

Council Chambers  
Public Hearing No. 1  
November 10, 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 designate a Revitalization District within the City of Chillicothe, Ohio, pursuant to Ohio Revised Code Section 4301.81. All nine members of Council were present: Ames, Bonner, Gray, Neal, Patrick, Proehl, Showman, Tatman and Trutschel. There were 2 media representatives and 6 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 First Public Hearing. Mrs. Ames stated that this is a Public Hearing required under Ohio Revised Code Section 4301.81, prior to the designation of a Revitalization District. She said that the Revitalization District will cover the entire Historic District in downtown Chillicothe, and that basically it will permit the city to get more liquor licenses issued for restaurants locating in the downtown area. She said that she has received no opposition to this proposal, and that if this is passed by Council tonight, it will go under the city's Zoning Code.

Pres. Rinehart inquired if any member of Council or any member of the public wished to be heard on the subject. There being no response, Pres. Rinehart declared the First Public Hearing closed at 7:31 p.m.

---

Clerk of Council

---

President of Council

Council Chambers  
Public Hearing No. 2  
November 10, 2014  
7:31 p.m.

Pres. Rinehart called to order the Public Hearing on Item #2 on tonight's Council Regular Meeting Agenda, an ordinance to amend Sections 1151.02 and 1151.03 of the Codified Ordinances to allow "Residential" as a permitted use on other than the street level in the Historic District. All nine members of Council were present: Ames, Bonner, Gray, Neal, Patrick, Proehl, Showman, Tatman and Trutschel. There were 2 media representatives and 6 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 Second Public Hearing. Mrs. Ames stated that the proposed ordinance is really just a matter of clarification. She said that with passage of this ordinance, residential use on other than the street level will be specifically stated in the Zoning Code as a permitted use within the Downtown District. She said that she has checked with several other cities and learned that many of those cities also do not have this language. She said that traditionally the downtown commercial districts consisted of storefronts on the street level, with the upper floors used as residences of the storekeepers or as apartments. She said that having this specifically stated in the Chillicothe Zoning Code will help with any downtown development in the future. She indicated that this came up during the process of the financing of the Carlisle reconstruction. She said that this was needed in order to satisfy the lending institution, and that a commitment has been made to seek Council's approval of the change to the Zoning Code. She urged favorable passage of this ordinance tonight.

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

---

Clerk of Council

President of Council

Council Chambers  
Regular Meeting  
November 10, 2014  
7:35 p.m.

Council met in regular session with all nine members present: Ames, Bonner, Gray, Neal, Patrick, Proehl, Showman, Tatman and Trutschel. There were 2 media representatives and 6 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.

Mr. Trutschel offered a correction to the Minutes for the regular meeting of October 27, 2014, stating that on page 836, under the heading "Old Business", the final sentence of the second paragraph should be changed to read: "He said that the water lines in the Hesswood area will be replaced first, prior to the repaving of the streets." Mr. Bonner moved and Mr. Proehl seconded that the Minutes of the October 27, 2014, Public Hearing and the Minutes of the October 27, 2014, regular meeting be accepted and approved, subject to the correction offered by Mr. Trutschel, but as otherwise submitted by the Clerk. All members present voted "yea" and Pres. Rinehart declared the motion adopted.

## COMMITTEE REPORTS

### **Utilities/Transit Committee:**

Mrs. Patrick reported on Item #7 to reduce the appropriations for the Neenah Gardens Project, on tonight's Agenda for its first reading. She said that she will seek to pass this item tonight. She also commented on the status of five Council Committee Assignments, stating that Assignment #14-84 is at the Law Director's Office for preparation of legislation; Assignment #14-105 has been tabled until the year 2015; Assignment #14-119 is being reported out of committee with no action to be taken; Assignment #14-140 is also being reported out of committee with no action to be taken; and Assignment #14-142 is still under study by the committee.

### **Safety Services Committee:**

Mr. Proehl reported on Item #3 to appropriate \$14,889.00 to cover Fire Department vehicle repair, fuel, and insurance costs for the remainder of calendar year 2014, on tonight's Agenda for its third reading. Mr. Proehl moved and Mrs. Patrick seconded that Item #3 not be read tonight. All members present voted "yea" and Pres. Rinehart declared the motion adopted.

**Finance Committee:**

Mr. Trutschel reported on Item #5 to appropriate \$16,000.00 for income tax refunds, on tonight's Agenda for its first reading. He said that he will seek to pass this item tonight. Mr. Trutschel also stated that the City Treasurer has requested that a Deputy Treasurer be authorized by Council to act in his place when he is unavailable in order to sign checks. Mr. Trutschel stated that he has suggested, as an alternative, that this be done by the Chairman of the Finance Committee. He said that he could do this at no additional cost to the city, and that he will be bringing in legislation to authorize this.

**Development Committee:**

Mrs. Ames reported on Item #1 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 third reading. Mrs. Ames reported on Item #2 to amend Sections 1151.02 and 1152.03 of the Codified Ordinances to allow "Residential" as a permitted use on other than the street level in the Historic District, on tonight's Agenda for its third reading. She said that both of these items were discussed earlier tonight during the public hearings, and that she urges passage of both items tonight. Mrs. Ames reported on Item #4 to appropriate \$4,780.00 for the Housing & Urban Development Community Housing Improvement Program Grant, on tonight's Agenda for its first reading. She said that she will seek to pass this item tonight, as it is merely to correct a bookkeeping error.

**Parks & Recreation Committee:**

Mr. Bonner reported on Item #6 to authorize the transfer of Parks & Recreation Capital Funds for costs related to the replacement of a damaged desk and computer, on tonight's Agenda for its first reading.

