

## HILLSBORO CITY COUNCIL MEETING

March 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, Treasurer Heather Young, Mayor Justin Harsha, Public Works Superintendent Shawn Adkins, and Police Chief Eric Daniels.

### ROLL CALL

Patty Day, Claudia Klein, Mark Middleton, Ann Morris, Mary Stanforth, and Adam Wilkin were present. Greg Maurer, 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 February 08, 2021 Regular Council minutes and they were approved as submitted.

### MONTHLY REPORTS

The February 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 was in good standing and after April deadline for filing Income Tax, the city would have a better indicator of the rest of 2021.

**Executive Session:** At 7:04 p.m. Adam Wilkin moved to go into Executive Session to discuss property acquisitions, seconded by Patty Day. Vote all yeas. Claudia Klein moved to come out of Executive Session and return to regular Council meeting at 7:20 p.m., seconded by Adam Wilkin, vote all yeas. Regular session resumed at 7:20 p.m.

**PUBLIC REQUESTS:** FRS, Family Recovery Services Transportation. Joe Adray, Damon Lucas and Roger Cheesbro attended Council with Joe Adray and Damon Lucas advising Council of the transportation services available in the city of Hillsboro and in Highland County. Joe Adray gave a background story of how the transportation was started and the need for affordable transportation in Hillsboro. Damon Lucas told Council of the public transportation routes originated March of 2020, three weeks later were shut down due to COVID-19. Plans to re-establish the routes are in place with two loops running in opposite directions around Hillsboro, Monday through Friday with another loop in Greenfield. Pricing for transit will be \$1.00 for city limits travel, \$2.00 for up to 10 miles outside of city limits and \$3.00 to travel more than 10 miles outside of the city limits. Currently FRS has been transporting 57 people to workforce in Hillsboro.

**COMMUNICATIONS:** – Frontier Community Services/North Shore Villages, LLC  
Ohio Ethics Commission reminder letter for financial disclosure filing

**CITIZENS' COMMENTS:** None

**COMMUNICATIONS FROM THE MAYOR (Justin Harsha, Mayor)**

Mayor Harsha spoke to Council about the 2021 Senior Scholarship. 2020 was the first year for Senior Scholarships, three \$1,000.00 scholarships were awarded to graduating Seniors. With the city contributing \$1,000.00 and gaining donations from citizens and businesses in the amount of \$2,000.00. Anyone interested in giving this year can contact the City of Hillsboro. Scholarship submission deadline is March 31, 2021.

The 18 - hole disc golf project has started, with Mayor Harsha thanking Ben Ludlow and Dallas Hunt for all of their hard work in making the Disc Golf a reality. The pedestrian bridge has been installed and trails will be paved from center of town to Liberty park, with Shaffer parking lot and other parking lots to follow. There are plans to resurface Railroad Street park tennis courts, adding grilling in the future and setting donated benches and tables from Tissotts at Railroad park as well. Another project Mayor Harsha discussed was paving project on Northview Drive from High Street to the first stop sign. Mary Stanforth inquired if there would be water pad at Railroad park, Mayor Harsha advised not there, but it has been discussed and with the Hillsboro Swim Club mentioning this as well, in the future there will be a splash pad somewhere, just not at Railroad Street park.

**SAFETY AND SERVICE DIRECTOR/PLANNING COMMISSION REPORT**

**(Brienne Abbott) See attachment 1**

SSD Brienne Abbott introduced Steve Rivera Chief Building Official and Lauren Walker Code Enforcement Officer and Economic Development Assistant.

Rivera told council that he first suggested adopting the latest version of the International Property Maintenance Code in 2019 finding the property maintenance code that we refer to as the housing code misleading and outdated and at times ambiguous. Just to give you an idea of how outdated the housing code is, the housing code was adopted by ordinance in 1970, when Richard Nixon was president and the Vietnam War was raging.

Rivera told council that adopting the International Property Maintenance Code would be fully compatible and in line with our existing modern codes that we enforce today.

There are several surrounding municipalities, townships and counties that have adopted the same property maintenance code in some form that is before this council today.

Steve Rivera stated that he and Walker determined that updating the current housing code to work with our other building codes in the city would be too cumbersome and time-consuming" compared to using the already highly compatible, modern code proposed to council.

Lauren Walker and Steve Rivera both reported that the current code is unclear in its definitions, leading to difficulties in enforcement and in legal cases. Allowing the present housing code to remain would only contribute to more confusion, not only in interpretation, but also in enforcement.

