

HILLSBORO CITY COUNCIL MEETING

February 08, 2021

At 7:00 p.m. Council President Tom Eichinger called the Hillsboro City Council meeting to order. The following were present for the meeting: Clerk Kimberly Newman, Brianne Abbott; Safety and Service Director, Auditor Alex Butler, and Mayor Justin Harsha, Public Works Superintendent Shawn Adkins, Police Chief Eric Daniels.

ROLL CALL

Patty Day, Claudia Klein, Mark Middleton, Ann Morris, Mary Stanforth, and Greg Maurer were present. Adam Wilkin, was absent and excused.

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

MINUTES

There were no corrections to the January 11, 2021 Regular Council minutes and they were approved as submitted.

MONTHLY REPORTS

The January 2021 monthly reports were read by title only: Income Tax Bureau, Police Department, Public Utilities (includes Street Department, Water and Sewer Maintenance), Treasurer's (includes Expense and Revenue), Water Meter Department, Water Office (includes Water/Sewer Sales), Water Treatment, Wastewater Treatment, Code Enforcement and Auditor.

COMMENTS FROM THE AUDITOR (Alex Butler, Auditor)

City auditor Alex Butler announced that the city ended 2020 with a carryover of \$1,634,860.10, which was much better than anticipated. Compared to 2019, the carryover was \$988,584.38, and the natural question is why, in the middle of a global pandemic was our carryover significantly better than the previous year. Butler advised some is due to the CARES ACT funding, two rebates from the Ohio Bureau of Workers' Compensation and the cooperation of city departments as reasons for the favorable financial outlook, particularly for the city's general fund. The total amount that the city received in CARES ACT money last year was \$418,355.95 and as discussed last year various ways that we had allocated that, and that hasn't changed, but a large portion of that money did go to reimburse payroll expenses. That helped our bottom line and didn't just affect the general fund, because wage is paid out of multiple funds, but it did help the general fund and the two rebates from OBWC greatly boosted the carryover as well. In May, the city received a rebate from Workers' Comp for about \$27,000, with another rebate, or reimbursement, in December, for a total of \$268,145.13, and \$171,000 and some change that went back into the general fund. COVID did not affected us as bad as anticipated and it will be interesting to see how it affects the city in 2021. Butler also advised that the spirit of teamwork, very smart decisions and some sacrificing from city employees and departments really helped as well.

PUBLIC REQUESTS: None

COMMUNICATIONS: None

CITIZENS' COMMENTS: None

Executive Session: At 7:11 p.m. Greg Maurer moved to go into Executive Session to discuss imminent legal action, seconded by Claudia Klein. Vote all yeas. Claudia Klein moved to come out of Executive Session and return to regular Council meeting at 7:35 p.m., seconded by Greg Maurer, vote all yeas. Regular session resumed at 7:35 p.m.

COMMUNICATIONS FROM THE MAYOR (Justin Harsha, Mayor)

Mayor Harsha advised Council that the Hillsboro Community Improvement Corporation had been established and held the first meeting this morning on 2-8-2021. This is per Ordinance 2021-01 passed at January Council meeting, the CIC members will be Mayor Harsha, Safety and Service Director Brianne Abbott, Public Works Superintendent Shawn Adkins, Council President Tom Eichinger, Economic Development Assistant Lauren Walker with Administrative Assistant/Clerk of Council Kimberly Newman as Secretary. This is the new board and we are very excited to move forward as we look to accomplish much with Council's help.

**SAFETY AND SERVICE DIRECTOR/PLANNING COMMISSION REPORT
(Brianne Abbott) See attachment 1**

STANDING COMMITTEE REPORTS

FINANCE COMMITTEE (Mary Stanforth, Chair)

- Wage & Pay Scale review/recommendations for city employees, joint with Civil Service and Employee Relations Committee.
- Mary Stanforth advised that a meeting was held jointly with Civil Service for 1-14-2021 at 6 pm at the Old Firehouse to discuss the pay ordinance. No decisions were made. See attachment 2

PROPERTY MAINTENANCE AND RESTORATION (Ann Morris, Chair)

No meeting. No questions were asked.

