

HILLSBORO CITY COUNCIL MEETING
Hillsboro Municipal Court – 130 Homestead Drive

June 10, 2019

At 7:00 p.m., Council President Tom Eichinger called the Hillsboro City Council meeting to order. The following were present for the meeting: Mayor Drew Hastings, Fred Beery, Law Director, and Clerk Heather Collins. Mel McKenzie, Safety and Service Director was unable to attend the meeting.

Mr. Eichinger explained that Wendy Culbreath had resigned and there was yet to be a replacement announced.

ROLL CALL

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

Mr. Eichinger led the Council in prayer and the Mayor led them in the Pledge of Allegiance.

MINUTES

There were no corrections to the June 2019 Council minutes, nor were there corrections to the April continued to May, 2019 Public Hearing minutes and both were approved as submitted.

MONTHLY REPORTS

There were no questions about the June 2019 monthly reports and they were read by title only: Auditor, Income Tax Bureau, Police, Public Utilities (includes Street Department, Water and Sewer Maintenance), Treasurer's reports, Water Meter, Water Office (includes Water/Sewer Sales) Wastewater Treatment, and Water Treatment.

PUBLIC REQUESTS

None

COMMUNICATIONS

Clerk Collins explained that they had received a letter from South Central Power Company stating that they had accepted the approved Ordinance Number 2018-05.

CITIZENS' COMMENTS

-Dale Campbell of 129 West Josie Avenue stood and asked if the City still owned the Gross Fibel building and what was happening with it. Mr. Eichinger explained that due to Mel McKenzie's absence he would not be able to answer. The Mayor spoke up and said that the building was currently owned by the CIC "arm of the City" and that they had "hoped to have money this year to start demolition." He explained that the project was put on hold due to lack of funds in the budget.

-Karen Cundiff, owner/operator of Cundiff Flowers located at 121 W. Main Street stood and stated that she would like to be allowed back into her building and also asked why the cleanup from the building collapse had not started. Mr. Hastings stated that demolition could not move forward due to the property owner to the east seeking an

opinion of legal counsel on signing a “hold harmless” agreement for the City of Hillsboro. He went on to say “It’s in their hands now. I don’t know, I’m not a lawyer.” He also mentioned that the Safety and Service Director had “to answer to liability” and couldn’t just open the street back up and that he was hoping it would just be “days” before the project was started.

-Rick Lemonds President/CEO of South Central Power Company stood and explained that the electric company would be leaving the city limits. They had recently bought a property about 9 miles out of town. He believed they would be completely moved in about two years. Shawn Adkins asked if the “cut through” the City gave to the Company through Tower Drive would be closed. Mr. Lemonds would get with Shawn later on an answer.

-David Osborne from Peebles Ohio came forward representing the Southern Ohio Historical Preservation ****inaudible**** LLC. He explained that many people “including Mr. Hastings” were interested in buying the Hope buildings but the LLC had the winning bid. He went on to say that the LLC was awaiting engineer drawings prior to starting phase two of the project which would include using local contractors to complete the work on the building. He said that he had met with Mr. Hastings, Mr. Wisseman and Mr. McKenzie in April and they were disappointed by how the meeting went. “Early in the meeting Mr. Hastings looked at my son, ‘my ****inaudible**** legal team will chew you up.’ Mr. Hastings made things worse by giving me legal advice to withdraw from the contract and lose whatever money I’d put down. This is confusing to me because I thought Mr. Hastings wanted Hillsboro to expand and experience economical growth.” He went on to mention that the “City’s actions to date have cost 14 jobs.” He also explained that in May the City had an independent contractor inspect the buildings and the report was contradictory to Mr. Wisseman’s assessment. “No where in this report does it say that the buildings need to be demolished.” He said that the independent engineer’s report does not say that the building that Mama’s is located in is uninhabitable. He passed copies of the report out to Council members.

