

**HILLSBORO CITY COUNCIL MEETING  
Hillsboro Municipal Court – 130 Homestead Drive**

**June 11, 2018**

At 7:00 p.m., Council President Lee Koogler called the Hillsboro City Council meeting to order. The following were present for the meeting: Mayor Drew Hastings, Mel McKenzie, Safety and Service Director; Gary Lewis, Auditor; and Heather Collins, Clerk.

**ROLL CALL**

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

President Koogler led the Council in prayer and Mayor Drew Hastings led them in the Pledge of Allegiance.

**MINUTES**

There were no additions or corrections to the meeting minutes from the May 14, 2018 Regular Council Meeting Minutes and they were approved as submitted.

**MONTHLY REPORTS**

There were no questions about the May 2018 monthly reports and Heather Collins 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**

None

**COMMUNICATIONS**

None

**CITIZENS' COMMENTS**

Thomas Eichinger, Chair of the Planning Commission, spoke and mentioned that at the last meeting Council woman Culbreath made a statement that she did not agree with a sentence in the new Zoning Code. He wanted to explain the rationale of Section 155.104 (C) of the new code, where it states that “if a use within the code is not specifically permitted, it shall be prohibited.” He said that once this is a law, “as such, it must be as unambiguous as possible.” “If this wording were not in there....and someone wanted to take issue with the City over that, it is then subject to interpretation....and a judge could rule in favor of the plaintiff saying we were not specific.” There is a Board of Zoning Appeals process within the code and if anyone wanted to request a variance, they could do so.

President Koogler stated that it was very common to have a catch all provision for legal documents.

## **SWEARING IN OF POLICE OFFICER**

Chief of Police Darrin Goudy introduced Elizabeth “Betsy” Bryant, a Reserve Police Officer who would be sworn in this evening, as a full time Police Officer.

Drew Hastings, Mayor then read the following with Elizabeth Bryant repeating after him:.

I, Elizabeth E. Bryant, do solemnly affirm that I will support the Constitution of the United States and the Constitution of the State of Ohio and that I will faithfully and honestly and impartially discharge the duties of Patrol Officer, for the Police Department within the City of Hillsboro, Highland County Ohio.

Mr. Hastings and Mr. Koogler congratulated her.

## **COMMUNICATIONS FROM THE MAYOR (Drew Hastings, Mayor)**

He mentioned that he has had a lot of conversations with various Council members over the last month and if any council member would like him to elaborate further on their topics, he would be happy to. He went on to say he had a meeting with Adam Wilkin in regards to the Sports Complex and he expressed that he was optimistic that that whole park could be done the way the Committee was hoping. He said that he would be at the Mayor’s Conference later this week and that he would bring that information back and bring everyone up to speed, because there is a lot going on within the State of Ohio; including Medical Marijuana and he knows that will be a big topic. He explained that he recently had another meeting with Jack Hope, though he thought he was making headway with Jack in regards to Mr. Hope using blight funds from the City of Hillsboro, Mr. Hope did not agree and felt he still had options with the Parker House Hotel. “I do think it is moving forward, but not nearly at the pace that we would like to see it resolved.”

There were no questions in regards to this report.

## **SAFETY AND SERVICE DIRECTOR’S REPORT**

Mr. McKenzie read his report aloud and it was as follows:

Good evening Council. As you are aware, it has been a month of planning. Just about every committee has had at least one meeting over the past month. I will let the committee chairs cover these in their reports. I have a few items to discuss. The first being Harmony Lake Trail, that was a grant through ODNR. The new park system has been finalized and will include approximately 3/4 of a mile of paved trail, a butterfly garden, an area for a community garden, a new shelter house and restroom facilities. Secondly, the Harry Sauner Road widening has begun and I understand it may be a hindrance to some while the construction is ongoing. The finished product will help the

flow of traffic tremendously on Harry Sauner and at the intersection of N. High St. The road will match the west end of Harry Sauner where there is a center turn lane to help with traffic congestion. The new portion will also have curb and gutter and sidewalk. I urge everyone traveling through this area to please pay attention to the signage and road striping as it has changed and will change as different phases of the project are completed, where you drove yesterday may not be where you are to drive today. For now, there is no left turn onto Harry Sauner if you are traveling north on High Street. My suggestion is to continue on to Hobart/Carl Smith Dr. and use the roundabout to get back to Harry Sauner or come in from the West Street/Hwy 73 end. Finally, I'd like for everyone to know that we have had building code ordinances since 1965 and the City zoning ordinance was originally adopted in 1952 as to what can and cannot be built in certain areas. We do require building permits for a variety of construction: residential, commercial, electrical, HVAC, etc. Recently, we have had a resident and a commercial business fined for not filing the proper permits. Please check with us at the City office before you start your construction. This concludes my report. Thank you.

