

Council Chambers  
Regular Meeting  
February 23, 2015  
7:30 p.m.

Council met in regular session with the following seven members present: Ames, Gray, Neal, Patrick, Proehl, Tatman and Trutschel. (Mr. Showman absent.) There were two media representatives and 12 other visitors present, in addition to Mayor Everson, City Law Director Rutherford, and City Auditor Feeney.

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

Mrs. Ames moved and Ms. Gray seconded that the Minutes of the regular meeting of February 9, 2015, be accepted and approved, as submitted by the Clerk. All members present voted "yea" and Pres. Eallonardo declared the motion adopted.

## **COMMITTEE REPORTS**

### **Utilities/Transit:**

Mrs. Patrick reported on Item #2 to accept and appropriate a \$24,581.12 insurance reimbursement check for the replacement and the installation of a traffic signal controller damaged in an auto accident within the city, on tonight's Agenda for its first reading. Mrs. Patrick said that she will seek to pass this item tonight due to safety concerns and the need to get this traffic signal controller installed as soon as possible.

### **Finance Committee:**

Mr. Trutschel reported on Item #3 to authorize the City Auditor to move the Municipal Swimming Pool Department from the general fund to the recreation fund, on tonight's Agenda for its first reading.

### **Human Resources Committee:**

Ms. Gray reported on Item #1 to appropriate \$48,000.00 to fund the EEO Administrator for the remainder of calendar year 2015, on tonight's Agenda for its first reading. Ms. Gray said that she will seek to pass this item tonight. She indicated that the Human Resources Committee has also sent a number of other items of legislation to the City Law Director's Office for drafting of the applicable legislation.

### **Development Committee:**

Mrs. Ames said that the Development Committee has nothing on tonight's Agenda. However, she stated that she is reporting out of committee, with no action to be taken by Council, Assignment #14-167, requesting the legislation necessary to accept an offer of real property from the Litter family to the City of Chillicothe. Mrs. Ames stated that there were cost concerns about the acceptance of this property, located at the northeast edge of Yoctangee Park, and that when these concerns were made known to the Litter family, they withdrew their offer to transfer the property.

## REPORTS OF OFFICIALS

### **Report of Mayor Everson:**

Mayor Everson said that there continues to be a vacancy in the position of Director of the Chillicothe Transit System. He said that he has been working on this, and that he has been working with a company known as RLS. He said that he soon expects to be signing a contract on this, and that Julie Schaffer will be in charge. Mayor Everson reported that on March 10, 2015, there will be a drug summit pertaining to the local fight against the drug problem. He also reported that on March 31, 2015, there will be civil service examinations on the positions of Sergeant, Captain, and Chief, in the Chillicothe Police Department. Mayor Everson concluded his report by urging passage of both Item #1 and Item #2 tonight.

### **Report of Auditor Feeney:**

City Auditor Feeney commented on Item #3, stating that all of the revenues and all of the expenses in connection with the Donald M. Smith Memorial Pool will now go into the recreation fund. He explained that all of the shelter rental fees will be going into the recreation fund, and that one-half will still go toward the city pool. Also, he stated that this will now make it clear that any donations to the city pool will be going to operation of the pool. Mr. Feeney stated that the city is bonding out the last of its debt. He said that he distributed tonight copies of a report on the city's debt rating of 8.2, which he stated is a good rating. He said that the report also contains additional information. Mr. Feeney concluded his report by stating that he is recommending a particular software for the auditor's office, and that he has submitted to Pres. Eallonardo a request for a Council Committee Assignment to have the necessary legislation brought before Council.

### **Report of Pres. Eallonardo:**

Pres. Eallonardo stated that she recently received a written request from Mr. Paul Pollard for the appointment of Mr. Bob Etling to the Majestic Theatre Board. She said that she would appreciate a motion by Council to approve this appointment. Mr. Trutschel moved and Mr. Proehl seconded that Council approve Pres. Eallonardo's appointment of Bob Etling to the Majestic Theatre Board. All members present voted "yea" and Pres. Eallonardo declared the motion adopted.