**City Services Committee:**

Mrs. Neal said that the City Services Committee has nothing on tonight's Agenda. However, she stated that she is reporting out of the committee Council Assignment #14-123, a request for legislation to authorize the purchase of a dump truck bed. She said that this will be considered during the 2015 budget discussions.

**REPORTS OF OFFICIALS**

**Report of Mayor Everson:**

Mayor Everson said that he met today with the members of the Chillicothe Fire Department and their union representatives. He said that they have signed off on a reduction of manning to 8 persons per shift, down from the current level of 10 persons per shift. Mayor Everson urged Council to pass both Item #1 and Item #2 tonight.

**Report of Auditor Feeney:**

City Auditor Feeney commented on Item #4, stating that this is merely to correct a bookkeeping error, and that he urges passage of this item tonight. He commented on Item #5, stating that this is something that is done annually in order to take care of necessary income tax refunds. Mr. Feeney also commented on Item #7, stating that this is necessary in order to make the final note payment on the Neenah Gardens Project, and that he also urges passage of this item tonight. Mr. Feeney said that last year, or earlier this year, Council passed a resolution to oppose passage of H.B. 5 in the Ohio General Assembly. He said that this is legislation that attempts to make uniform the collection of municipal income taxes throughout Ohio. He indicated that the

Ohio Senate is now likely to vote on this legislation in the next few weeks, and that in its current form, it will have an adverse effect on Chillicothe's income tax revenues. He said that he recently met with State Senator Peterson to discuss this, but that unfortunately it continues to look as if it will pass. He indicated that the Ohio Senate will probably vote fast on this.

**Report of Pres. Rinehart:**

Pres. Rinehart noted that the U.S.M.C. was born on this day 239 years ago in 1775. He said that he wishes to express his thanks to all veterans and also to all who are currently serving in all branches of the military. In addition, he expressed his thanks to the city's service crews who performed the patchwork on the intersections up on Hesswood.

**AUDIENCE PARTICIPATION**

William Barnhart of 373 McKeller Street asked why the city's refuse trucks are out on the streets making noise at 6:00 a.m. He asked Mayor Everson to respond. Mayor Everson said that this will be changed by one hour in recognition of the change of the season. Mr. Barnhart then asked how long it will be that the Roger Moore thing goes on. Mayor Everson responded, stating that this is an open appeal case, and that he cannot comment.

**OLD BUSINESS**

Mr. Bonner commented on the possibility of a motor vehicle license plate fee. He said that if the City of Chillicothe goes to the maximum fee permitted, of \$20.00 each vehicle, this will bring in about \$400,000.00 per year. He said that the city could then borrow approximately 3.5 million dollars against the future revenues. He said that he thinks that the city should do this, and he said that this would show leadership. He inquired of City Auditor Feeney as to the feasibility of doing this. Mr. Feeney said that Mr. Bonner is probably correct. Mayor Everson interjected that he has a legislation request coming to Pres. Rinehart on this for assignment to an appropriate committee.

**NEW BUSINESS**

Mrs. Ames said that she has passed out a copy of a flier concerning the Downtown Associates' Christmas Open House and "Light the Park" events scheduled to take place from November 21, 2014 through November 23, 2014. She proceeded to discuss these events, also sponsored by the Downtown Development Commission, reading aloud from the flyer. She also named off all of the sponsors of these events, stating that there will be additional events set up, as well.

Mr. Trutschel commented on the matter of trash haulers, stating that Council passed an ordinance that states that the private trash haulers are not supposed to start activities within the city until 6:00 a.m. Mr. Trutschel said that if our city crews are also starting at 6:00 a.m., he does not see any problem with this. Mr. Barnhart interjected that this has to do with safety. Mayor Everson said that he agrees that it is a safety issue and that it relates to when daylight begins.

**COUNCIL ASSIGNMENTS AND CALENDAR**

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

#14-145-Development-Request for legislation to do a budget adjustment in the CHIP

Grant FY 2012 fund;

#14-146-Parks & Recreation-Request for legislation to accept a donation of 30 bags of fertilizer from Wal-Mart;

#14-147-Human Resources-Request to amend Ord. No. 60-14 to extend the hiring period of 2 part-time workers from October 31, 2014, to through the winter; and

#14-148-Development-Request for legislation to accept a reimbursement check from Edna Reed in the amount of \$3,127.27.

### READING AND PASSAGE OF LEGISLATION

**Ord. No. 95-14** 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 third time by title only. On final passage, all members present voted “yea” and Pres. Rinehart declared Ord. No. 95-14 adopted.

**Ord. No. 96-14** amending Sections 1151.02 and 1151.03 of the Codified Ordinances of the City of Chillicothe, Ohio was read for the third time by title only. On final passage, all members present voted “yea” and Pres. Rinehart declared Ord. No. 96-14 adopted.

**Ord. No. 97-14** appropriating \$4,780.00 for the Housing & Urban Development (HUD) Community Housing Improvement Program (CHIP) grant, 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 Ord. No. 97-14 adopted.

**Ord. No. 98-14** appropriating \$16,000.00 for income tax refunds, 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. 98-14 adopted.

An Ordinance authorizing the transfer of Parks & Recreation Capital Funds for costs related to the replacement of a damaged Parks & Recreation desk and computer, and declaring an emergency was read for the first time by title only.

**Ord. No. 99-14** reducing appropriations for the Neenah Gardens Project, and declaring an emergency was read for the first time by title only. Mrs. Patrick moved and Mr. Bonner 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. 99-14 adopted.

Ms. Gray moved and Mr. Bonner seconded that the regular meeting be adjourned. All members present voted “yea” and Pres. Rinehart declared the motion adopted. Adjourned at 8:08 p.m.

---

Clerk of Council

---

President of Council