

PUBLICATION OF RESOLUTIONS AND ORDINANCES

The entire text of the following legislation is on file at the Clerk's office at 130 N. High St., Hillsboro and available for inspection or copies from 8:00 a.m. to 4:30 p.m., Monday – Friday, excluding holidays. All legislation below was passed on December 11, 2017.

Signed: Dick Donley, President Pro-Tem, Attest: Debbie Sansone, Clerk of Council, Approved: Mayor Hastings

Legislation can be found online at www.hillsboroohio.net under RECENT CITY NEWS

RESOLUTION 17-45 Resolution to Increase Appropriations and to Increase Transfers (Water Debt Retirement Fund \$25,292.99)

RESOLUTION 17-46 Resolution to Transfer Property to the Hillsboro Area Economic Development Corporation for the Purpose of Establishing a Youth Sports Center

RESOLUTION 17-47 Resolution to Increase Appropriations in the General Fund and to Advance Funds From the General Fund to Other Funds As Needed

ORDINANCE 2017-10 Declaring Improvements to Parcels of Real Property Located in the City of Hillsboro, Ohio to be a Public Purpose Under Section 5709.40 of the Ohio Revised Code, Exempting Such Improvements from Real Property Taxation, Establishing a Tax Increment Equivalent Fund and Declaring an Emergency

ORDINANCE 2017-13 An Ordinance to Transfer Homestead Avenue Property to the Hillsboro Area Economic Development Commission for the Purpose of Expanded Development of the PAS Technologies Property on Homestead Avenue in the City of Hillsboro and to Declare an Emergency

ORDINANCE 2017-14 An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the City of Hillsboro, State of Ohio, During the Fiscal Year Ending December 31, 2018.

Debbie Sansone, Clerk

Hillsboro City Council

To Request Legislation: dsansone@hillsboroohio.net

ORDINANCE NO. 2017- 10

**DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY LOCATED IN THE CITY OF HILLSBORO,
OHIO TO BE A PUBLIC PURPOSE UNDER SECTION 5709.40 OF THE OHIO REVISED CODE, EXEMPTING
SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, ESTABLISHING A TAX INCREMENT
EQUIVALENT FUND AND DECLARING AN EMERGENCY**

WHEREAS, Section 5709.40 et seq. of the Ohio Revised Code authorizes municipal corporations to participate in a financing technique commonly known as tax increment financing; and

WHEREAS, this Council wishes to use the authority granted pursuant to such Sections in connection with certain improvements in the City in order to meet the public health, safety, welfare and convenience needs of the area, including new development and traffic capacity;

WHEREAS, notice has been given to the Hillsboro City School District of the consideration of a resolution providing for tax increment financing, as required by section 5709.40 of the Ohio Revised Code;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hillsboro, Highland County, State of Ohio, members elected thereto concurring:

SECTION ONE

That this Council hereby finds and declares that certain public improvements in the City, to wit: the planning, design and construction of public street improvements including pavements, walkways, bike paths, traffic control devices and alterations to existing streets; the planning, design and construction of utilities including but not limited to water, sanitary sewers, communication facilities, storm water sewers and detention facilities; the preparation of plans for land use in the area; the creation or enhancement of buffer areas, recreation facilities and open areas necessary for ensuring the compatibility of adjacent land uses; the creation and/or enhancement of public service facilities and operations; and, the purchase of property rights of way and easements of other rights in property necessary for the completion of the Public Improvements listed above, are a public purpose and that those Public Improvements are necessary as a result of the development of the parcels of land described in Exhibit A attached to this Ordinance (such parcels are hereinafter collectively referred to as the "Buckeye Grove TIF"), which parcels are located in the incorporated area of the City; for the creation of jobs; increasing property values, and the provision of adequate public services in the City of Hillsboro. The further development of the parcels in the Buckeye Grove TIF will place direct additional demand on Public Improvements.

SECTION TWO

That, pursuant to Section 5709.40(B) of the Ohio Revised Code, further improvements to the parcels in the Buckeye Grove TIF occurring after the date of this Ordinance are exempt from real property taxation commencing on the first day of the tax year in which an improvement first appears on the tax list and duplicate of real and public utility property and that begins after the effective date of this Ordinance and ending on the earlier of (1) ten years from the date the exemption commences or (2) the date on which the specific public improvements as described in Section 1 above (the "Public Improvements") that will benefit the Buckeye Grove TIF are paid in full from the Tax Increment Equivalent Fund, as defined in Section 4 hereof, but in no case shall the Public Improvement be exempted from taxation for more than

ten (10) years. It is hereby determined that (i) a portion of the Improvements shall be exempt from real property taxation, (ii) such portion shall be 75% of the assessed value of the Improvements, and (iii) the Public Improvements directly benefit, or once made will directly benefit, the Buckeye Grove TIF.