CIVIL SERVICE AND EMPLOYEE RELATIONS COMMITTEE (Mark Middleton, Chair)

- Update Civil Service Manual
- Personnel manual Updates
- Wage & Pay Scale review/recommendations for city employees, joint with Finance.

No meeting. No questions asked.

STREET AND SAFETY COMMITTEE (Adam Wilkin, Chair)

No meeting. No questions asked.

UTILITIES COMMITTEE (Greg Maurer, Chair)

No meeting. No questions asked.

ZONING AND ANNEXATION COMMITTEE (Patty Day, Chair)

No meeting. No questions asked.

COMMUNITY ENHANCEMENT (Claudia Klein, Chair)

No meeting. No questions asked.

UNFINISHED BUSINESS

PASSAGE OF ORDINANCES & RESOLUTIONS (THIRD READING):

Ordinance 2020-19 An Ordinance to establish an appeals fee in the City of Hillsboro. Council heard the third reading of Ordinance 2020-19. Council member Patty Day called upon Council President Tom Eichinger to speak on Ordinance 2020-19. Ms. Day advised President Eichinger and Council that she was unable to support an appeals fee in the city of Hillsboro stating that she felt as an elected or appointed official if someone has a concern about a decision that is made, then they should have the right to have Council look into it without having to pay a \$100.00 fee to do so. Ms. Day stated she was sorry, but she will not be able to support that. President Tom Eichinger then called for a motion with no motion made. Ordinance 2020-19 dies.

Ordinance 2020-21 An Ordinance to approve the application forms and fees specified therein associated with Building and Land Use controls in the City of Hillsboro

MOTION: Ann Morris moved to approve and adopt Ordinance 2020-21, seconded by Claudia Klein. Ms. Day-yes, Ms. Klein-yes, Mr. Maurer-abstained, Mr. Middleton-yes, Ms. Morris-yes. Ms. Stanforth-yes. 5-0 vote. Ordinance 2020-21 passed.

Ordinance 2020-24 An Ordinance to change the zoning classification of certain parcels and Modify the zoning map

MOTION: Claudia Klein moved to approve and adopt Ordinance 2020-24, seconded by Greg Maurer. Vote all yeas. Ordinance 2020-24 approved and adopted.

SECOND READING OF ORDINANCES & RESOLUTIONS- none

FIRST READING OF ORDINANCES & RESOLUTIONS:

Resolution 21-07 A Resolution authorizing participation in the ODOT Road Salt contracts awarded in 2021

MOTION: Mary Stanforth moved to approve and adopt Resolution 21-07, seconded by Greg Maurer. Vote all yea. Resolution 21-07 approved and adopted.

DISCUSSION: Public Works Superintendent Shawn Adkins advised council that this is an annual piece of legislation required for bidding on salt with the State. Ms. Day asked what is the city's current status on road salt. Mr. Adkins that the city did not purchase any salt last year and have about 800 tons left over, taking a chance and hoping the snow will stop soon.

Resolution 21-08 A Resolution to increase appropriations within the General Fund of the City (increase of \$100.00 donations in PD)

MOTION: Patty Day moved to approve and adopt Resolution 21-08, seconded by Claudia Klein. Vote all yeas. Resolution 21-08 approved and adopted.

Resolution 21-09 A Resolution to supplement appropriations within the Recreation Fund of the City

MOTION: Mary Stanforth moved to approve and adopt Resolution 21-09, seconded by Greg Maurer. Vote all yeas. Resolution 21-09 approved and adopted.

Resolution 21-10 A Resolution to authorize the Safety and Service Director to bid and accept the lowest and best bid for the SpringLake Ave. Improvement Project

MOTION: Claudia Klein moved to suspend the three -reading rule for Resolution 21-10, seconded by Greg Maurer. Vote all yeas.

