

HILLSBORO CITY COUNCIL MEETING
Hillsboro Municipal Court – 130 Homestead Drive

March 12, 2018

At 7:00 p.m., Lee Koogler, Council President called the Hillsboro City Council meeting to order. The following were present for the meeting: Heather Collins, Clerk. Mayor Drew Hastings, Claudia Klein and Law Director Fred Beery were absent. Though, Mr. Beery came into the meeting after it had started.

ROLL CALL

Adam Wilkin, Brandon Leeth, Wendy Culbreath, Ann Morris, Mary Stanforth and Justin Harsha were present.

Justin Harsha made a motion to excuse the absences. Wendy Culbreath seconded the motion. All yeas, the absences were excused.

Lee Koogler led the council in prayer and the Pledge of Allegiance.

MINUTES

There were no additions or corrections to the meeting minutes from the January 8, 2018 Regular Council Meeting minutes, nor the February 12, 2018 Regular Council Meeting minutes. President Koogler explained that there was an amendment that needed to be made on the May 12, 2014 Regular Council Meeting minutes. The amendment was just to the address of Highland District, as it was typed incorrectly within the minutes.

MONTHLY REPORTS

There were no questions about the February 2018 monthly reports and President Koogler read the reports by title only: Auditor, Income Tax Bureau, Police, Public Utilities (includes Street Department, Water and Sewer Maintenance, Water Meter Department), Water Office (includes Water/Sewer Sales) Wastewater Treatment, and Water Treatment.

PUBLIC REQUESTS

- Wal-Mart sign variance. President Koogler expressed that this request would be addressed within the Committee reports.

COMMUNICATIONS No communications.

CITIZENS' COMMENTS

- Sherry Young addressed Council in regards to an issue she is having with her property. She mentioned that she had left a message for the Safety and Service Director and he had not gotten back with her. The City put in curbs near her property and since that occurred, her basement has flooded. Her husband has

bought multiple sump pumps, but the issue is getting worse. She expressed that for the first 15 years of living on the property, flooding was not an issue. It only became an issue when the City placed the curb. Mrs. Young stated that she believes the issue is actually the size of the Storm Sewer that the run-off water goes into. If the drain was bigger it could accommodate for larger rain falls.

Mel, Safety and Service Director expressed his apologies for not getting back with her, but explained that he and Shawn Adkins, Sewer Superintendent had been out to the property and looked around. He then stated that he and the Sewer Superintendent would come out again, to meet with her.

President Koogler expressed that if she felt no resolution was made, Mrs. Young could feel free to come to Council again next month.

- Daphne Schwab requested that someone look at the light by the library. She expressed that the light was nice when the school was there, but now the citizens that live in the area are frustrated by it.

President Koogler said that he agrees that the timing of the light is off, because he finds himself going down Moore Road to avoid the light.

Mel McKenzie stated that the timing of the lights is actually a ODOT project and they were going to come back in to adjust the side streets.

Daphne stated that the light is actually taking over two minutes to turn and said that she thinks that the light could actually be a flashing light now that the school is no longer there.

Mel McKenzie said that he would contact ODOT and ask that they speed up the process, as there has been a few specific issues with intersections and how long it takes the light to turn.

COMMUNICATIONS FROM THE MAYOR (Drew Hastings, Mayor)

Due to the Mayors absence from the meeting, Mel McKenzie read, aloud, the Mayors report.

“Good evening Council Members. Tonight’s report is brief and only covers one topic, that being Paint Creek Joint Fire District. I have a number of questions and concerns about the homework that has been done to arrive at the decision that best serves our residents and considers the long term outlook on our City’s finances. First and biggest concern is that there has been no financial study or analysis on the issue. The Finance Committees job is to provide a compelling case for either joining or contracting with the district. I have not seen anything that would lead us to make an intelligent decision on this all important matter. Some of the questions that need answered are: Do we have a clear financial picture of how much taxpayers will truly pay if joining and what are the benefits? Do we know the mean value of a home in Hillsboro? An observation that

property tax increase will be approximately \$170 per \$100,000 valuation seems misleading if in fact the average value of a home is under that. Lastly there has been no analysis of the opportunity cost that is lost from contracting with the District. The \$570,000 a year that is spent a year on contracting is approximately ten percent of our general fund. An extra \$570,000 a year could do great things for our city and residents. Sorely needed curb and gutter work, sidewalks, and residential trash collection, just to name a few. Instead of answering these questions and coming up with a solution, it has been said that we will revisit the issue again next year. Revisiting the issue, to me, is slang for kicking the can down the road and that attitude is precisely what gave us the outdated city that I inherited in 2012. This Administration has never kicked the can down the road. We find solutions. I am happy to work with any council members that genuinely want to solve this. And until the work that is needed to solve this is done, I cannot sign a contract. Thank you, Mayor Drew Hastings.”