COMMUNICATIONS FROM THE MAYOR (Drew Hastings, Mayor)
Mayor Hastings report went as follows:

“First of all, I wanted to welcome Nicole Chambers to the Design Review Board. She is the owner of Chambers Design uptown, new business there on South High Street. She is the newest member of the Design Review Board and we are happy to get her working with the group. We had a hotel meeting with developers from Michigan last week. In attendance were Claudia, Mary, Ann and Council President. The developer wanted to know, umm wanted to know that the City would be supportive of them with this effort. I assured them that we would. They wanted to see that a TIF designation on that site and any allowable benefits to them that might result umm, umm be put together. I told them we would do everything possible in this regard and I believe the resolution for the TIF is probably on your agenda for this evening. Further, I’m going to meet with a TIF attorney next week in Cincinnati who is kind of considered an expert in these kinds of things and how to best structure one for this particular project. So as to be beneficial for both the developer and the City. I think we would, no question, we would like to see the hotel here

in town and they seemed pretty genuine. The next three days I will be at the Mayors Conference and I hope to come back with some interesting legislative updates um there that are taking place. There is a lot going on um particularly when it comes to local funds that could end up being returned back to Municipalities. I'd like to see where that is going. There is utility legislation that Shane Wilkin is behind. I want to see what's going on with that and some other items that will affect us here. Our movies under the stars which uh, is always fun and has been slow to take off because I think because people have not been aware of it. But you can see Movies Under the Stars beginning June 28th. You can go on to the city website, go on to facebook, find out what movies showing. They are all family friendly and what times those start. Last thing, I want to thank my staff. My Administrative Staff. We've had a new addition to staff in the last few months and I think between our new addition at the front desk and, uh with Kim Newman uhh... Tom Eichinger spoke up and said "Paulette." Drew went on and said "Paulette. Paulette. Who is near and dear to my heart, the three of them for some reason have a great administrative chemistry and they have gotten that office into a well running machine and I hear from people on the street all the time, umm, that they are really a joy to work with in trying to get things done. If they can't always get things done, when they come up to the front window or call in, they generally figure out a way to get it done. So, Thanks to them."

Justin Harsha asked if the Movies Under the Stars had been moved to the old school building location. Mr. Hastings asked his assistant, Kim Newman whom was in the audience if that was the case. She said that the first one had been moved over there. Justin said that he had talked to Tim Davis and that location was better so the kids could actually get there. Drew said that the last Movies Under the Stars was in October and The Night of the Living Dead would be playing.

There were no other questions of the Mr. Hastings.

SAFETY AND SERVICE DIRECTOR'S REPORT

Due to Mr. McKenzie's absence, President Eichinger read the Safety and Service Director's report aloud and it was as follows:

Good evening Council, my apologies for being absent but a late, unforeseen issue arose. I will be updating the status for the cleanup of 119 West Main Street. After the collapse on Monday, June 3, an immediate closure of the 100 block of W. Main St. was done. The demo contractor came in that evening to preliminarily assess the situation. Calls were made to the state for review. On Tuesday, June 4, the demo contractor installed fencing and a structural engineer was on site to inspect the damages. The state was in the process of scheduling an inspection. The city gave a letter to the property owner immediately next-door to the east indemnifying the city and any subcontractors from work on the collapse that may cause further damage to their building. Until this is done or an agreement is made no work will be done to the structure. It will remain closed off for the safety of the public. The city cannot take on liability caused by the negligence of another. On Wednesday, June 5th, an inspector from State Health Department and from the Environmental Protection Agency were on site to view the collapse. Both inspectors cleared it of any health issues and environmental issues. On Thursday, June 6, a state

representative from Occupational Safety and Health Administration, OSHA, came in to ask what had been done and the plan for abatement. The plan for abatement will not begin because of the liability reasons previously stated or possibly the property owner of 119 West Main St. will face legal charges. This same day another structural engineer arrived to assess and design stabilization plans. We are on hold until the stabilization design is complete and the liability is signed. The buildings west of 119 West Main St. owned by Jack Hope have very similar issues as 119. Due to this, the eastbound lane will remain closed to protect from potential failure. All these buildings were posted as uninhabitable not condemned as is often reported incorrectly. Uninhabitable means there are serious issues and is a public/owner awareness step and the owner has a chance to work with the city to remedy the issues within a reasonable time or appeal the posting. Condemned means there is no access allowed in a structure is past the point of return. Unfortunately, we are in a waiting game now but my patience is running thin and the city will be acting soon. Thank you.

There were no questions of Safety and Service Director's report.

