

Council Chambers
Regular Meeting
February 24, 2014
7:30 p.m.

Council met in regular session with the following eight members present: Ames, Bonner, Gray, Neal, Patrick, Proehl, Showman and Tatman. (Mr. Trutschel absent.) There were two media representatives and 18 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. Bonner moved and Mr. Proehl seconded that the Minutes of the regular meeting of February 10, 2014, and the Minutes of the Legislative Review Session of February 17, 2014, be accepted and approved, as submitted by the Clerk. All members present voted “yea” and Pres. Rinehart declared the motion adopted.

COMMITTEE REPORTS

Safety-Service Committee:

Mr. Proehl reported on Item #11 to accept and appropriate \$2,640.00 in grant funds received from the David Meade Massie Trust, on tonight’s Agenda for its first reading. Mr. Proehl reported on Item #13 to amend Section 138.04 of the Codified Ordinances pertaining to members of the Nuisance Abatement Board, on tonight’s Agenda for its first reading. Mr. Proehl reported on Item #14 to accept \$1,161.31 as reimbursement for hazardous material containment performed by the Chillicothe Fire Department during the April 29, 2012 fire at Sherwin Williams, on tonight’s Agenda for its first reading. He said that he will seek to pass these three items tonight. Mr. Proehl reported on Item #15 to authorize the acceptance and appropriation of \$100.00 donated by Kelly Piner in appreciation for services she received from the Chillicothe Fire Department, on tonight’s Agenda for its first reading.

Utilities/Transit/Nuisance Committee:

Mrs. Patrick indicated that she has distributed copies from the most recent meeting of the Utilities Rate Review Committee conducted on February 7, 2014. She stated that this also contains copies of the rates and costs submitted by Utilities Director Richard Johnson. Mrs. Patrick indicated that the Utilities Committee is still working on Council Committee Assignment #14-05, an update of the sewer ordinance, and that she expects to report further on this next month. Mrs. Patrick reported on Item #7 to create Chapter 1312 of the Codified Ordinances of the City of Chillicothe, Ohio, titled “Clandestine Drug Labs”, on tonight’s Agenda for its second reading. Mrs. Patrick moved and Mrs. Ames seconded that Item #7 be amended by replacing the original version with the new version distributed with Friday night’s legislative packet. All members present voted “yea” and Pres. Rinehart declared the motion adopted, ruling that this does not represent a substantial change and that Item #7 will therefore remain at its second reading status tonight. Mrs. Patrick said that she has distributed copies of a flyer concerning meth labs, produced by the Ohio Department of Health. She stated that during the past year, there were 20 meth labs discovered within Ross County. She took issue with the editorial opinion that appeared in the Chillicothe Gazette, stating that she did not agree with its implication that it is not the job of the City of Chillicothe to look out for the city’s residents and first responders.

Human Resources Committee:

Ms. Gray reported on Item #17, to add Sections 123.073 titled "Transportation Coordinator" and 123.074 titled "Transit Administrative Clerk" to the Codified Ordinances, on tonight's Agenda for its first reading. Ms. Gray reported on Item #18 to amend Section 3 of Ord. No. 80-12 to designate the Civil Service Secretary's hours as 1,040 per year and to add two Transit Department positions, on tonight's Agenda for its first reading. Ms. Gray moved and Mr. Tatman seconded that Item #2 not be read tonight. Mrs. Ames asked why such a motion is being made at this time, noting that she is the chairperson of the committee sponsoring Item #2. Ms. Gray responded, stating that she believes that this ordinance needs further study before coming to a final vote. She expressed some of her objections to its current form, mentioning that she believes it does not have sufficient diversity of membership and that in particular, there is no requirement for a member of the Chillicothe Design Review Board to serve on the commission, and too much depends upon the Mayor's appointment of members of the commission. She said that because the Third Ward is partly within the downtown district, she feels that on behalf of her constituents she should make this motion at this time to give Council a chance to take another look at this proposal. The question then being called, all members present voted "yea" except Mrs. Ames, who voted "nay", and Pres. Rinehart declared the motion adopted, directing the Clerk to not read Item #2 tonight.