There were no questions in regards to the report.

SAFETY AND SERVICE DIRECTOR’S REPORT

“Good evening, Mr. President and Councilmembers. The City is looking toward a big year for projects. We have ODOT paving of US Route 50, State Route 124, and State Route 247, widening of the east end of Harry Sauner Road, a new shelter house at Harmony Lake along with a mile of new walking pathway, and we received after applying for State Capital Budget Funds \$150,000 through Ohio Department of Natural Resources. This is especially exciting because it will partially fund a pedestrian bridge over Clear Creek and finally connect our 2 biggest parks, Liberty and Schaffer. Hopefully, when completed, it will ease the burden of vehicular traffic if there are events in both parks that a family needs to attend. Long term goal is a substantial parking area and pathway to connect Harmony Lake, Liberty Park fields, and Schafer Park. I have met with the Finance/Employee Relations/ and Utility Committee on various items that I will leave for them to cover and I will answer any necessary questions. Thank you for your time.”

There were no questions in regards to the report.

AUDITOR’S REPORT (Gary Lewis, Auditor)

“Good evening Ladies and Gentlemen. You have here the City’s Year to Date Bank Report and Year to Date Fund Report and they show a balance of \$6,812,395.56 and if there are no questions about the reports, I would like to request a motion from Council to accept these reports as they have been submitted to you, this evening. There were no questions in regards to the reports.

MOTION Mr. Harsha moved, seconded by Mary Stanforth, to accept the Auditor’s reports. There was no further discussion. Vote: all yeas. Council accepted the report.

Auditor Lewis went on to say that last month Council authorized an increase in transfers from unclaimed funds to the general fund. “However, in order to make that transaction legitimate from an auditing standpoint, an increase in appropriations in Unclaimed Funds is required. And that is in the amount of \$5000.” He expressed that this is a housekeeping measure, and it does not affect anything but it does make it legitimate.

PLANNING COMMISSION (Mayor Hastings)

President Koogler asked Mel McKenzie to address council. Mel expressed that he was not given a report to read, but that the Planning Commission did have a meeting. He said that during the meeting, members of the Planning Commission passed the new Zoning Code so it could be presented to Council.

President Koogler said that he had gotten a request to have a joint meeting of the Zoning & Annexation Committee and the Planning Commission to go over the new Code prior to the next Council Meeting. He then stated to Ms. Culbreath that the Committee would need to meet to go over everything in the coming month and then be able to address any concerns to council.

STANDING COMMITTEE REPORTS

FINANCE COMMITTEE (Justin Harsha, Chair)

Justin Harsha expressed that they had two meetings. One was joint meeting with the Civil Service/Employee Relations Committee. They were both held on March 6, 2018 in the City building.

The Finance Committee meeting was called to order at 6:10. In attendance were committee members Mary Stanforth and Ann Morris. Also in attendance were Brandon Leeth, Wendy Culbreath, Mel Mckenzie, Shawn Adkins, Jason Bernard, David Wright and Creed Culbreath. Reason for the meeting was to give new members of council an opportunity to discuss and ask questions on joining Paint Creek Fire District. First topic was equipment maintenance. Brandon asked who was responsible for the equipment. Paint Creek is responsible for the maintenance on all equipment and property and have been responsible for some of the equipment owned by Hillsboro. There are two pieces of equipment that have reached service life and have problems. Hillsboro ladder truck has a deteriorated frame and pump truck has a blown engine. Mary asked about auctioning these units. Mel said they were going to auction and after sale proceeds would go to the appropriate fund. Wendy asked what the pros were of joining. Ann stated that one of the pros would be that Hillsboro would become a voting member of the board. Another pro would be that Hillsboro would have more funds available for other projects within the city. Hillsboro tax code was a big part of the meeting. 1986 repeal of the existing code was discussed. Morris stated there is confusion regarding residents being double taxed. In the new tax code with an increase of ½ a percent, municipal operations, equipment repair and maintenance were listed but life squad and fire coverage were not. Leeth mentioned though the tax code was repealed and replaced, citizens continue to pay the tax and the

