

Council Chambers
Public Hearing
October 27, 2014
7:30 p.m.

Pres. Rinehart called to order the Public Hearing on Item #1 on tonight's Council Regular Meeting Agenda, an ordinance to approve the action of the Chillicothe Planning Commission in rezoning the property located at 280-282 N. High Street from Residential Office to General Commercial. The following seven members were present: Ames, Bonner, Neal, Proehl, Showman, Tatman and Trutschel. (Ms. Gray and Mrs. Patrick absent.) There were 2 media representatives and 7 other visitors present, in addition to Mayor Everson, City Law Director Rutherford, and City Auditor Feeney.

Pres. Rinehart called upon Mrs. Ames to lead tonight's discussion on the subject of the Public Hearing. Mrs. Ames stated that the Dairy Queen on N. High Street is looking to expand, but that in order to do so, they need to have these two parcels rezoned from Residential Office to General Commercial. She said that she has received no concerns from any citizens on the proposed rezoning, and that these properties have had commercial entities on them since before the city adopted its first Zoning Code. She said that in the future, additional legislation will come before City Council in order to also rezone the property located at 288 N. High Street, where the current Dairy Queen is located. She said that the Chillicothe Planning Commission inadvertently omitted making a decision on the proposal to also rezone the property at 288 N. High Street, although that property was included with the original request for rezoning.

Pres. Rinehart inquired if any member of the public wished to be heard on the subject. There being no response, Pres. Rinehart declared the Public Hearing closed at 7:35 p.m.

Clerk of Council

President of Council

Council Chambers
Regular Meeting
October 27, 2014
7:35 p.m.

Council met in regular session with the following seven members present: Ames, Bonner, Neal, Proehl, Showman, Tatman and Trutschel. (Ms. Gray and Mrs. Patrick absent.) There were 2 media representatives and 7 other visitors present, in addition to Mayor Everson, City Law Director Rutherford, and City Auditor Feeney.

Pres. Rinehart led in the Pledge of Allegiance to the Flag.

Mrs. Neal moved and Mr. Trutschel seconded that the Minutes of the Legislative Review Session of October 13, 2014, and the Minutes of the regular meeting of October 13, 2014, be accepted and approved, as submitted by the Clerk. All members present voted "yea" and Pres. Rinehart declared the motion adopted.

COMMITTEE REPORTS

Finance Committee:

Mr. Trutschel stated that as Chairman of the Finance Committee, he was given the impression prior to the last regular meeting that the \$25,000.00 to be appropriated under Item #9 on that evening's Agenda was not needed until the spring of 2015, because there reportedly was no contractor available to perform the repairs to Water Street this fall. However, he stated that City Engineer Tom Day is now saying that the money is needed this year, and that they are ready to go ahead with the repairs. Mr. Trutschel said that the repairs must be made before next year's repaving of Water Street can be accomplished. Mr. Trutschel moved and Mrs. Ames seconded that Item #9 from the last regular meeting, an ordinance appropriating \$25,000.00 for repairs to Water Street in preparation for the Ohio Public Works Resurfacing Project scheduled for autumn, 2014, be brought off the table, and that Rule 13(b) be waived in order to do so. All members present voted "yea" and Pres. Rinehart declared the motion adopted, designating this particular item as Item #7 on tonight's Agenda for its first reading.

City Services Committee:

Mrs. Neal reported on Item #6 to appropriate monies for refunds of deposits and overpayments to the refuse collection portion of the Utilities Department for the remainder of 2014, on tonight's Agenda for its first reading. She said that she will seek to pass this item tonight. She said that there will be a meeting of the City Services Committee on Wednesday, November 5, 2014, to discuss Council Committee Assignment #14-123, pertaining to the status of funding for a dump truck and salt spreader.

Development Committee:

Mrs. Ames reported on Item #1, to approve the action of the Planning Commission in rezoning the property located at 280-282 N. High Street from Residential Office to General Commercial, on tonight's Agenda for its third reading. Mrs. Ames urged passage of this item tonight. Mrs. Ames reported on Item #2 to designate a revitalization district within the City of Chillicothe, Ohio, pursuant to Ohio Revised Code Section 4301.81, on tonight's Agenda for its second reading. She noted that this matter is scheduled for a Public Hearing just prior to the next regular meeting on November 10, 2014. Mrs. Ames reported on Item #3 to amend Sections 1151.02 and 1151.03 of the Codified Ordinances in order to allow "residential" as a permitted use on other than the street level in the Historic District, on tonight's Agenda for its second reading. She said that this will also be the subject of a Public Hearing immediately prior to the regular meeting of November 10, 2014. Mrs. Ames reported on Item #5 to authorize an application for Ohio Public Works Commission Issue I Grant funds for 2015 for street construction and alley and curb ramp rehabilitation within the city, on tonight's Agenda for its first reading. She said that she will seek to pass this item tonight.

REPORTS OF OFFICIALS

Report of Mayor Everson:

Mayor Everson said that there will be a meeting on the proposed income tax levy this Wednesday, at 6:30 p.m., in the Ross County Service Center on Western Avenue. He also urged the members of Council to submit letters in support of passage of the levy to the editor of the *Chillicothe Gazette*. Mayor Everson announced that the first budget meeting for 2015 will take place this coming Friday, at 4:00 p.m., here in Council Chambers. Mayor Everson concluded his report by urging passage of Item #1 and also Item #7.

Report of Auditor Feeney:

City Auditor Feeney urged passage of Item #6, stating that there are citizens out there who are waiting on the refunds of their deposits and overpayments to the refuse collection portion of the Utilities Department. He also urged passage of Item #7, after acknowledging that there was some confusion about the ability of the city to get the work done on Water Street before the end of this year. He said that he is glad that this has now been cleared up by City Engineer Tom Day. Mr. Feeney said that as of tomorrow, his office should have a new request for proposal for the purchase of needed software.