Development Committee:

Mrs. Ames expressed her disagreement with Ms. Gray on the motion to not read Item #2. She said that if there were objections to this ordinance, those objections should have been brought up sooner than tonight, when this is at third reading status. Ms. Gray responded, stating that she brought her objections up during the meetings of the Development Committee. Mrs. Ames proceeded to report, on behalf of the Finance Committee, in the absence of Mr. Trutschel, on Item #4 to appropriate \$25,000.00 into the Floodwall-Capital Lands and Building Line Item for necessary maintenance on the floodwall and pump stations, on tonight's Agenda for its second reading. Mrs. Ames reported on Item #8 to provide for the issuance of not to exceed \$2,441,000.00 of notes to pay the costs of improvements to the city's water system, on tonight's Agenda for its second reading. Mrs. Ames reported on Item #9 to provide for the issuance of not to exceed \$300,000.00 of notes to pay the cost of acquiring two garbage trucks, on tonight's Agenda for its second reading. Mrs. Ames reported on Item #10 to consolidate the two bond anticipation note issues of the City of Chillicothe, Ohio, on tonight's Agenda for its second reading. She stated that she will seek to pass each of these four items tonight. Mrs. Ames said that turning to the Development Committee items on tonight's Agenda, she noted that Item #2, which will not be read tonight, is to create Chapter 1168 of the Codified Ordinances establishing the Chillicothe Downtown Development Commission. Mrs. Ames reported on Item #5 to approve the action of the Planning Commission to rezone the property located at 171 E. Fifth Street from Older Neighborhood Single-Family Residential (R-3) to Residential Office (R-O), on tonight's Agenda for its second reading. She said that this has now been scheduled for a Public Hearing before Chillicothe City Council on April 14, 2014, at 7:30 p.m., here in Council Chambers. Mrs. Ames reported on Item #6 to accept and support the Citizen Participation Plan for the Community Development Block Grant and Home Investment Partnerships Programs, on tonight's Agenda for its second reading. Mrs. Ames reported on Item #12 to accept and appropriate \$16,235.66 received as payment of a depreciated CHIP Grant Lien held by the City of Chillicothe, on tonight's Agenda for its first reading. She stated that she will seek to pass this item tonight. Mrs. Ames reported on Item #16 to amend Section 139.05(b) of the Codified Ordinances titled "Community Reinvestment Areas" on tonight's Agenda for its first reading. Mrs. Ames reported on Item #19 to authorize the Mayor to support an agreement with the New Carlisle, LLC, providing for a community reinvestment area tax exemption of 75% for 15 years, on tonight's Agenda for its first reading. Mrs. Ames said that with respect to the pending meth lab legislation, she also agrees with the first part of Mike Throne's editorial opinion in the Chillicothe Gazette, where he talks about the many benefits from the law, but that she also believes that Mr. Throne was very subjective in his criticism of the city for looking out for itself.

Parks & Recreation Committee:

Mr. Bonner reported on Item #1 to grant the use of the City Park and the surrounding streets for preparation and operation of the Tour of the Scioto River Valley from May 9, 2014, through May 12, 2014, on tonight's Agenda for its third reading. Mr. Bonner reported that the Parks & Recreation Board met last Wednesday, and that they have decided that in order to prepare to improve the City Park's ball fields with capital monies, they will conduct a work day on this coming Saturday, March 1, 2014, beginning at 8:00 a.m., at the City Park.

Mr. Bonner also reported, on behalf of the City Services Committee, on Item #3 to amend certain sections of Chapter 721, to repeal other sections of Chapter 721, and to create other sections of Chapter 721 of the Codified Ordinances titled "Taxicabs" on tonight's Agenda for its third reading. He said that he is reporting on the proposed legislation because it is a carry-over from last year.