city provides fire coverage. Morris explained that it is hard to operate on a tax code from 1986. Safety Service Director Mel McKenzie explained that it is unusual for Hillsboro not to levy for fire coverage and that most municipalities do. With over 50% rentals in town with a good portion of those owners not residing here, not having a fire levy attracts owners that might not keep up their properties. From his standpoint he can see the pros and cons from both sides. Other ways to raise money such as special fees on items that cause fires, an updated tax levy and a possible sales tax were all discussed. This was a very informative meeting for the new members of council and should have given everyone the information they need to move forward on the issue. There was no need for a motion as this was an informative meeting. Ann moved to adjourn @ 6:50, Mary second. All were in favor.

The joint Committee meeting between the Finance Committee and the Civil Service/Employee Relations Committee commenced at 6:51pm.

In attendance were committee members Mary Satanforth, Ann Morris, Brandon Leeth, Wendy Culbreath. Also in attendance were Mel McKenzie, Shawn Adkins, Jason Bernard, David Wright and Creed Culbreath. This meeting was scheduled to review the repeal and establishment of the schedule of authorized non-union city employees, and to establish the compensation for non-union employees. Not many changes have been made to the previous ordinance. Most of the salaries and hourly wages have stayed the same. A few of the positions, utility maintenance lead, street maintenance lead and equipment operator have been removed. Administrative receptionist, public works superintendent, crew leader and an assistant victim's rights position have been added. Job descriptions have been removed, as this is an administrative responsibility. Step raises and a loyal employee raise have been added which will help keep turnovers down which has been a major problem for Shawn. He stated that he lost another worker last week. Ann moved to bring back to full council with committee recommendation. Brandon second. All were in favor. Brandon moved to adjourn @7:15, Ann second. All were in favor.

PROPERTY MAINTENANCE AND RESTORATION (Ann Morris, Chair)

The Property Maintenance and Restoration Committee met prior to council on March 12, 2018 at 6:46pm. Present were Justin Harsha, Adam Wilkin and Ann Morris, which completed a full committee. Also in attendance were council members Brandon Leeth, and Mary Stanforth. Council President Lee Koogler, Safety and Service Director Mel McKenzie and City Auditor Gary Lewis were also at the meeting. The meeting was called to address an inquiry from Walmart of Hillsboro. They are asking for a sign variance to install a "pick-up" area for their new service that they are extending to their Hillsboro patrons. After some discussion, it was decided to approve the variance for a back lit sign for "grocery pick-up." The motion was made by Justin Harsha, seconded by Adam Wilkin. All were in favor. Motion was made to adjourn by Justin Harsha, and seconded by Adam Wilkin, and all were in favor. The meeting was adjourned at 6:49pm.

MOTION Ann Morris moved, seconded by Justin Harsha, to approve the sign variance for WalMart. Vote: all yeas. Council approved the variance.

CIVIL SERVICE AND EMPLOYEE RELATIONS COMMITTEE (Mary Stanforth, Chair)

Mary expressed that Mr. Harsha had already went over their meeting and she has nothing to add to his report. She also expressed that she had not received any updates on the Civil Service Manual and would like to know how that is coming along. Mel McKenzie said that it went to legal counsel to review it and he has not heard back from him. Mel will check with him for an update.

STREET AND SAFETY COMMITTEE (Adam Wilkin, Chair)

Adam Wilkin stated that he had nothing new to report on the Skate Park, but wanted to mention that there is legislation being addressed this evening in regards to the Sidewalk Replacement and Improvement Program and it is the recommendation of the committee that Council move forward with that resolution.

There were no questions in regards to the report.