Report of Law Director Rutherford:

City Law Director Rutherford stated that she recently provided a training session on issues under the 4th Amendment of the U. S. Constitution to local law enforcement officers. She said that she also wishes to thank the members of City Council for the timely submission of their legislation requests.

Report of Pres. Rinehart:

Pres. Rinehart also urged passage of the City Income Tax Levy by the voters of Chillicothe next week. He urged the members of City Council to go out there among the public in order to drum up support, giving a lengthy commentary on the need for the additional revenues and the history behind the creation of that need, as well as the city's response in the past to reduced revenues through substantial budget cuts.

AUDIENCE PARTICIPATION

Mrs. Donna Stevens of Seminole Road said that she is here tonight before Council to provide her annual report on the little red cabooses at the head of Yoctangee Park. She said that they continue to accept donations, and that they are looking forward to a new exhibit called "Kix Cereal" for next year. She discussed the number of visitors as well as the types of groups of visitors that attended the Railroad Museum this past year, stating that they were open a total of 155 days. She said that the volunteers donated a total of 795 hours, and that the total visitors amounted to 1,638 people. She concluded by stating that Councilman Dave Tatman is decorating their trees and that they appreciated his service.

OLD BUSINESS

Mr. Tatman moved and Mr. Trutschel seconded that Council excuse the absences of Ms. Gray and Mrs. Patrick. All members present voted "yea" and Pres. Rinehart declared the motion adopted.

Mr. Trutschel expressed his thanks to Mrs. Stevens for all of her volunteer work at the railroad cabooses. Mr. Trutschel also thanked those people who attended the meeting concerning the income tax levy at Allen School last week. He said that the water lines in the Hesswood area will be replaced first, prior to the repaving of the streets.

NEW BUSINESS

Mrs. Ames announced on behalf of Mrs. Patrick that there will be a meeting of the Utilities/Transit Committee on Wednesday at 4:00 p.m., in the first floor conference room of the Administration Building, in order to discuss two items. Mrs. Ames expressed her thanks to the Chillicothe Fire Department for having its open house on Saturday afternoon, and she also noted the success of the open house by the Downtown Associates, as well as the beautiful Chillicothe Jaycees' and Chillicothe Evening Lions Club's Halloween Parade.

Mr. Bonner expressed his thanks to Mrs. Schmidt for setting up the local officials who rode in the front of the Halloween Parade.

COUNCIL ASSIGNMENTS AND CALENDAR

Pres. Rinehart announced the following additional Council Committee Assignments for inclusion in the Journal of Council:

- #14-139-Human Resources-Request for legislation to transfer funds from the Civil Service Salaries and Fringes to outside contracts;
- #14-140-Utilities/Transit-Request for legislation to re-allocate \$5,620.00 to cover the remaining balance due to purchase a mechanical brush used to clean/prep fire hydrants for painting;
- #14-141-Utilities-Request for Council's consideration of the creation of a storm sewer collection fee;
- #14-142-Utilities/Transit-Request for legislation to unappropriate certain expenses within the Neenah Gardens Fund and to transfer and appropriate money from the sewer fund sewer sub funds;
- #14-143-Finance-Request for legislation to appropriate \$16,000.00 to the income tax refund account from unappropriated general fund; and
- #14-144-Finance-Request for legislation to authorize the City Council Finance Chairperson to act as Deputy Treasurer in times when the City Treasurer is out of town or unavailable.

READING AND PASSAGE OF LEGISLATION

Ord. No. 92-14 approving the action of the Planning Commission of the City of Chillicothe in rezoning property located at 280-282 N. High Street, Chillicothe, Ohio from Residential Office (RO) to General Commercial (GC) was read for the third time by title only. On final passage, all members present voted "yea" and Pres. Rinehart declared Ord. No. 92-14 adopted.

An Ordinance designating a revitalization district within the City of Chillicothe, Ohio pursuant to Ohio Revised Code Section 4301.81, and declaring an emergency was read for the second time by title only.

An Ordinance amending Sections 1151.02 and 1151.03 of the Codified Ordinances of the City of Chillicothe, Ohio was read for the second time by title only.

An Ordinance appropriating \$14,889.00 to cover Fire Department vehicle repair, fuel, and insurance costs for the remainder of calendar year 2014, and declaring an emergency was read for the second time by title only.

Res. No. 16-14 authorizing the appropriate city officials to apply for Ohio Public Works Commission (OPWC) Issue I Grant funds for the year 2015 to be used for street construction and alley and curb ramp rehabilitation within the City of Chillicothe to accept grant funds, if awarded, and declaring an emergency was read for the first time by title only. Mrs. Ames moved and Mr. Trutschel seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Rinehart declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Rinehart declared Res. No. 16-14 adopted.

Ord. No. 93-14 appropriating monies for refunds of deposits and overpayments to the refuse collection portion of the Utilities Department for the remainder of calendar year 2014, and declaring an emergency was read for the first time by title only. Mrs. Neal moved and Mr. Proehl seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Rinehart declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Rinehart declared Ord. No. 93-14 adopted.

Ord. No. 94-14 appropriating \$25,000.00 for repairs to Water Street in preparation for the Ohio Public Works Resurfacing Project scheduled for Autumn, 2014, and declaring an emergency was

read for the first time by title only. Mr. Trutschel moved and Mrs. Ames seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Rinehart declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Rinehart declared Ord. No. 94-14 adopted.

Mrs. Ames moved and Mrs. Neal seconded that the regular meeting be adjourned. All members present voted "yea" and Pres. Rinehart declared the motion adopted. Adjourned at 8:02 p.m.

Clerk of Council

President of Council