There were no questions in regards to this report.

#### **AUDITOR'S REPORT (Gary Lewis, Auditor)**

Mr. Lewis explained that the council members were given the Year to Date Fund Report and the Year to Date Bank report that shows the City has a balance of \$7,266,522.33.

**MOTION** Justin Harsha moved, seconded by Adam Wilkin, to accept the Auditor's reports. Vote: all yeas. Council accepted the reports as submitted.

Lewis then went over the legislation he had submitted for the Council members to consider this evening.

There were no questions of Mr. Lewis.

#### **PLANNING COMMISSION (Mayor Hastings)**

Mr. Hastings took a moment to thank Thomas Eichinger, Chair of the Planning Commission for his comments early in the meeting and for clearing the issue up. The Planning Commission met at 5:30pm on May 21, 2018 in the Conference Room of the County Administration building. The following Committee members were present: Thomas Eichinger, Charlie Guiriano, Drew Hastings, Mel McKenzie, Joe Mahan and Ruth Robbins. Rob Holt was unable to attend.

Kristi Wilkin, from Peele Law was present to request a vacation of an alley on Bigelow Street, on behalf of OHCA Properties. The alley lies between two properties owned by OHCA but was never officially vacated. A public hearing is scheduled for July 9, 2018 to hear comments on that particular alley vacation.

Next, Bill Myers was present on how to proceed with a non-conforming use building that he constructed in a "Residential A" building Zone. The Commission cannot take action of

the matter, but did advise Mr. Myers of his options. He could ask for a variance or resurvey the property to include the property where his home is located, which would make the new building an accessory building, which is permitted. The Commission said they would not likely approve a variance for zoning, if Mr. Myer decides to resurvey the property then he would need a variance for exceeding the height restrictions for accessory buildings in a “Residential A” area. The Commission said that they would consider that variance, but did not commit. Mr. Myers stated that he may consider converting the building into a residence. Mr. Myers was informed by the City, not the Planning Commission, that the City would be enforcing a portion of the code that allows for a substantial fee, for violating the Zoning Code.

Mr. L(inaudible), 210 Park Avenue was present to discuss the vacation of an alley beside his home. A public hearing will be held on July 9, 2018 to hear comments on the vacation of that alley.

The Planning Commission members discussed preliminary ideas for the City Master Plan. Annexation, areas to development and tourism were some of the topics of discussion. The meeting adjourned at 6:55pm. The next meeting is scheduled for June 18, at the County Administration building, and that meeting is open to the public.

There were no questions in regards to this report.

## **STANDING COMMITTEE REPORTS**

### **FINANCE COMMITTEE (Justin Harsha, Chair)**

Mr. Harsha read his reports aloud and they are as follows:

A meeting between the Hillsboro Finance Committee and the Zoning and Annexation Committee was called to order at 6:04pm. In attendance were committee members Mary Stanforth, Ann Morris, Claudia Klein, Wendy Culbreath and Justin Harsha. Also in attendance were Mel Mckenzie, Shawn Adkins, Drew Hastings, David Wright and Creed Culbreath. This meeting was scheduled to review the possible sale of city property. Three properties were discussed, the Rt. 50 Rest Area (which is not incorporated), the Parking Lot on West Walnut Street that is behind the Police Station, and three separate parcels on Railroad Street. Our committees discussed the importance of these properties and if it would more beneficial to keep or sell the properties. If the properties were sold the proceeds could go toward the Railroad St. Park. Another benefit would be, not having to maintain/mow these properties. We talked about the possible transfer of the properties to the C.I.C. to sell with all proceeds returned to the city for RR. St. Park. Ann motioned to recommend the transfer of these properties to the C.I.C. to be sold or auctioned with all proceeds returned to the city for park project on Railroad Street, seconded by Mary. All were in favor. Wendy moved for adjournment, it was seconded by Claudia. The meeting was adjourned at 6:26pm.

Mr. Harsha went on to read another report and it is as follows:

Brandon Leeth asked about the Parking Lot behind the Police Station being sold. He asked if we could use that for parking and Justin expressed that it already is our parking but it is being used by NCB and Classic Realty employees.