UTILITIES COMMITTEE (Brandon Leeth, Chair)

Mr. Leeth said that the Utilities Committee met on March 8, 2018 at 6:30pm. Those in attendance were Utility Committee Members Brandon Leeth, Wendy Culbreath, and Adam Wilkin, the Finance Committee which consists of Justin Harsha, Mary Stanforth and Ann Morris. City Employees Shawn Adkins, Jason Bernard, Mel McKenzie, Kirby Ellison, along with Creed Culbreath and a representative from the Times Gazette were also present for the meeting. Items discussed were catwalks at the reservoir, base rate increase to the water bill, legislation for a sludge press at the Wastewater Treatment Plant, Emergency Legislation for storm sewer replacement between Key and Barry Street and the transfer of money from the Wastewater Treatment Plant Improvement fund and replacement fund. The motions made at the meeting are as follows:

- A motion to apply for a loan for catwalks at the reservoir, in the amount of \$234,000.00 was made by Justin Harsha, seconded by Adam Wilkin. The motion passed. Brandon expressed that this is a necessity for all reservoirs.
- A motion to draft a resolution for a base rate increase on the water portion of the bill was made by Mary Stanforth and seconded by Justin Harsha. The motion passed. Brandon expressed that the increase would equate to \$100,000 per year.
- A motion for the City to enter into an agreement to install a sludge press at the Wastewater Treatment Plant was made by Wendy Culbreath and seconded by Adam Wilkin. The motion passed. Brandon expressed that what the Wastewater Treatment Plant is using now, is not working.
- A motion to submit Emergency Legislation in regards to the City obtaining quotes for sewer replacement between Key and Barry Street, due to the State paving the highway within 2018, was made by Ann Morris, and seconded by Wendy Culbreath. The motion passed. Brandon expressed that a lot of the storm sewers are dilapidated and need replaced. He stated that they all agreed that it should be addressed in order by the amount of dilapidation, but this area needs addressed quickly because there is no need to tear up new paving.

- A motion to request full council to transfer money from the Wastewater Treatment Plant Improvement Fund and the Replacement Funds was made by Justin Harsha and seconded by Mary Stanforth. All were in favor.

The meeting was adjourned at 8:15pm.

There were no questions in regards to this report.

ZONING AND ANNEXATION COMMITTEE (Wendy Culbreath, Chair)

Wendy expressed that she has been attending the Planning Commission meetings and as Mel McKenzie said the Planning Commission is prepared to submit their new Zoning Code to Council.

Lee expressed that the Zoning and Annexation Committee would be looking at the new Zoning Code, once it is submitted. The Committee could then make any recommendations to full council. He then thanked Ms. Culbreath for attending the Planning Commission meetings.

There were no questions for Ms. Culbreath

COMMUNITY ENHANCEMENT (Claudia Klein, Chair) *No report.*

UNFINISHED BUSINESS *No unfinished business.*

PASSAGE OF ORDINANCES AND RESOLUTIONS (THIRD READING)

- **Resolution No. 17-49** A resolution to join the Paint Creek Joint EMS/Fire District.

President Koogler expressed that the council members had heard a report from the mayor this evening and then opened the floor for any discussion/debate on the matter. He also stated that council could do one of two things: Take a vote tonight; Ask that it be removed from the agenda for further investigation/discussion;

MOTION Ann Morris moved, seconded by Mary Stanforth to vote on the approval/disapproval of the resolution. Vote was as follows: All no's, except for Ann Morris. She expressed that she voted to join because it "would free up a lot of money to complete a lot of necessary infrastructures repairs within the City." The resolution was not approved.

President Koogler requested that Mel McKenzie relay the information the Mayor Hastings. Koogler said "The City will now need to address its status with Paint Creek, in terms of a contract."

SECOND READING OF ORDINANCES AND RESOLUTIONS

- **Ordinance No. 18-03** An Ordinance to repeal all previous Ordinances regarding the compensation for Non-Union City Employees, to establish the schedule of authorized Non-Union City Employees and to establish the compensation for Non-Union City Employees and to declare an emergency.

Justin Harsha said that he placed the matter in committee/s last month because he didn't feel they had enough time to "soak it all in." "There are not a whole of changes. The implementation of step raises could be a great thing to help with the turn over that Shawn Adkins is dealing with in the Sewer Department."

MOTION Justin Harsha moved, seconded by Mary Stanforth to suspend the three reading rule. Vote: All yeas. Council approved to suspend the three reading rule.

MOTION Justin Harsha moved, seconded by Brandon Leeth to approve and adopt the legislation. Vote: All yeas. Council approved and adopted the ordinance as submitted.

FIRST READING OF ORDINANCES & RESOLUTIONS

- **Ordinance No. 18-04** An Ordinance to amend the map of the City of Hillsboro to change the zoning of 1275 North High Street (Highland District Hospital) From Residential A to Business C.