SECTION THREE

That pursuant to Section 5709.42 of the Ohio Revised Code, the owner or the owners of the Improvements shall be required to make annual service payments in lieu of taxes (the "Service Payments") to the Highland County Treasurer on or before the final dates for payment of real property taxes. The Council hereby expresses its intention and authorizes the City Auditor to enter such agreements as may be necessary and appropriate to assure the payment of such Service Payments.

SECTION FOUR

That pursuant to Section 5709.43 of the Ohio Revised Code, there is hereby established the City of Hillsboro Public Improvement Tax Increment Equivalent Fund (the "Tax Increment Equivalent Fund"), into which the Service Payments shall be deposited. Money in the Tax Increment Equivalent Fund shall be used to finance the Public Improvements.

SECTION FIVE

That the proper city officials are hereby authorized to do all things necessary and proper to carry out Sections One through Four above, including but not limited to filing any required applications for tax exemption with the Highland County Auditor and/or State Tax Commissioner.

SECTION SIX

That pursuant to Ohio Revised Code Section 5709.40(1), the Clerk is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen days after its adoption. On or before March 31 of each year that the exemption set forth herein remains in effect, the Clerk or other authorized officer of this City shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under Section 5709.40(1) of the Ohio Revised Code.

SECTION SEVEN

That the Clerk is hereby directed to forward a copy of this Ordinance to the County Auditor of Highland County.

SECTION EIGHT

That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.11 of the Ohio Revised Code.

SECTION NINE

That this Ordinance shall become effective upon passage by a majority of the members of Council and approval by the Mayor, following thirty-days after publication.

Passed: 12-11-17
Date

President: Richard R Donley
PRO-TEM

Attest: Debbie Samone
Clerk of Council

Approved: _____
Mayor

Date: 12-12-17

Approved as to Form: _____
Law Director

11-6-17 FIRST READING
11-13-17 SECOND READING
12-11-17 Passed

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No.

2017-10.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No.

2017-10.

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing ordinance was certified this day to the county auditor.

Clerk of Council

Dated: _____, 2017

RECEIPT

The undersigned hereby acknowledges receipt of a certified copy of the foregoing ordinance.

County Auditor

Dated: _____, 2017

EXHIBIT A

PROPERTY TO BE EXEMPTED

Parcel Number- 25-10-000-142.14 (7325 Pea Ridge Road)

ORDINANCE NO. 2017-13

AN ORDINANCE TO TRANSFER HOMESTEAD AVENUE PROPERTY TO THE HILLSBORO AREA ECONOMIC DEVELOPMENT COMMISSION FOR THE PURPOSE OF EXPANDED DEVELOPMENT OF THE PAS TECHNOLOGIES PROPERTY ON HOMESTEAD AVENUE IN THE CITY OF HILLSBORO AND TO DECLARE AN EMERGENCY

Be it ORDAINED by the Council of the City of Hillsboro, State of Ohio, that

SECTION ONE:

The Mayor is hereby authorized and directed to transfer the real property described herein to the Hillsboro Area Economic Development Commission for the following purposes:

PAS Technologies wants to buy the property for expansion. It is 14+/- acres but that includes all of Homestead Avenue because it is not dedicated and platted. PAS is interested in the 8.5+/- acres that is actual usable land. There is an appraisal for the 8.5 acres. The HAEDC would sell PAS the 8.5 acres for \$50,000 to help PAS offset the cost that they will face in earthwork to make the site buildable, due to uphill terrain. The \$50,000 is contingent upon the City being able to TIF the property. If anything stops the TIF from being put in place, a \$40,000 increase will be due to the City. The numbers for the TIF is approximately \$390,000 over 10 years or \$39,000k/year. PAS has agreed to pay for the survey to have the property split leaving the City with the right of way for roadway. The dedication of the road and filing will be the necessary "infrastructure improvements" required by the TIF.

SECTION TWO:

This ORDINANCE is hereby declared to be an emergency measure necessary for the public health, safety and welfare and for the reason that immediate action is needed to allow this employer to proceed with improvements necessary for continued growth in the City of Hillsboro, therefore, this legislation shall have immediate effect upon passage by 2/3ds of the members of Council.