A Finance Committee meeting was called to order at 6:31pm. In attendance were committee members Mary Stanforth, Ann Morris and Justin Harsha. Also in attendance were Mel McKenzie, Shawn Adkins, Drew Hastings, Wendy Culbreath, Claudia Klein, David Wright and Creed Culbreath. This meeting was scheduled to review the mowing of park property and the possibility of contracting out for the mowing. Mel spoke to the committee about the cost involved having city employees mowing our park properties. Total cost 2017 was \$49,600 for labor and around \$7,000 for mower maintenance. If this changes to a forced account this service would total around \$96,000. The Safety Service Director is planning on putting out a request for quotes for mowing these properties which are the Rotary Park, Railroad Street Park, Route 50 Rest Area, and the Liberty with a total acreage of approximately 55.74 acres. The overall feeling is that bidding this service out will save the city a considerable amount of money. This will also allow city workers to concentrate on more important projects within their departments. The administration would be looking for a single contractor to handle all properties mentioned. If a bid comes in under \$50,000 The SSD could go ahead and award the contract. No motion was needed as this was an informational meeting to get everyone together so we were all on the same page. Ann motioned to adjourn, seconded by Mary. The meeting adjourned at 6:50pm.

Brandon Leeth asked about the forced account and how it would be budgeted. Mel McKenzie explained that it would be budgeted to pay for mowing in the Land and Building fund and after conversation with Mr. Beery a forced account would not be necessary. Mary Stanforth asked if it would be his first priority to contract the mowing of the parks out and Mr. McKenzie said yes, if the bid comes in under \$50,000.00.

In the mist of the conversation, Mr. Beery, Law Director came in and passed out legislation in regards to the sale of City property. Mr. Harsha mentioned that since that it was not completed prior to the meeting that the best thing would be to save it for next month, so it could be reviewed by all council members. Mr. Koogler agreed that the legislation would have a first reading next month.

#### **PROPERTY MAINTENANCE AND RESTORATION (Ann Morris, Chair)**

Mrs. Morris read her report aloud and it is as follows:

The Property Maintenance and Restoration Committee met jointly with the Community Enhancement Committee on Thursday June 7th, at 5:00 in the conference room in the city building. All members were present for the meeting, Justin Harsha, Adam Wilkin, Claudia Klein, Mary Stanforth, and Ann Morris. Others attending the meeting Mayor Drew Hastings, Safety Service Director Mel McKenzie, Public Works Superintendent Shawn Adkins, council person Wendy Culbreath, Creed Culbreath, Tracy Aranyos, Avery Applegate, Adam Raines and David Wright. Discussion was had concerning the renovation of the colony area. It was decided to commence with the “park area” and the parking lot behind it. This property is in the hands of the Hillsboro CIC. There was a

budget set aside for the colony project for 2018 that will be utilized. A rendering of the area was submitted by local artist Avery Applegate as a template for the park and the possible facade appointment. After discussion, it was determined to proceed with the park area, and work towards a goal of the “facade program”, or an “arch program” or possibly a “marquee program”. We will determine this at a future meeting. Funding will be a huge factor in the decision on this project. Some of the needs of the area are to add beautification to the vacant lot, as well as pay tribute to the colony theatre. Another need that was addressed is the motive to convey messages and upcoming events in the city. The marquee was used frequently that adorned the colony, after the city became the owners of the building. There is a want for this type of service to the public again. We will be meeting soon to discuss the possibilities. All are welcome to attend. Justin made a motion to adjourn and this was seconded by Adam. All were in favor.

There were no questions of the report.

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

No Meeting.

Mr. Koogler expressed that he knew that it was a long ongoing process and that he would keep it in her committee.

**STREET AND SAFETY COMMITTEE (Adam Wilkin, Chair)**

Mr. Wilkin read his reports aloud and they are as follows:

A Street and Safety Committee meeting was held on May 21, 2018 at 6:10PM, Venue: City Building – Upstairs conference room. Present: Myself, Mr. and Mrs. Culbreath, Mrs. Stanforth, and Mrs. Morris. Discussion: The planning and funding of the future skate park/sports complex. Summary: I called the meeting to order on time at 6:00PM. Mr. Leeth was unable to attend due to prior appointments. Much like the last meeting, we spent the majority of the time sharing ideas about things we would like to see in the new park as well as ideas about how to fund and maintain the improved area. Currently, we require more time and meetings to ensure that we complete this project in both a timely and permanent fashion. No motions were made to submit to full council. Mrs. Culbreath motioned to adjourn. I seconded the motion. Meeting adjourned at 6:37PM.