PLANNING COMMISSION (Mayor Hastings)

Mayor Hastings read the report aloud and it was as follows:

"Planning Commission Report for June 10th. The Planning Commission meeting was May 20th, 2019. Those in attendance were Rob Holt who is the new chair, Charlie Guarino, vice chair, myself, Joe Mahan, Mel McKenzie and Clerk Kimberly Newman. Dane Allard was excused the quorum was met. Also present was Council member Ann Morris. Mayor Drew Hastings informed the Planning Commission that coming in July, 2019 there will be new changes of standards and verbiage in the Residential Code by the OBBS, which is the State building authority. The City will be offering two separate informational sessions in June. To anyone interested in or affected by the changes that will be coming. Discussion on the need a new member of the Planning Commission to fulfill Rob Holt's previous position was brief but is of utmost importance. COA from Dick Donley for the republican party was presented and moved to revisit at a later time with more information about the need of the COA and to have Mr. Donley present to answer any questions, since he was not there for the particular meeting. Charlie Guarino gave an update on the land bank. Mr. Guarino stated that \$83,000.00 has been acquired in the county in delinquency. Also Imagine Hillsboro Steering Committee will be meeting on May 30th and June 18th, 2019 6:00 – 8:00 pm at the County Admin conference room. Obviously the one on the 30th already happened. The one on June 18th is upcoming. Um, the Master Plan, ongoing. May 30th, 2019 the Steering Committee met, discussed the Master Plan for the City. City will advertise Imagine Hillsboro at several upcoming events to attract a larger audience, create more input and completion of surveys. First phase is complete and the plan is ongoing. Uh, one note that is not in here I will mention pertains back to my Mayors report is that one of the first things the developer for the hotel asked about was do we have a comprehensive Master Plan for the City because that was rather important to them to want to proceed with the hotel project so I was glad to see umm that it was umm that it was getting appreciated before it was even put into final

form. Our next Planning Commission meeting will be at 5:30pm at the County Administration Conference Room on June 17th, 2019. Public is always welcome.”

There were no questions of Mayor Hastings.

STANDING COMMITTEE REPORTS

FINANCE COMMITTEE (Justin Harsha, Chair)

Mr. Harsha read his report aloud and it is as follows:

The Finance Committee met on Meeting was called to order at 3:00pm on June 7th at the Hillsboro Conference Room. In attendance were committee members Mary Stanforth, Ann Morris and Justin Harsha. Also, in attendance, was Reed Harsha. This meeting was scheduled to review and recommend two members for the local board of tax review. Pursuant to ordinance 35A.18 the mayor shall appoint one member to the local board of tax review, which under my understanding will be Chris Lewis. Two members shall be appointed by council. Before our meeting I reached out to see if I could find a few qualified and willing candidates to suggest to our committee. Two local business people were mentioned, Tim O’Hara and Tara Pendell. We discussed what purpose the tax review board had, which is to hear any appeals to tax assessments. All members were comfortable with the two candidates and agreed to recommend to full council. Ann motioned to recommend to full council the appointment of Tim O’Hara and Tara Pendell to the local board of tax review. Mary seconded the motion. All in favor. Mary moved to adjourn, Ann seconded the motion. Meeting was adjourned at 3:07 pm.

Motion: Justin Harsha moved, seconded by Mary Stanforth to approve the appointments suggested by the Finance Committee. All yeas, Tim O’Hara and Tara Pendell were appointed the Local Tax Review Board.

There were no questions of Mr. Harsha.

PROPERTY MAINTENANCE AND RESTORATION (Ann Morris, Chair)

Ms. Morris read her report aloud and it was as follows:

The Property Maintenance and Restoration Committee met on May 21, at 5:00 in the City building’s conference room. In attendance were Justin Harsha, Adam Wilkin, and myself, council person Claudia Klein, Mayor Hastings, council president Tom Eichinger, and Shawn Adkins. Discussion was held on ideas for uses of the old firehouse property on North High. This was the second meeting held on this topic. Once again, possibly leasing the building, or using it for city events was suggested. Another idea was to sell or auction the building, with a reserve dollar amount placed on the property, based on the most recent appraisal. The sale of this property would help pay for renovations of a permanent council chambers. Reasons and advantages for having a permanent council chamber were brought up by Ms. Klein. WiFi access, as well as having all pertinent paperwork and information on hand, and consistency of having meetings in the same location. Also, there is enough space to keep a records department upstairs as well. Discussion continued on renovating the upstairs storage room of the City building, completing the intended use of the building as intended. Mr. Eichinger is going to see about having blue prints made

to price out the renovations, and check on furniture prices to finish the project. Mr Harsha is going to check on financing/ cost options. Mr. Wilkin is going to check on furnishings for the council seating area. Lastly, the committee took a brief look at the vacant property ordinances we have in effect. There are some vacant properties in the city that pose a nuisance to the residents of the area, and need enforced. The committee will reconvene next month and discuss what each of us have learned from our research. Justin made a motion to adjourn and Adam seconded. All agreed and the meeting adjourned at 5:50 pm.