MOTION: Ann Morris moved to approve and adopt Resolution 21-10, seconded by Patty Day. Vote all yea. Resolution 21-10 approved and adopted.

Resolution 21-11 A Resolution authorizing Safety and Service Director to apply for, accept, and enter into a Water Supply Revolving Loan Account (WSRLA) Agreement on behalf of the City of Hillsboro for Planning, Design and/or Construction of SpringLake Avenue Improvements Project Facilities; and Designating a dedicated repayment source for the loan

MOTION: Mary Stanforth moved to suspend the three-reading rule for Resolution 21-11, seconded by Claudia Klein. Vote all yeas.

MOTION: Greg Maurer moved to approve and adopt Resolution 21-11. Vote all yeas. Resolution 21-11 approved and adopted.

Resolution 21-12 A Resolution authorizing the Safety and Service Director to apply for, accept, and enter into a cooperative agreement for construction of SpringLake Avenue Improvements Projects between the City of Hillsboro and the Ohio water Development Authority and declaring an emergency

MOTION: Claudia Klein moved to suspend the three- reading rule for Resolution 21-12, seconded by Greg Maurer. Vote all yeas.

MOTION: Greg Maurer moved to approve and adopt Resolution 21-12, seconded by Claudia Klein. Vote all yeas. Resolution 21-12 approved and adopted.

DISCUSSION:

SSD Abbott advised that the city and council have talked about Springlake Avenue for the last year or so in regard to getting funding for this project. There is a need to expedite the bidding process due to material pricing increase. Public Works Superintendent Shawn Adkins said that the Biden administration's order to cut off the gas line has led to petroleum products going up 30 percent and the city's pipe supplier has given a heads up that within three or four months there will be at least a 30-percent increase that the city is trying to beat. This is already a \$900,000 project, so with a 30 percent increase on top of that, we need to act now. Due to this being urgent, council president Tom Eichinger encouraged council to consider suspending the three-reading rule so city Administrators can bid and accept these parts of the project and lock in a price.

SSD Abbott spoke on the need to apply for, accept and enter into a Water Supply Revolving Loan Account (WSRLA) Agreement on behalf of the City of Hillsboro for planning, design and/or construction of the project facilities and designating a dedicated repayment source for the loan; and applying for, accepting and entering into a cooperative agreement for the construction of the projects between the city and the Ohio Water Development Authority and the need for declaring an emergency.

Ordinance 2021-02 An Ordinance to change the zoning classification of certain parcels and modify the zoning map. First Reading. Second Reading will be at 3-8-2021 Council meeting. President Tom Eichinger placed this in Patty Day's committee, Zoning and Annexation to meet and report at 3-8-2021 Council meeting.

Ordinance 2021-03 An Ordinance to recodify the Ordinances for the City of Hillsboro, Ohio, codifying, renumbering, revising, and rearranging existing code of Ordinances of the city, adding new matter, and repealing various Ordinances, and to declare an emergency

MOTION: Greg Maurer moved to suspend the three-reading rule for Ordinance 2021-03, seconded by Ann Morris. Vote all yeas.

MOTION: Ann Morris moved to approve and adopt Ordinance 2021-03, seconded by Claudia Klein. Vote all yeas. Ordinance 2021-03 approved and adopted.

DISCUSSION: SSD Abbott advised that American Legal Publishing, which publishes the city's code online, suggested the necessary changes. In the process of American Legal reviewing our ordinances and recodifying, they found several out-of-date or necessary updates to make to the code. Administration went through all suggestions with our law director, to ensure all those applied. There were a few we had to throw out, but all the ones coming to you tonight have been reviewed, and the city believes this will really make a big difference in our Code of Ordinances. President Eichinger added that for the first time in about four years the online Code of Ordinances will be up-to-date. The city has a process in place with American Legal, with an update every six months with continuing up to date submission of Ordinances for updating. This is a big move forward for us, because it will allow our code to be much more current than it has been in a long time, and we have a way now to keep it fresh. When there are changes, those changes will come in on a more regular basis.