Code Enforcement Officer Lauren Walker stated the proposed code gives us the tools necessary to take action properly without confusion or misinterpretation of the current code. Giving clear due process of law to the code official, but it also gives the rights and privileges of the design professional, the contractors, the building owners, and agents. To determine the penalties portion of the ordinance, Lauren Walker and Steve Rivera researched several villages, municipalities, counties and others who have adopted this

code, with the penalties proposed for Hillsboro as less than some and just different than others. This language presented to council 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. It holds the violators accountable, with the option to appeal, abate the nuisance or remedy the violation, and in most cases that I see, they become compliant. Ms. Walker hopes to educate and offer assistance to those in violation of codes.

Ms. Walker stated it's not only about the enforcement of the code, but it's just as important to educate and to share certain aspects to create positive relationships within the community since everyone cannot afford a roof or new gutters or have a way to get rid of large items or excessive trash. With researching and contacting local organizations the city will be able to give those in need a resource to help resolve their violations. These resources with additional educational outreach, will ideally lead to a sense of pride among property owners.

Ms. Walker also addressed the proposed repeal of several sections over three different chapters, including Chapter 152: Housing Code; Chapter 92: Garbage and Rubbish; and Chapter 93: Health and Sanitation. Stating throughout these chapter sections, the terms and definitions are not clear on exactly what's being enforced, these sections being repealed all fall under the property maintenance code, which covers residential and nonresidential, and it's clear and it's uniform.

Council member Patty Day asked, if they were referring to them not being updated since 1970, or are we just piecemealing the codes? Steve Rivera answered that he has noticed in the housing code that different ones were updated in the 1980s and so forth, but it's sporadic, and that is where it becomes confusing. Ms. Day also asked about the penalties. Ms. Walker answered that the penalties portion that falls with this property maintenance code, we've kept how it is in the property maintenance code. We're just adding the penalties along with it, where we're supposed to insert the penalties amounts, as the penalties in the current code are not consistent.

Ms. Day then asked if the proposal is that we adopt this manual as written. Steve Rivera answered yes, with their insertions, no penalty is inserted that is left to the jurisdiction to create that. We inserted the penalties portion, and it would be up to council to review it. Walker added that there are various portions of the code for each municipality to make their own standards.

"I think you can see the importance of moving forward with this, if at all possible, when you consider in particular what Ms. Walker was talking about having difficulties getting a ruling or even being able to take it to a court if necessary because of the lack of clarity in the current code," Eichinger said. "It's wide-open for interpretation and as pointed out, very misleading. That's why there's urgency in all of this."

## **STANDING COMMITTEE REPORTS**

### **FINANCE COMMITTEE (Mary Stanforth, Chair)**

- Wage & Pay Scale review/recommendations for city employees, joint with Civil Service and Employee Relations Committee.

### **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)**

Meeting held on 2-23-2021 at 6pm at 108 Trimble Place see attachment 2

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

No meeting. No questions asked.

**UNFINISHED BUSINESS**

**PASSAGE OF ORDINANCES & RESOLUTIONS (THIRD READING): none**

**SECOND READING OF ORDINANCES & RESOLUTIONS-**

Ordinance 2021-02 An Ordinance to change the zoning classification of certain parcels and modify the zoning map.

MOTION: Claudia Klein moved to suspend the three-reading rule for Ordinance 2021-02, seconded by Adam Wilkin, vote all yeas. Three-reading rule suspended.

MOTION: Claudia Klein moved to approve and adopt Ordinance 2021-02, seconded by Adam Wilkin, vote all yeas. Ordinance 2021-02 approved and adopted.

Ordinance 2021-04 An Ordinance for adoption of the International Property Maintenance Code.

MOTION: Ann Morris moved to suspend the three-reading rule for Ordinance 2021-04, seconded by Claudia Klein, vote all yeas. Three-reading rule suspended.

MOTION: Mary Stanforth moved to approve and adopt Ordinance 2021-04, seconded by Adam Wilkin, vote all yeas. Ordinance 2021-04 approved and adopted.

**FIRST READING OF ORDINANCES & RESOLUTIONS:**

Resolution 21-13 A Resolution to authorize the Safety and Service Director to enter into a contract with Stantec Consulting Service Inc. for additional services in an amount not to exceed \$15,000.

MOTION: Adam Wilkin moved to approve and adopt Resolution 21-13, seconded by Mark Middleton, vote all yeas. Resolution 21-13 approved and adopted.