Ms. Morris asked that railings for the Colony Space be added to her Committee. President Eichinger placed the matter into her committee.

There were no questions of Ms. Morris.

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

Ms. Stanforth read her report aloud and it was as follows:

The Civil Service and Employee Relations Committee met on May 23rd at 6:00pm in the conference room of the city building. In attendance were Brandon Leeth, Claudia Klein, Mary Stanforth and Cherri Pitzer. The changes in the Police Department positions were discussed and were agreed that the changes in the Ordinance 2019-04 were appropriate. It was also suggested that each department should be updated with current positions listed. The appropriate department supervisors and the SSD will be contacted to provide the committee with an updated position list. Each of the committee members received the updated Personnel Policies and Procedures Manual and Supplemental Administrative and Safety Policies. The first four chapters were reviewed and suggestions were made to amend certain sections. The committee will meet again to continue reviewing the manual. Brandon made a motion to adjourn and Claudia seconded. All agreed and the meeting was adjourned at 7:18 pm. Respectfully submitted, Mary Stanforth, Chair.

There were no questions were asked of Ms. Stanforth.

Justin spoke up and asked that 2019-04 be removed from the Civil Service and Employee Relations Committee and that the Tax Review Board appointments be removed from the Finance Committee. President Eichinger removed both matters from the Committees.

STREET AND SAFETY COMMITTEE (Adam Wilkin, Chair)

No Meeting. There were no questions of Mr. Wilkin.

UTILITIES COMMITTEE (Brandon Leeth, Chair)

No Meeting. There were no questions of Mr. Leeth.

There were no questions.

ZONING AND ANNEXATION COMMITTEE (No Chair)

There were no questions.

COMMUNITY ENHANCEMENT (Claudia Klein, Chair)

No meeting. There were no questions asked.

UNFINISHED BUSINESS

- **PASSAGE OF ORDINANCES & RESOLUTIONS (THIRD READING)**
None
- **SECOND READING OF ORDINANCES & RESOLUTIONS**
Ordinance No. 2019-04 An Ordinance to amend section 32.20 of the City Code to provide for the composition of the Police Department.

No motion was made. Legislation will have a third reading at the next scheduled Council Meeting.

- **FIRST READING OF ORDINANCES & RESOLUTIONS**
Ordinance No. 2019-05 An Ordinance to establish a Stormwater Utility.

No motion was made. Legislation will have a second reading at the next scheduled Council Meeting.

Resolution No. 19-22 A Resolution to authorize the Hillsboro Planning Commission to control the height, design and location of buildings in the City of Hillsboro pursuant to the Ohio Revised Code Section 713.04

Motion: Ann Morris moved, seconded by Claudia Klein to approve and adopt the legislation. The vote went as follows: Adam Wilkin-yea; Brandon Leeth-no; Ann Morris-yea; Claudia Klein-yea; Mary Stanforth-no; Justin Harsha-yea. The legislation was approved and adopted.

Resolution No. 19-23 A Preliminary Resolution outlining an agreement between the Ohio Department of Transportation and the City of Hillsboro to perform a sidewalk project numbered PID 108904 in Fiscal year 2022.

Motion: Claudia Klein moved, seconded by Adam Wilkin to suspend the three-reading rule. All yeas. The three-reading rule was suspended.

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

Ordinance No. 2019-06 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.

Motion: Mary Stanforth moved, seconded by Brandon Leeth to suspend the three-reading rule. All yeas. The three-reading rule was suspended.

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

NEW BUSINESS

None

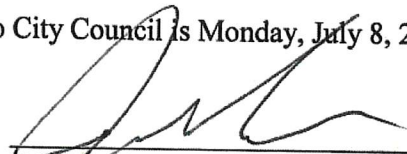
ADJOURN

Motion: Justin Harsha moved, seconded by Brandon Leeth. Council adjourned at 8:09 p.m.

The next scheduled meeting of the Hillsboro City Council is Monday, July 8, 2019 at 7:00 p.m. in the Hillsboro Municipal Court.



Heather Collins, Clerk



Tom Eichinger, President