On behalf of the Human Resources Committee, Ms. Gray moved and Mrs. Neal seconded that the three day receipt rule be suspended, and that there be placed on tonight's Agenda an ordinance amending Section 131.02(b) of the Codified Ordinances of the City of Chillicothe, Ohio relating to the Civil Service Secretary, and declaring an emergency. All members present voted "yea" and Pres. Rinehart declared the motion adopted, designating this particular item as Item #20 on tonight's Agenda for its first reading. Ms. Gray stated that she will seek to pass this item tonight.

REPORTS OF OFFICIALS

Report of Mayor Everson:

Mayor Everson stated that he wished to thank everyone for the condolences expressed to him and to his family on his loss of his brother. He said that he commends the city's crews for their work on getting the city's street drains cleared and for all of the other storm clearing work they have been doing since the last regular meeting of Council. He said that in reference to Item #2 that is not being read tonight, he requests that Ms. Gray send to him a listing of her specific objections to the legislation as it currently exists. Mayor Everson announced that there will be a special meeting of City Council that he is calling for Wednesday evening at 6:30 p.m., to give second readings to Item #16 and Item #19, dealing with the community reinvestment area. He said that he has sent out notice on this. Mayor Everson said that he had a meeting with the local state representatives, law enforcement officials, and other interested parties to address the drug issue in Chillicothe. He commented on the New Beginnings Church drama last Saturday concerning victims of drug overdose, stating that this was a very good event. Mayor Everson concluded his report by stating that he will be giving the "State of the City" address on Wednesday, March 5, 2014, at the Chillicothe Country Club, at 11:30 a.m.

Report of Auditor Feeney:

City Auditor Feeney commented on Item #4, again stating that this was an oversight in the preparation of the 2014 budget, and that he urges passage of this item tonight in order to get the \$25,000.00 into the floodwall account. Mr. Feeney also commented on the bond issue items, #8, #9, and #10, stating that he urges passage of these three items tonight due to the fact that they are time sensitive. He noted that there was a recent article in the Chillicothe Gazette concerning the city's bond reading status. He said that last fall, the city received an A-One rating, but with a negative outlook for the future. He said that the rating has now been downgraded to A-Two, as reported by the Gazette article, but that they have removed the "negative outlook" qualifier. Mr. Feeney commented on Item #18, stating that all three positions were created and/or discussed during the budget meetings last fall.

Report of Law Director Rutherford:

City Law Director Rutherford stated that her office has been working on the “Second Hand Dealers” legislation with the Safety Services Committee of Council. She said that she is again urging the members of Council to submit their legislation requests to her office in a timely fashion. She stated that she also is requesting that everybody use the pre-printed forms when requesting a legal opinion. Mrs. Rutherford concluded her report by stating that they are completing the process of closing out their files for 2013.

Report of Pres. Rinehart:

Pres. Rinehart expressed his condolences to Mayor Everson and his family on their loss. He also expressed his thanks to the city’s crews for cleaning out the storm drains and other work done on storm cleanup, as well as singling out Mike Green for his efforts. He stated that they have been doing a good job on starting to fill in the many potholes that have cropped up. However, he said that there are still plenty of them out there, and he urged the public to report on these. Pres. Rinehart expressed his thanks to the Adena Health System and the Chesler Group for their signing of the lease pertaining to the Carlisle Building and for their ongoing progress on the Carlisle reconstruction project. He urged City Council to pass both of the CRA ordinances when they come up for a final vote. Pres. Rinehart concluded his report by thanking Mr. Proehl for his work on bringing Item #13 to Council’s Agenda tonight.

