted him the next day after the meeting and wanted to know how he could get a variance. Mr. Holt told him that if he didn't agree with the committee's decision then he should come to council to request a variance for the third sign. He thought the county commissioner had earlier been at the meeting to ask council to make a determination. He wanted Mrs. Parr to be aware that the gentleman called and he wasn't happy because he didn't get a variance on his sign and he wanted to know is there was another avenue and Mr. Holt explained the avenue to him. Council can now be aware of the situation.

Mayor Zink said that he thought the problem was that the gentleman didn't have an explanation of what he had to do when he moved in and that was a problem, too.

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 present voting yea. Meeting adjourned.

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Richard Donley, Council President

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Beverly Brown, Clerk of Council