**DISCUSSION:** SSD Brianne Abbott advised this resolution was for the TAP grant, there are new ODOT handicap regulations for degree of slope on sidewalk ramps for ADA which will require more money in the amount of \$15,000.00. Bids are due in April.

**Resolution 21-14 A Resolution to supplement appropriations and transfer funds within the fund of the city.**

**MOTION:** Claudia Klein moved to approve and adopt Resolution 21-14, seconded by Mary Stanforth, vote all yeas. Resolution 21-14 approved and adopted.

**DISCUSSION:** Auditor Alex Butler explained that this resolution would make the donation for the Parks available for expenditure.

**Resolution 21-15 A Resolution to increase appropriations within the general fund of the city.**

**MOTION:** Patty Day moved to approve and adopt Resolution 21-15, seconded by Mark Middleton, vote all yeas. Resolution 21-15 approved and adopted.

**DISCUSSION:** Auditor Alex Butler explained this resolution would allow for an increase in Pro-Services line item in the Water Department to allow for an equal 50/50 split.

**Resolution 21-16 A Resolution to supplement appropriations and transfer funds within the fund of the city.**

**MOTION:** Adam Wilkin moved to approve and adopt Resolution 21-16, seconded by Patty Day, vote all yeas. Resolution 21-16 approved and adopted.

**DISCUSSION:** Auditor Alex Butler explained this resolution was for money that was pre-borrowed for the pedestrian bridge. This would allow for a line item to be created, needing approval for budget expenditure.

**Resolution 21-17 A Resolution to increase appropriations within the general fund of the city.**

**MOTION:** Mark Middleton moved to approve and adopt Resolution 21-17, seconded by Claudia Klein, vote all yeas. Resolution 21-17 approved and adopted.

**DISCUSSION:** Auditor Alex Butler explained this Resolution would allow for Police Department donations to be available for expenditure.

**Ordinance 2021-05 An Ordinance to transfer property to the CIC.**

**MOTION:** Ann Morris moved to suspend the three-reading rule, seconded by Adam Wilkin, vote all yeas. Three-reading rule suspended for Ordinance 2021-05.

**MOTION:** Adam Wilkin moved to approve and adopt Ordinance 2021-05, seconded by Mark Middleton, vote all yeas. Ordinance 2021-05 approved and adopted.

**DISCUSSION:** SSD Brianne Abbott explained that the old firehouse 108 Trimble Place, 115 and 119 West Main Street and 264 West Walnut Street are all four parcels being transferred to the CIC to in turn transfer to a developer in the event such transfer shall be beneficial to the economic development of the City. The two properties in the downtown will be marked for downtown development purposes, and the funds gained from those sales would then be utilized for additional economic development. The Walnut Street property is a residential property that we would put for sale, and the remaining funds would also be utilized for economic development.

Council member Mary Stanforth asked if the property on West Walnut Street is the house the city tore down and now going to put it up for sale?

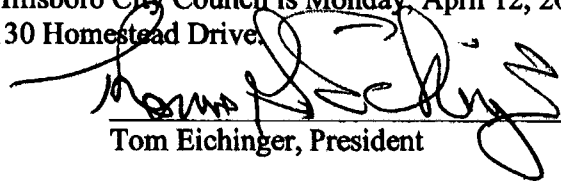
SSD Abbott said that the demolition was done prior to her taking office, but she believed it occurred in 2019. At the time there was a plan worked out, but it never went through and the city is now reintroducing it to market for sale, and the city has received some interest in the property. All of these properties will have a service agreement going from the city to the CIC, where the CIC will have to follow what is in the service agreement, SSD Abbott explained.

Council president Tom Eichinger then asked if there was an urgency on passing the ordinance. SSD Abbott said it was fairly urgent. The firehouse property, as you know, we are closing as soon as possible, SSD Abbott said. The two Main Street properties, the center property, from what I understand, has a buyer, so we can market the other two parcels to that buyer or someone for development. With that, there is a sense of urgency here to get this done.

**NEW BUSINESS:** None

**ADJOURN** Motion: Patty Day moved, seconded by Claudia Klein. Council adjourned at 8:10 p.m.

The next scheduled meeting of the Hillsboro City Council is Monday, April 12, 2021 at 7:00 p.m. at Municipal Courtroom 130 Homestead Drive.



Tom Eichinger, President



Kimberly Newman, Clerk