AUDIENCE PARTICIPATION

Joe Sharp of 559 N. High Street also expressed his thanks to everyone for their service to the City of Chillicothe. However, he stated that he is here tonight to question the need for the “Clandestine Drug Labs” legislation. He said that he is only aware of 5 local meth labs having been discovered lately. He said that Mrs. Patrick stated that there have been 20 in her remarks earlier tonight. He asked how many of these have resulted in injuries to either the first responders or anybody else. He said that he is also passing out flyers on “meth lab cleanups”, and that he urges Council members to read this information. He said that Chillicothe landlords should not be required to pay the cleanup costs. He stated that he and other landlords pay taxes for local law enforcement, and he explained that many of these so-called meth labs are actually very small scale. Secondly, he stated that he can do any cleanup himself, without having to hire an expensive independent outfit. He said that this amounts to discrimination against any former drug users and he argued against a law that results in barring these people from rental properties by forcing landlords to screen all of them out.

Karen Hoffman, President of AFSCME, Local 1562, said that she is here to go on the record against having a non-classified, non-bargaining unit status of the “Transportation Coordinator” or the “Transit Administrative Clerk”. She said that the terminology used in the ordinances before Council tonight is problematic. She said that one cannot be a classified employee and yet serve at the pleasure of the Mayor. She said that these employees will be doing the same or similar work to that being done by bargaining unit employees that they will be working with. She urged Council not to waive the three reading rule on these items tonight, and to instead give these items further study.

Jake McNeely of 7 Bellecrest Lane spoke to Council about the condition of several properties. He mentioned 605 Allen Avenue, saying that this property is a burned out dump. He inquired about its status, and Mrs. Patrick provided a brief response. Mr. McNeely also asked the City Law Director about 523 Bellview Avenue. He said that Council passed an ordinance about three years ago to permit a pole barn on this property, but that the pole barn is still not completed. He said that it is full of junk, and that there is just a hole for the basement of a proposed house on this property. He urged City Law Director Rutherford to take action on this. He then also talked about the responsibilities of a landlord, stating that as a landlord he would like to know what the role of the Chillicothe Police Department is with respect to the Clandestine Drug Lab legislation. He said that he just bought property on Adams Avenue, but

that the property located at 805 Adams Avenue has 5 drug dealers living there and it is owned by an elderly lady in a nursing home who probably knows nothing about its condition. He said that there are needles everywhere around this property. He said that he is against drugs himself. He stated that he turned in this property about the electric situation, saying that he reported the theft of an electric meter from his own property. He said that the Chillicothe Police would not do anything about this. He said that this ordinance has flaws, and that if the owner of a property goes through small claims court, it takes anywhere from 3 to 4 months to get somebody thrown out.

Whitey Coates of 460 Summit Drive spoke to City Council, stating that he is on the Chillicothe Tree Commission and that other members are here with him tonight. He referred to the materials that he passed out, and gave a lengthy presentation concerning Chillicothe's tree ordinance and the activities of the Tree Commission. He indicated that trees located on the city's own land belong to the city, but that if a tree is located on city right-of-way, it is the city who owns the tree but the homeowner who has a duty to maintain the tree. He indicated that permits are required from the tree commission to do work on trees or to cut them down, stating that they are advocates for the trees. He discussed the elm ash borer problem, and provided a detailed report on their work on this problem. He spoke about the Millennium Grove comprising of 7 acres donated to the city with over 100 trees.

John Stevens of 522 Seminole Road said that if the leaves around the city had been picked up during the fall, when they were supposed to be picked up, the city would not now be having all of the problems that we have with the storm cleanup. He also stated that there was a bobcat used to clean out a drain, but that then the city's plow came back and closed it back up.

OLD BUSINESS

Ms. Gray thanked the Administration for providing the digital copies of the annual reports of the various departments. She also mentioned a second annual event of the Chillicothe Firefighters.

PETITIONS AND CORRESPONDENCE

The Clerk reported on receipt of a letter from Quintin Court, Wabuck Development Company, concerning a project consisting of a 32 unit multifamily housing to be located at 960 Toledo Street and Columbus Street within the City of Chillicothe, as well as the right of the city to submit comments on the proposed project. The Clerk also reported on receipt of a Notice from the Ohio Division of Liquor Control of the issuance of a permit to Cardos Family Fun Center, Inc., of 1 Nancy Wilson Way.