Ordinance 2021-04 An Ordinance for adoption of the International Property Maintenance Code. First Reading. Second Reading will be at 3-8-2021 Council meeting.

DISCUSSION: SSD Abbott advised Council that under this proposed ordinance the International Property Maintenance Code, 2018 edition, as published by the International Code Council would be adopted as the Property Maintenance Code of the City of Hillsboro. This serves in the State of Ohio for regulating and governing the conditions and maintenance of all property, buildings and structures. Proposed revisions include outlining fees and penalties for failure to comply and various updates to language in the current code, including deleting portions not applicable to the city. This is again, another update to our code of ordinances, advised Abbott. While reviewing American Legal changes, both the code enforcement officer and the building inspector were reviewing the International Property Maintenance Code. This will almost altogether replace our housing code that is very out of date. It refers to a housing inspector, which we don't have on staff, and never have had to my knowledge. There's just nothing in place for that. It will give us a leg to stand on for code enforcement and building inspections, better than what we currently have. Council member Mary Stanforth asked if the new code would apply to business, residential and the historic district. SSD Abbott advised that it applies to the whole city. They've reviewed the international code in-depth, and we had those questions too because the housing code refers specifically to, basically, residential, and there's really no coverage for commercial properties. This international code will have that as well.

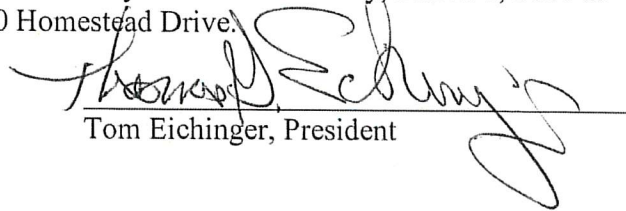
The proposed language calls for fees for failure to comply with a notice of violation and correction order under the code, including \$100 for a first offense, up to \$250 for a second offense and up to \$500 for subsequent offenses. Council member Mary Stanforth asked if these fees or penalties for first offense, second offense, subsequent offenses are the amount they suggested. SSD Abbott advised that she believed their suggestions were significantly higher. You want to have something fairly high to hold people accountable, but also not completely out of reach. Those are the figures that Steve Rivera, the building official, suggested. Council member Stanforth then asked if the city's code enforcement officer, Lauren Walker, will be in charge of enforcing the new code. SSD Abbott said for the most part, yes. This will significantly help her. Ms. Walker has reviewed it several times just to make sure everything she cites for is in this international property code. There was one item that wasn't, and that was fences, but we just made the update to the zoning code on fences, so we have that covered also, so everything she cites for, and every scenario we can come up with in the future, is in this international property code. Council member Patty Day asked if Walker has received special training before being named code enforcement officer. SSD Abbott advised that Ms. Walker has had several trainings and continues to do virtual trainings regularly. Council member Day then asked if Council was being asked to approve this ordinance tonight as well. SSD Abbott advised Council it would be best to adopt Ordinance 2021-04 tonight so it would go through with all the other changes, with the recodification. Abbott also advised this allows this to go to American Legal and would allow for a fresh update to the entire code. President Eichinger added that if not approved, the ordinance would go to American Legal for its next update in six months.

MOTION: Claudia Klein moved to suspend the three-reading rule, seconded by Greg Maurer. Vote- Mr. Middleton-yes, Ms. Morris-yes, Ms. Stanforth-yes, Ms. Klein-yes, Ms Day-no. Motion to suspend the three-reading rule failed by a 5-1 vote. Second Reading will be at 3-8-2021 Council meeting.


NEW BUSINESS: None

ADJOURN Motion: Greg Maurer moved, seconded by Mary Stanforth. Council adjourned at 8:07 p.m.

The next scheduled meeting of the Hillsboro City Council is Monday, March 8, 2021 at 7:00 p.m. at Municipal Courtroom 130 Homestead Drive.



Tom Eichinger, President



Kimberly Newman, Clerk