Passed: 12-11-17 President: Richard Q. Donley
PRO-TEM
Attested: Debbie Sansone, Clerk
Approved: [Signature], Mayor Date: 12-12-17

Prepared by the City Law Director.

ORDINANCE NO. 2017- 14

AN ORDINANCE to make appropriations for current expenses and other expenditures of the city of Hillsboro, State of Ohio, during the fiscal year ending December 31, 2018.

Sec. 1 Be it ordained by the Council of the City of Hillsboro, State of Ohio, that to provide for the current expenses and other expenditures of the City of Hillsboro, during the fiscal year ending December 31, 2018, the following sums be and they are hereby set aside and appropriated, as follows, viz:

Sec. 2 That there be appropriated from the GENERAL FUND

GENERAL GOVERNMENTAL SERVICES

Mayor	\$296,000
Auditor	158,000
Law Director	154,000
Civil Service Commission	8,000
Council	45,000
Municipal Court	363,000
Income Tax Office	179,000
Land & Buildings	246,000
Other Misc General Gov't	1,429,000
Total General Gov't Services	\$2,878,000

SECURITY OF PERSONS & PROPERTY

Police Department	1,680,000.00
Fire Department	555,000.00
Street Lighting	128,300
Total Security	\$2,363,300

PUBLIC HEALTH SERVICES

County Health Dept	\$20,000	
Total Public Health Services		\$20,000

SOCIAL SERVICES

Prisoner Housing	\$1,000	
Total Social Services		\$1,000

COMMUNITY ENVIRONMENT

Building Inspections	75,000.00	
Planning Commission	\$47,300	
Public Access TV	\$3,500	
Total Community Environment		\$125,800

SUBTOTAL GENERAL FUND		\$5,388,100
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Sec. 3 That there be appropriated from the GENERAL FUND for CONTINGENCIES for purposes not otherwise provided for, to be expended in accordance with the provisions of Sec. 5705.40, R.C., the sum of \$25,000

Grand Total GENERAL FUND		\$5,413,100
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Sec. 4 That there be appropriated from the following funds:

STREET C M & R FUND	\$854,000
STATE HIGHWAY FUND	18,000
MUNICIPAL COURT COMPUTER	46,000
POLICE PENSION FUND	183,000
FIRE PENSION FUND	33,000
RECREATION FUND	197,000
REVOLVING LOAN FUND	246,000
C D B G FUND	0

REHAB FUND	0	
LIFE SQUAD IMPROV FUND	0	
MUNICIPAL MOTOR VEHICLE	15,000	
INDIGENT DRIVERS FUND	31,000	
LAW ENFORCEMENT & EDUCATION	0	
DRUG LAW ENFORCEMENT	0	
LAW ENFORCEMENT TRUST	2,000	
VICTIMS RIGHTS OFFICE	77,000	
MUNICIPAL COURT SPECIAL PROJECTS	105,000	
HOUSING REVOLVING LOAN FUND	0	
STORM SEWER MAINT & REPAIR	40,000	
GENERAL BOND RETIREMENT	324,000	
TAX INCREMENT FUND	155,000	
WATER REVENUE FUND	1,887,000	
GUARANTEED DEPOSIT TRUST	50,000	
RURAL DEVELOPMENT FUND	25,000	
WATER DEBT RETIREMENT FUND	429,000	
WATER IMPROVEMENT	50,000	
SEWER REVENUE FUND	2,487,000	
SEWER REPLACEMENT	20,000	
WASTEWATER IMPROVEMENT	150,000	
SEWER DEBT RETIREMENT FUND	421,000	
UNCLAIMED MONIES TRUST FUND	6,000	
GRAND TOTAL APPROPRIATIONS		\$13,264,100.00

Sec. 5 And the City Auditor is hereby authorized to draw his warrants on the City Treasurer for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore approved by the board of officers authorized by law to approve the same or an ordinance or resolution of council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except the persons employed by authority of and in accordance with law or ordinance. Provided, further, that the appropriation for Contingencies can only be expended upon approval of a two-thirds vote of Council for items of expense constituting a legal obligation against the city, and for the purposes other than those covered by the other specific appropriations herein made.

Sec. 6 This ordinance shall take effect at the earliest period allowed by law.

Passed: December 11, 2017

Attest: Debbie Sansone
Clerk

Richard R Donley
President of Council
PRO-TEM

Approved By:

Richard R Donley
William J. Alford
A E Moore
Finance Committee

Date: [Signature]
[Signature]
Mayor

Recommended by the Auditor

RESOLUTION NO. 17- 45

A RESOLUTION TO INCREASE APPROPRIATIONS AND TO INCREASE TRANSFERS

Be it RESOLVED by the Council of the City of Hillsboro, Ohio that:

SECTION ONE:

The Auditor is authorized to increase appropriations in the 504 Water Debt Retirement Fund, specifically line item 504.513.526200 – Interest, by \$25,292.99.