NEW BUSINESS

Ms. Gray noted that the Chillicothe Kiwanis Club will hold a Statehood Day Breakfast on March 1, 2014.

Mrs. Ames commented on the project to refurbish the OU-C Emergency Service Center, stating that a letter of support has been submitted in order to help them get a grant.

Mr. Bonner also commented on the observance of Statehood Day on March 1, 2014, saying that the Parks & Recreation Board will still have its get together on the ball fields at 8:00 a.m. He said that they mean no disrespect to the Statehood Day event. Mr. Bonner also mentioned the matters that were discussed by Mrs. Hoffman, saying that he wishes to know the reason that these positions are not being put in the bargaining unit. Mayor Everson responded, stating that he will discuss this with members of Council and that they will work this up. Mr. Bonner said that he agrees that Council should not waive the three reading rule to pass this legislation tonight. He said that on another matter, he has noticed that a lot of what should be brought up

during old business or new business is instead being brought up during committee reports. He said that he feels that members of Council should try to adhere to the established practice of confining committee reports to the status of Council Committee Assignments and items on Council's Agenda, leaving other matters to either old business or new business.

Mrs. Patrick stated that she felt that Council has already discussed at length the personnel matters that are on tonight's Agenda.

Ms. Gray responded, stating that there were three committee meetings. Also, she stated that this was discussed during the budget discussions. She said that we, as Council, need to get this done. However, she said that she feels that we can defer on the waiver of the three reading rule tonight. Also, she stated that she believes that Mayor Everson needs to address any administrative matters.

Mrs. Ames also discussed the matters concerning the Civil Service Commission's meeting times. She stated that she is disappointed that the Civil Service Commission is not being more flexible to accommodate elected officials who are unable to attend their meetings as presently scheduled.

COUNCIL ASSIGNMENTS AND CALENDAR

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

- #14-38-Development-Request for legislation supporting the CRA tax exemption for the Carlisle Building;
- #14-39-Engineering-Request for investigation of the city's participation in modifying the five way intersection located near N. Plaza Blvd. and Nancy Wilson Way; and
- #14-40-Engineering-Request for legislation amending Ord. No. 50-74 and Section 331.41 of the Codified Ordinances which prohibits through traffic on gas/service station parking lots.

READING AND PASSAGE OF LEGISLATION

Res. No. 1-14 granting use of the City Park and surrounding streets from Friday, May 9, 2014 at 12:00 p.m. through Monday, May 12, 2014 at 12:00 p.m. for preparation and operation of the Tour of the Scioto River Valley (TOSRV) and providing for coordination of its events with the Parks & Recreation Department was read for the third time by title only. On final passage, all members present voted "yea" and Pres. Rinehart declared Res.No. 1-14 adopted.

Ord. No. 6-14 amending Sections 721.01, 721.03, 721.07, 721.10, 721.11, 721.13, 721.14 and 721.99, and repealing Sections 721.08, 721.09, and 721.12, and creating Sections 721.16 and 721.17 in the Codified Ordinances in the City of Chillicothe, titled "Taxicabs" was read for the third time by title only. On final passage, all members present voted "yea" and Pres. Rinehart declared Ord. No. 6-14 adopted.

Ord. No. 7-14 appropriating \$25,000.00 into the floodwall-capital lands and buildings line item to cover the expense of necessary maintenance on the floodwall and pump stations and declaring an emergency was read for the second time by title only. Mrs. Ames moved and Ms. Gray 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. 7-14 adopted.

An Ordinance approving the action of the Planning Commission of the City of Chillicothe in rezoning property located at 171 E. Fifth Street, Chillicothe, Ohio from Older Neighborhood Single Family Residential (R-3) to Residential Office (R-O), and declaring an emergency was read for the second time by title only.

A Resolution accepting and supporting the Citizen Participation Plan for the Community Development Block Grant and Home Investment Partnerships Programs was read for the second time by title only.

An Ordinance creating Chapter 1312 of the Codified Ordinances of the City of Chillicothe, titled "Clandestine Drug Labs.", was read for the second time by title only.