## OLD BUSINESS

Mrs. Patrick stated that she will not support the waiver of the three reading rule tonight in order to pass Item #1. She said that this ordinance does not need to be passed tonight on an emergency basis because there is sufficient funding to cover the expenses in connection with this position into May of this year. Mrs. Patrick said that if Council passes this tonight on suspension of the rules, this would be making a statement to the effect that the EEO Administrator is more important than a police officer or a firefighter. She stated that Mayor Everson assured the members of Council in November that he would stand by the termination of the position of EEO Administrator and that as a result, Council subsequently adopted a budget that eliminated this position. Mrs. Patrick said that even after City Auditor Feeney discovered that there was an additional \$100,000.00 in the carryover balance from 2014, the City of Chillicothe was still \$450,000.00 short on the amount of the carryover balance that is required by the State Auditor's office to avoid financial caution. Mrs. Patrick said that the actions of Mayor Everson, in suddenly reversing his position, are what caused the mess that we are in now. She stated that when Item #1 does come on for final reading, she will vote in favor of passage of it, but only due to considerations of the cost of defending a lawsuit that the city would probably lose.

Mr. Proehl also commented on Item #1, stating that he will support the waiver of the three reading rule tonight to get this passed. He said that we are to the point where this is only a matter of paper work, and that waiting to pass it at a later time does not accomplish anything. He said that all of us want more police and more firefighters.

Mr. Trutschel inquired if all of the seven members who are here tonight must vote in favor of a motion to suspend the three reading rule in order to pass this tonight. After discussion, the Clerk and City Law Director Rutherford both indicated that all seven members present tonight must vote to suspend the rules, otherwise the motion will fail.

Ms. Gray moved and Mrs. Ames seconded that Council excuse the absence of Mr. Showman. All members present voted "yea" and Pres. Eallonardo declared the motion adopted.

Mr. Trutschel said that he will support the waiver of the three reading rule tonight on Item #1 just to give certainty to the person currently in the position of EEO Administrator, for the current year. However, he said that he will not support the funding of the EEO Administrator position in the 2016 budget.

### **COUNCIL ASSIGNMENTS AND CALENDAR**

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

- #15-12-Human Resources-Fill a budgeted part-time clerical support position in the Parks/Recreation Department;
- #15-13-Utilities/Transit-Accept an insurance check in the amount of \$24,589.12 covering the cost of a damaged traffic controller and the labor to install;
- #15-14-Finance-Appropriate \$1,100.00 to cover the cost of fuel for the city electrician for the calendar year 2015;
- #15-15-Finance-Appropriate \$1,400.00 to cover the cost of the city electrician obtaining his IMSA certification for traffic control;
- #15-16-Finance-Request to amend the wording on "Exhibit A" (detailed listing of capital items);
- #15-17-Finance-Assign additional \$500.00 to the original request to appropriate \$1,400.00 to cover the cost of the city electrician obtaining his IMSA certification for traffic control, to cover the costs of a new certificate as opposed to a renewal;
- #15-18-Finance-Appropriate \$3,400.00 to cover the cost of emergency surgery for canine officer Ciko who suffered a torn ACL to her leg in the line of duty; and
- #15-19-Finance-Authorize the City Auditor to enter into a three year purchase agreement with Software Solutions, Inc.

### **READING AND PASSAGE OF LEGISLATION**

An Ordinance appropriating the amount of \$48,000.00 to fund the EEO Administrator position for the remainder of calendar year 2015 and declaring an emergency was read for the first time by title only. Ms. Gray moved and Mr. Proehl seconded that the three reading rule be suspended, placing this item on final passage. Upon the call of the roll, all members present voted "yea" except Mrs. Patrick, who voted "nay", and Pres. Eallonardo declared the motion to have failed on a vote of 6-1, for failure to obtain the necessary 7 votes.

**Ord. No. 17-15** accepting and appropriating an insurance reimbursement check in the amount of \$24,589.12 for the replacement and installation of a traffic signal controller which was damaged as a result of an auto accident within the city, and declaring an emergency was read for the first time by title only. Mrs. Patrick 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. Eallonardo declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Eallonardo declared Ord. No. 17-15 adopted.

An Ordinance authorizing the City Auditor to move the Municipal Swimming Pool Department from the general fund to the recreation fund, and directing that all amounts currently appropriated in said department be transferred to the new recreation fund-municipal swimming pool department was read for the first time by title only.

Ms. Gray moved and Mrs. Ames seconded that the regular meeting be adjourned. All members present voted "yea" and Pres. Eallonardo declared the motion adopted. Adjourned at 7:54 p.m.

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Clerk of Council

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President of Council