President Koogler called on Clerk, Heather Collins to explain. She said that this was something that Council acted on in 2014, after President Koogler addressed it in council. Council approved the zoning change within the May, 2014 meeting but no Ordinance was ever drafted to make it official. This ordinance would take care of that issue.

MOTION Ann Morris moved, seconded by Wendy Culbreath to suspend the three reading rule and to declare an emergency. Vote: All yeas. The three reading rule was suspended.

MOTION Mary Stanforth moved, seconded by Brandon Leeth to approve and adopt the legislation. Vote: All yeas. The ordinance was approved and adopted.

- **Resolution No. 18-11** A Resolution to increase appropriations in unclaimed funds.

MOTION Ann Morris moved, seconded by Wendy Culbreath to approve and adopt the legislation. Vote: All yeas. The resolution was approved and adopted.

- **Resolution No. 18-12** A Resolution to authorize the Safety and Service Director to implement a Sidewalk Improvement Program.

MOTION Adam Wilkin moved, seconded by Ann Morris to suspend the three reading rule and to declare an emergency. Vote: All yeas. The three reading rule was suspended.

MOTION Justin Harsha moved, seconded by Brandon Leeth to approve and adopt the legislation. Vote: All yeas. The resolution was approved and adopted.

- **Resolution No. 18-13** A Resolution to authorize the Safety and Service Director to enter into a contract for the emergency repair and replacement sanitary sewer lines.

MOTION Ann Morris moved, seconded by Brandon Leeth to suspend the three reading rule and declare an emergency. Vote: All yeas. The three reading rule was suspended.

MOTION Brandon Leeth moved, seconded by Mary Stanforth to approve and adopt the resolution. Vote: All yeas. The resolution was approved and adopted.

- **Resolution No. 18-14** A Resolution of urgent necessity to increase appropriations in the sewer replacement fund.

MOTION Ann Morris moved, seconded by Brandon Leeth to suspend the three reading rule and to declare an emergency. Vote: All yeas. The three reading rule was suspended.

MOTION Brandon Leeth moved, seconded by Adam Wilkin to approve and adopt the legislation. Vote: All yeas. Council approved and adopted the resolution.

- **Ordinance No. 18-05** An Ordinance to amend Section 51.36 of the City Code to provide for modification of the minimum usage charge for water usage.

No motions were made. Therefore this Ordinance will have a second reading at the April, 2018 regular Council Meeting.

- **Resolution No. 18-15** A Resolution authorizing the Safety and Service Director to apply for, accept and enter into a cooperative agreement for construction of Catwalk project between the City of Hillsboro and the Ohio Water Development Authority.

No motions were made. Therefore this Resolution will have a second reading at the April, 2018 regular Council Meeting.

- **Resolution No. 18-16** A Resolution authorizing the Safety and Service Director to apply for, accept and enter into a Water Pollution Control Loan Fund (WPCLF) agreement on behalf of the City of Hillsboro for planning, design and/or construction of Wastewater facilities; and designating a dedicated repayment source for the loan.

MOTION Ann Morris moved, seconded by Justin Harsha.

Brandon Leeth announced that he would be abstaining from the vote. Therefore, there are not enough members of council present to move forward. This resolution will have a second reading at the April, 2018 regular Council Meeting.

- **Resolution No. 18-17** A Resolution to authorize the Safety and Service Director to acquire materials and labor for the upgrade to the South Lift Station.

Brandon Leeth stated that he would be abstaining from the vote. Therefore, there are not enough members of council present to move forward. This resolution will have a second reading at the April, 2018 regular Council Meeting.

- **Resolution No. 18-18** A resolution to increase appropriations in the sewer improvement fund.

Brandon Leeth stated that he would be abstaining from the vote. Therefore, there are not enough members of council present to move forward. This resolution will have a second reading at the April, 2018 regular Council Meeting.

NEW BUSINESS *None*

ADJOURN

MOTION Brandon Leeth moved, seconded by Wendy Culbreath, to adjourn. Council adjourned at 8:16 p.m.

The next scheduled meeting of the Hillsboro City Council is Monday, April 9, 2018 at 7:00 p.m. in the Hillsboro Municipal Court. .

Lee Koogler, President

Heather Collins, Clerk