Ord. No. 8-14 providing for the issuance of not to exceed \$2,441,000.00 of notes by the City of Chillicothe, Ohio, in anticipation of the issuance of bonds for the purpose of paying the cost of improvements to the city's water system, including water mains, booster station, pumps, line upgrades and elevated water storage tank for the Adena Project, together with all necessary appurtenances, and declaring an emergency was read for the second time by title only. Mrs. Ames moved and Ms. Gray 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. 8-14 adopted.

Ord. No. 9-14 providing for the issuance of not to exceed \$300,000.00 of notes by the City of Chillicothe, Ohio, in anticipation of the issuance of bonds for the purpose of paying the cost of acquiring two garbage trucks, together with all necessary appurtenances, and declaring an emergency was read for the second time by title only. Mrs. Ames moved and Ms. Gray 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. 9-14 adopted.

Ord. No. 10-14 consolidating two bond anticipation note issues of the City of Chillicothe, Ohio, and declaring an emergency was read for the second time by title only. Mrs. Ames moved and Ms. Gray 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. 10-14 adopted.

Ord. No. 11-14 accepting and appropriating \$2,640.00 in grant funds received from the David Meade Massie Trust; and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Mrs. Patrick 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. 11-14 adopted.

Ord. No. 12-14 accepting and appropriating the sum of \$16,235.66 received as payment of a depreciated CHIP Grant lien held by the City of Chillicothe, and declaring an emergency was read for the first time by title only. Mrs. Ames moved and Ms. Gray 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. 12-14 adopted.

Ord. No. 13-14 amending Section 138.04 of the Codified Ordinances of the City of Chillicothe, Ohio was read for the first time by title only. Mr. Proehl moved and Mr. Bonner seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" except Mrs. Patrick, who abstained, and Pres. Rinehart declared the rule suspended. All members present then voted "yea" on the item itself, except Mrs. Patrick, who abstained, and Pres. Rinehart declared Ord. No. 13-14 adopted by a vote of 7-0.

Ord. No. 14-14 accepting \$1,161.31 received as reimbursement for hazardous material containment performed by the Chillicothe Fire Department during the April 29, 2012 fire at Sherwin Williams; and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Mrs. Neal 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. 14-14 adopted.

Ord. No. 15-14 authorizing the City of Chillicothe to accept and appropriate the sum of \$100.00, which was donated by Kelly Piner to the city in appreciation for services she received from the Chillicothe Fire Department, and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Mrs. Neal 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. 15-14 adopted.

An Ordinance amending Section 139.05(b) of the Codified Ordinances of the City of Chillicothe titled “Community Reinvestment Areas”, and declaring an emergency was read for the first time by title only.

An Ordinance adding Sections 123.073 titled “Transportation Coordinator” and 123.074 titled “Transit Administrative Clerk” to the Codified Ordinances of the City of Chillicothe, and declaring an emergency was read for the first time by title only.

An Ordinance amending Section 3 of Ord. No. 80-12, and declaring an emergency was read for the first time by title only.

A Resolution authorizing the Mayor of the City of Chillicothe, Ohio to support an agreement with the New Carlisle, LLC, providing for a community reinvestment area (CRA) tax exemption of seventy-five percent (75%) for fifteen (15) years, and declaring an emergency was read for the first time by title only.

An Ordinance amending Section 131.02(b) of the Codified Ordinances of the City of Chillicothe, Ohio relating to the Civil Service Secretary, and declaring an emergency was read for the first time by title only.

Ms. Gray moved and Mrs. Neal seconded that Council excuse the absence of Mr. Trutschel. All members present voted “yea” and Pres. Rinehart declared the motion 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 9:08 p.m.

Clerk of Council

President of Council

Council Chambers
Special Meeting
February 26, 2014
6:30 p.m.