SECTION TWO:

The Auditor is authorized to increase transfers from the 501 Water Revenue Fund to the 504 Water Debt Retirement Fund by \$16,000.00.

SECTION THREE:

This resolution shall become effective upon passage by a majority of the members of Council and approval by the Mayor.

Passed: 12-11-17 President: Richard R. Donlay

PRO-TEN

Attest: Debbie Sammons
Clerk

Approved: [Signature] Date: 12-12-17
Mayor

Approved as to Form and Legality: _____
By the Law Director

Introduced by the Property Restoration and Maintenance Committee, Ann Morris, Chair

RESOLUTION NO. 17-46

A RESOLUTION TO TRANSFER PROPERTY TO THE HILLSBORO AREA ECONOMIC DEVELOPMENT CORPORATION FOR THE PURPOSE OF ESTABLISHING A YOUTH SPORTS CENTER

Be it RESOLVED by the Council of the City of Hillsboro, State of Ohio, that

SECTION ONE:

The Safety and Service Director is hereby authorized and directed to enter into an agreement with the Hillsboro Area Economic Development Corporation (HAEDC) to do the following:

1. Cause the "Old City Park" property, Auditor's parcels 25-26-001-101.00 and 25-25-001-061.00, to be surveyed into two parcels, and both parcels transferred to the HAEDC upon the terms of an agreement with HAEDC negotiated by the Mayor in accordance with this Resolution.
2. One parcel will be designated as a youth sports center for the Tirrell Cumberland Youth Project and the land is to be transferred into name of Tirrell Cumberland for establishing the Youth Sports Center. Any deed to Tirrell Cumberland will contain a reversionary clause that, in the event property is not utilized as a sports center or the property is subject to foreclosure, the ownership and control over the property reverts to the City of Hillsboro, subject to liens and mortgages necessary to the construction and operation of the sports center.
3. The remaining parcel will be utilized as a skate park which to be separately developed by HAEDC .

SECTION TWO:

The Mayor is authorized and directed to execute and deliver deeds to the parcels specified in SECTION ONE to the Hillsboro Area Economic Development Corporation upon reaching an agreement as provided therein.

SECTION THREE:

This RESOLUTION shall become effective upon passage by a majority of Council, approval by the mayor and after 30-days following publication according to law.

Passed: 12-11-17 President: Richard R. Donley
PRO-TEM
Attested: [Signature] Clerk
Approved: [Signature], Mayor Date: 12-12-17

Prepared by the City Law Director.

Recommended by the Auditor

RESOLUTION NO. 17- 47

**A RESOLUTION TO INCREASE APPROPRIATIONS IN THE GENERAL FUND AND TO
ADVANCE FUNDS FROM THE GENERAL FUND TO OTHER FUNDS AS NEEDED**

Be it RESOLVED by the Council of the City of Hillsboro, Ohio that:

SECTION ONE:

The Auditor is hereby authorized to increase appropriations, if necessary, in the General Fund for the purpose of covering any shortfalls in any department of the General Fund that may occur. Appropriations shall be placed in the Contingency category and transferred where needed. As far as is practical the Auditor shall transfer funds between departments within the General Fund, for the purpose of covering any shortfalls in any department of the General Fund, prior to using funds within the Contingency category.

SECTION TWO:

The Auditor is hereby authorized to increase appropriations, if necessary, in the General Fund for the purpose of advancing those monies to any other fund to cover shortfalls within that fund. Any advance to another fund shall be paid back to the General Fund before the end of fiscal year 2018 unless Council approves an extension or an alternative arrangement. Appropriations shall be placed in the Contingency category and transferred where needed.

SECTION THREE:

In the event that appropriations approved by Council exceed the total amount available for expenditures within any fund of the City, and provided that no transfer from the General Fund to any other fund of the City is necessary to cover indebtedness, the Auditor is authorized to reduce the appropriations of the deficient fund in order to comply with the laws of the State of Ohio.

SECTION FOUR:

This resolution shall become effective upon passage by a majority of the members of Council and approved by the Mayor.

Passed: 12-11-17

President:

Richard R. Donley
PRO-TEM

Attest:

Debra J. Sanborn
Clerk

Approved:

[Signature]
Mayor

Date:

12-12-17

Approved as to Form and Legality:

By the Law Director