A Street and Safety Committee meeting was held on June 4, 2018. Present: Mr. Leeth, Mrs. Culbreath, Mr. Harsha, Mrs. Morris, Mrs. Stanforth, Mr. Culbreath, Bridget Wilkin, David Wright, and Tracy Aranyos. Venue: City Building – Upstairs conference room. The meeting began at 6:10PM and everyone was eager to get started. Chapters ninety and ninety-three of Hillsboro code were asked to be put in to committee for review, and review we did. We were able to discuss and hear different thoughts from several individuals at the meeting regarding the animal portions of Hillsboro City codes. Our intent is to streamline and update the language of the codes as well as ensure that there isn't anything missing that would be necessary to keep the peace with regard to animals within the city limits. Mr. Leeth suggested that we take a little more time to read through the codes individually and make note of any concerns or changes we would like to see

that we would then share at the next committee meeting. The committee was in agreeance. No motions were made to submit to full council. Mrs. Culbreath motioned to adjourn. Mr. Leeth seconded the motion. All members were in favor. Meeting adjourned at 6:51PM.

Ms. Culbreath asked Adam Wilkin what he and the Mayor had discussed during a meeting between the both of them. Mr. Wilkin said that they discussed funding and different options, but that nothing was set in stone.

There were no questions of the report.

#### **UTILITIES COMMITTEE (Brandon Leeth, Chair)**

Brandon Leeth expressed that they did not have a meeting because they had taken care of everything in that committee.

Mr. Koogler removed the items from his committee.

#### **ZONING AND ANNEXATION COMMITTEE (Wendy Culbreath, Chair)**

Justin Harsha, Chair of the Finance Committee read the minutes from this meeting. Ms. Culbreath did mention that she had seen the changes that were submitted for the Zoning Code and she would like to recommend that legislation be passed tonight.

There were no questions for Ms. Culbreath.

#### **COMMUNITY ENHANCEMENT (Claudia Klein, Chair)**

Ann Morris, Chair of the Property Maintenance and Restoration Committee read the minutes from this meeting. Ms. Klein requested that this Committee be allowed to look into developing a Parks and Recreation district. Mr. Koogler placed the matter into her committee.

Mr. Koogler stated that there had been a request to go into executive session in regards to security and negotiations of contracts and that Mr. Beery felt it was an appropriate reason to go into executive session. Mr. Beery agreed and added that the executive session would be for the purpose of discussing fire coverage.

**MOTION** Claudia Klein moved, seconded by Ms. Culbreath. All yeas. Council entered into executive session at 7:41 pm with Mr. Beery, Law Director, Mayor Drew Hastings and Mel McKenzie, Safety and Service Director.

Council members entered back into regular session at 8:16pm. Mr. Koogler expressed that no action would be taken as a result of the executive session.

#### **UNFINISHED BUSINESS**

## **PASSAGE OF ORDINANCES AND RESOLUTIONS (THIRD READING)**

- **Ordinance No. 2018-06** An Ordinance to adopt a comprehensive revision to the City Zoning Code.

Mr. Koogler explained that the clerk had not received the revisions until after the submittal deadline and that council did not have enough time to read the legislation. He then expressed that on suggestion from the committee chair, council could vote on the revisions.

**MOTION** Ms. Klein moved, seconded by Ms. Morris to approve the amendments to the ordinance. Vote was as follows: Culbreath, Morris, Klein, Stanforth all yeas; Harsha, Wilkin, Leeth all no's. The legislation amendments were approved.

Mr. Harsha expressed that he had actually not had time to look at the revisions because they were not turned in until that morning and he was not going to vote on something he had not read.

Mr. Koogler then left the room to make for certain that the legislation could even move forward, with amendments just being passed that night. He said that he would like Mr. Beery's opinion. When he came back into the room he expressed that he and Mr. Beery both agreed that the legislation was actually now considered to be on its second reading and the only way it could be passed this evening is by a suspension of the three reading rule. No motions were made.

The revised Ordinance will have a third reading at the next regularly scheduled Council Meeting.

## **SECOND READING OF ORDINANCES AND RESOLUTIONS** *None*

## **FIRST READING OF ORDINANCES & RESOLUTIONS**

- **Resolution No. 18-29** A Resolution to increase appropriations and to increase transfers.

**MOTION** Ann Morris moved, Justin Harsha seconded. All yeas. The resolution is approved and adopted.

- **Resolution No. 18-30** A Resolution to join the Paint Creek Joint EMS/Fire District.

Mr. Koogler explained that this would not receive a first reading but rather it would be placed into Committee jointly between the Finance and Street & Safety Committee, so a few things could be looked into. He mentioned that he knew that the current contract expires at the end of 2018, and it is time for the City to make some decisions on how we move forward.



**NEW BUSINESS** *None*

**ADJOURN**

**MOTION** Justin Harsha moved, seconded by Wendy Culbreath, to adjourn.  
Council adjourned at 8:27 p.m.

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

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Lee Koogler, President

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Heather Collins, Clerk