Council met in Special Session at the call of Mayor Everson, pursuant to written notice dated and delivered February 24, 2014, for the purpose of considering two items of legislation described in the Notice, with the following eight members present: Ames, Bonner, Gray, Neal, Patrick, Proehl, Showman and Trutschel. (Mr. Tatman absent.) There were two media representatives and 3 other visitors present, in addition to Mayor Everson and City Auditor Feeney.

Pres. Rinehart inquired if there was a report from a committee tonight. Mrs. Ames responded on behalf of the Development Committee, thanking everyone for coming tonight. She said that the guests who are here tonight include Dona Smith from the CIC and also a representative from the Adena Health System. Mrs. Ames reported on Item #1 to amend Section 139.05(b) of the Codified Ordinances of the City of Chillicothe titled "Community Reinvestment Areas", and declaring an emergency. She provided a discussion of the history of the development of the concept of a community reinvestment area, and also provided a detailed discussion of the use of CRA legislation for development purposes. She said that the current version of Section 139.05(b) of the Codified Ordinances is being changed in order to mirror what has been going on at the state level, and providing for a maximum tax exemption of not to exceed 75%, with the length of the exemption being up to 15 years for new and existing commercial and industrial facilities. Mrs. Ames reported on Item #2 to authorize the Mayor of the City of Chillicothe, Ohio to support an agreement with the New Carlisle, LLC, providing for a community reinvestment area tax exemption of 75% for 15 years, and declaring an emergency. She stated that this piece of legislation is intended to be specific to New Carlisle, LLC, but that we are really giving this tax exemption to the Adena Health System, who is the tenant of the premises and responsible for payment of the taxes under the lease agreement. She said that this project is getting the very first grant of its kind from Jobs Ohio. She said that everything has come together at once to finally make this project possible, and that passage of this legislation is an important piece of the puzzle. She said that all of the pieces are dependent upon the other pieces going into place, so it is very important that Council pass this legislation.

Mr. Bonner commented on the taxes that are currently being paid, stating that this will remain at 100% and that it is only the taxes on the new development assessment that will be covered by the tax exemption. He noted that currently, however, the taxes only amount to about \$1,800.00 per year.

Mrs. Ames noted that the Howson Building is not included in the actual project that is receiving the tax exempt status. However, she said that as part of the proposal, the Howson Building will be stabilized and that its asbestos will be removed. Ms. Gray raised questions about the Howson Building, asking who it is that will define when the building has become "stabilized". She said that she believes that City Council needs assurances on this. Mrs. Ames responded, stating that this is off point. She stated that we are talking about the Carlisle Building tonight, not the Howson Building. She said that she only mentioned the Howson Building to indicate that it will be stabilized and that the asbestos will be removed. Mr. Trutschel said that we have to thank both the Chesler Group and the Adena Health System, but that he also believes we should be thanking Mayor Jack Everson who committed to the idea of getting something done on the Carlisle Building. Pres. Rinehart said that he wishes to express his thanks to everyone involved in making this possible, and he discussed at length the past negative talk that has taken place concerning this burned out structure. He said that it is now a vision that is being achieved.

Dona Smith said that she also wishes to thank the Adena Health System for stepping up and for making such a strong commitment to the future of downtown Chillicothe.

Ord. No. 16-14 amending Section 139.05(b) of the Codified Ordinances of the City of Chillicothe titled "Community Reinvestment Areas" and declaring an emergency was read for the second time by title only. Mrs. Ames 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. 16-14 adopted.

Res. No. 2-14 authorizing the Mayor of the City of Chillicothe, Ohio to support an agreement with the New Carlisle, LLC, providing for a Community Reinvestment Area (CRA) tax exemption of seventy-five percent (75%) for fifteen (15) years, and declaring an emergency was read for the second time by title only. Mrs. Ames moved and Mrs. Patrick 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. 2-14 adopted.

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

Mr. Bonner moved and Ms. Gray seconded that the Special Meeting be adjourned. All members present voted “yea” and Pres. Rinehart declared the motion adopted. Adjourned at 6:51 p.m.

Clerk of Council

President of Council